

Glaeser, Janine

From: Doug Hursh <dough@potterlawson.com>
Sent: Tuesday, June 16, 2020 2:39 PM
To: Glaeser, Janine
Subject: RE: Madison - Bird-Safe Glass Ordinance

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Thanks Janine,

I have a few questions and some comments to share.

(3) Measuring Vision Glass: does this mean that *"individual windows"* are not calculated as vision glass? Not sure why *"individual windows"* would