

AGENDA # 2

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION **PRESENTED:** January 25, 2012

TITLE: A Resolution Adopting the Downtown **REFERRED:**
 Plan as a Supplement to the City of **REREFERRED:**
 Madison Comprehensive Plan. (24468) **REPORTED BACK:**

AUTHOR: Alan J. Martin, Secretary **ADOPTED:** **POF:**

DATED: January 25, 2012 **ID NUMBER:**

Members present were: Richard Wagner, John Harrington, Henry Lufler, Richard Slayton, Dawn O’Kroley, Todd Barnett, Marsha Rummel and Melissa Huggins.

SUMMARY:

At its meeting of January 25, 2012, the Urban Design Commission **CONTINUED DISCUSSION** of the plan. Appearing in support of the plans were Gary Peterson, Jonathan Cooper, representing Capitol Neighborhoods, Inc.; Carole Schaeffer, representing Smart Growth Greater Madison; and Susan Schmitz, representing DMI. Peterson began by referencing a memo to City committees, commissions and the Common Council with three points of the plan. Firstly the grand boulevard idea to make use of 132-feet of right-of-way on Wisconsin Avenue and West Washington Avenue, with the idea to move the traffic lanes closer to the sidewalk and free up vacant space in the middle of the road to create a grand boulevard. In the two block area from Gorham to Dayton Streets they would place statues of Madison’s historic figures. From Dayton Street to the Square the curbs would be widened, and the configuration on West Washington Avenue would be with the traffic lanes on the outside. It would be a way of bringing together Madison’s past, present and future. Cooper spoke as the Chair of the Capitol Neighborhoods Downtown Committee and commended the work put into the plan. 39% of the area covered by the Downtown Plan are permitted to have buildings of 10-12 stories. A total of 50% of the downtown area would have heights of 8 stories and above. Their view is that the building heights proposed encourage infill and redevelopment while respecting the existing development. They encourage downtown Madison to continue to grow and endorse this plan. Schaeffer, representing Smart Growth Greater Madison spoke about the need for tools to make these recommendations happen. She noted that they want the ability to have architectural creativity without being too limited. They are concerned with the PUD process change that would mean a height restriction would require an amendment to the zoning district. The bonus areas in the Langdon District ask for a 30-foot setback from all street façades; in talking to architects they are very concerned that going back 30-feet will end up with a building that won’t look right; a 10-15 foot range would be better. Schmitz, representing DMI spoke in agreement with needing the tools to make this plan work. More specifically, she talked about the Mifflin Street area and suggested this as a place for people to live, work and play as a whole new neighborhood under the theme of the “Wisconsin Idea District.” This area has so many possibilities and she encouraged the Commission to look at those. This would also help grow the State Street Business District financially.

Comments and questions from the Commission were as follows:

- I'm personally struggling with what happens with PUDs. Do you have any ideas about this; do we exempt the downtown from this?
 - We're talking specifically about the Downtown District heights. We're concerned about the Downtown Section being excluded from using the PUD process. The language prohibits extra stories and would require a rezoning of the actual district.

Staff, do you want to comment on why this change is proposed?

In the rest of the City height is determined by the zoning district in which the property is sited. In the downtown, we have a number of downtown specific districts because of the unique nature of the downtown. Instead of having twenty of them, one of the nuances was height so we proposed this height limit regardless of what your zoning district is. The way it is currently written in the Zoning Code, you cannot use a PUD to get out of this. However, if there was a development in any one of these areas that was overall a good development but exceeded the height limit, you can go through an amendment to amend this map to have an area changed to more stories. You just can't use the PUD process to get around it. The Economic Development Committee has talked about using a conditional use process in lieu of the PUD process. We are still recommending that you go with the height map and if a great project comes in we go ahead and amend the map. One example is the Don Miller site on East Washington Avenue; this is in an Urban Design District that has maximum heights associated with it, which is currently 10-stories. A project has come in and everybody is agreeing that this is a really great project that belongs here, but it's 12 stories. Concurrent with that project going through the process, there is an amendment to the UDD to change the maximum height for this site. That's the exact kind of thing that would happen here.

- We now have these Downtown Design Zones, and they're going to go away. They are pretty prescriptive; is there anything quite like that with this plan, in terms of we need to hold the corner, or other urbanist values that are also part of the bulk standards?
 - The new Zoning Code has building form standards that get at a number of those basic design components that you can find in some of the Downtown Design Zones. The height was really the reason those Downtown Design Zones were created in the first place, and in terms of height they have been successful.
- Is the height determined by feet or number of stories?
 - It's by stories and the measurement of stories will have to be reconciled once the plan moves forward. The assumption is the first floor height be in the range of 14-18 feet, with upper stories at 10-14 feet.
- Bonus Areas D and E: I understand the setback of 30-feet. Is there a way to provide some flexibility? That seems understandable but maybe excessive. I'm hesitant to have a set dimension. Number 5, I appreciate incorporating the building next door. If that's not possible and the project is worthy, if the neighbor isn't willing to remodel or it isn't necessary, that seems to suggest that part of this be out of the control of the developer. Expectations are too high.
 - The thinking on that is that this is a National Register Historic District and the planned direction is more along the lines of trying to preserve the historic character. It's recommended that it could also be a local historic district. The direction for that area is centered around the historic context, and the thinking on this was because these blocks where these bonus areas are available are bigger, deeper, maybe a little more irregularly shaped lot. Those are areas that might be able to have some additional height beyond what the map recommends as the base height, but in exchange there can be something that really is trying to advance the recommendations of the plan of the historic district.
 - In Area E, almost all of the buildings are contributing. There is at least one that is not but almost all the rest of them are, so the assumption is the developer would control a contributing building.

- We didn't want to send mixed messages to give someone the option of demolishing buildings to build a bigger one.
- On Page 129, I highlighted the word "interesting" and I would suggest using a different word.
 - The more specific you can be about what it takes to get those bonus stories that increases predictability, but these would have to be further defined if the bonus story concept is something that moves forward.
- This creates a greater vision for a city that is well-designed. If I choose any random block with a four-story height, we start developing and the neighbors become four-story buildings. As the context changes it may be appropriate to have a five-story neighbor at that point, but today this sets a guideline which is really what it should be. How can we have language that expresses the intent because the letter of the code will either bind us or it will give us teeth in discussions. It's a tool for the City and a tool for property owners and developers to know our city will improve, but how do we allow those "stellar" developments that can't meet all five criteria? Somehow there needs to be that freedom that things can be changed. The process to change needs to offer some flexibility.
 - The only thing the plan really recommends that you can't waive is the height. Other things like setbacks and stepbacks are more flexible.
- The intent is there, and the intent makes great sense, but how do we get that "give" in the process that doesn't seem burdensome in terms of approvals.
 - The conditional use process is shorter and stops with the Plan Commission. The zoning map amendment and PUD process are essentially the same in terms of timeline; amending the zoning map (height map) would be a bit more straightforward than doing a Planned Development because it doesn't require review by the Urban Design Commission.
- You can use a PUD in a downtown district, you just can't use it for height?
 - Correct.

If it's a complicated lot and development you need to write your own zoning. Could you also state you want to go higher and want to do a zoning map amendment, do those two go hand in hand?

Yes. That's what we're doing on East Washington Avenue right now. We're considering the height limit as well as the Planned Unit Development.

That was already seen and well-received. Is it any more complicated than the current process?

Ultimately a PUD is about exceptional projects. It seems arbitrary to say exceptional projects in everything but height. I would like to see the PUD be that flexible tool we have throughout the City, particularly in the downtown area to be able to do something really creative and be sure the approval process is not overly burdensome. I would like to see the PUD process instituted.

- If the recommendation goes forward in its current form, does it add months, just one more step, how big a deal is it for them to have to amend the map?
 - The process used to change the map, it does set a higher bar because you're establishing these maximums and you would think for the most part people would follow them. In order to know what that exceptional project is you have to have some design information so everyone could conclude that it's worth changing the map for this project. So it's likely you're going to have another application or concept plans, something to review the ordinance changes.
- I feel more comfortable now knowing it's more of a speed bump than a barrier.
 - Almost every Commission we've met with, the heights have been something that's been discussed and will continue to be discussed by every other commission that reviews it. Ultimately the Council will be the body that will take all the comments from all commissions and makes the decision.
- I'd like for as much that can come to this Commission to do so. To the extent possible to help them make the best project and I worry that this limits our review. You've not said anything that strikes me that that isn't true. As a body we really focus on the downtown and I want to make sure we get to see, if somebody wants to exceed the height limit, I want to know the architecture is stunning.

- Part of it gets down to do you think the PUD process is not good and workable as it stands and you want what is termed “predictability,” or are you comfortable with how the PUD process now works, that lets all the issues on the table at one time for discussion by the public and the neighborhoods. I think entering into this process we have too many PUDs; I’ve never had that problem with PUDs. Do you want that process to continue, or do you want to start whittling away at it.
- We’ve got a zoning code that’s so out of whack with the development that wants to occur, both from what we want to see as a community but also what the market will bear. Everything has to be done by PUD. What this will do is lots of things will move forward without a PUD but I still think we want to preserve the opportunity to have a PDD for those extraordinary projects so we can weigh in and we should be able to as a body look at all of the elements, height included.

A motion was made by Huggins, seconded by O’Kroley to change the language for PDD in the new Zoning Code to allow modification of all bulk standards.

Further discussion on the motion included the following:

- The heights are based on some kind of context, history and scale. Now it’s based on the underlying zoning; I don’t want us to say we don’t want any minimums or maximums.
 - They’re not absolute.
- The idea is this is a vision and the context around it may change. The plan may not evolve as quickly as the physical environment has evolved and it would be unfortunate to lock a development within these boundaries if there was something that would allow it to excel.
- Would the motion say it has to be compelling in terms of context, use and architecture?
 - That’s already in the PUD generally. Superior architecture. All this is defined already in the code.
 It’s not architecture though, it’s design and purpose.
- We’re just voting on that specific language.

The motion passed on a unanimous vote of (8-0).

Huggins discussed the proposed Mifflin district for the Downtown Plan and the element called “urban mixed-use,” which she would almost want the entire downtown to be urban mixed-use because that’s what downtowns are or should be. She would hope West Washington Avenue would be mixed-use so if the retail should start spilling up towards the Capital it is able to do that; that should be downtown mixed-use. Mifflin Street being so nestled into the University and all that activity also needs to be downtown mixed-use to enable there to be housing, office, co-ops, etc. That gives you the richness and texture within this area. In the context of changing the land use, you also need to look at the heights in those areas and really think about how you create the right environment for development to happen. In particular, on West Washington Avenue the heights of the building aren’t going to be what takes away from the boulevard. To frame it with beautiful urban buildings with height and mass makes it more beautiful. Barnett agreed on use and felt the discussion should take on the whole environment of West Washington in terms of larger scale buildings versus making mixed-use happen with existing building forms. Wagner stated he spent time on West Washington Avenue to visualize what makes that corridor special. It’s not just the heights but the wide street, wide public terraces, soil, plantings and shade trees before you get to the porches, the porches themselves set the mass of the buildings back even further and it’s that wideness of that space that really makes it. Lighting studies would need to be done to be sure more height on this boulevard would not affect the urban green. The Bassett Neighborhood Plan recommends no more than four stories on the Lake Monona side of West Washington Avenue, and this does help guide developments. Rummel recommended that the Commission codify to some degree the terminology for the boulevard based on her experience on the East Washington Avenue BUILD Committee and Wagner’s comments. Murphy talked

about the importance of the rhythm of buildings along West Washington Avenue and making that language specific which could be codified in the zoning district. If the Commission wants to limit the number of parcels that can be combined so you don't end up with half a block of mass we should know that and put that into the design standards in the code. The letter of alternative that was included in the transmittal talks about design standards except that it probably goes in a direction of keeping more of the houses, keeping the visual entrances. Wagner stated that the plan as presented focuses on an architectural form when the uniqueness of West Washington is that green public space. Harrington stated they need to think about how to incorporate spacing between trees can be worked into this and how to build an urban forest within the plan. Somehow the ambience has to be created. O'Kroley stated that there is good fabric in this area of historic buildings whether they are multi-use, retail, housing, etc. But in terms of architecture part of her wants to "hold on" to West Washington and part of her thinks maybe it's not the most important part of the City to hang on to. The urban amenities need to be talked about.

A motion was made by Huggins, seconded by Rummel for further work on an alternative plan for the Mifflin District regarding the West Washington Avenue area of the plan in regards to mixed-use, especially in existing building forms, creating flexibility for a relook at heights in the area in order to create the right environment; to frame with urban buildings with appropriate mass and height, address and maintain the hierarchy of space along West Washington and deal with trees and urban forest issues. The motion passed on a unanimous vote of (8-0).

Barnett noted the following:

- Page 50, last paragraph, he suggested tangible steps that could be taken be referenced so it's not ambiguous.
- Page 51, next to last paragraph, concern about the rhythm of houses facing the street, that reference might discourage progressive architecture which really needs to be at least accepted if not promoted. We worry about throwback design.
- Page 53, bottom paragraph, "slightly larger buildings should be directed to the ends of blocks." More clarity should be noted as to what "slightly" means.
- Page 63, recommendation #95, "provide incentives for conversion," agree with the recommendation but wonder if a, b or c could be included. The teeth for the real critical things needs to be included.
- Page 66, "low to moderate income households," this is a much bigger topic than we can handle here.
- Page 73, who manages all of these recommendations and is there a subcommittee to guide these?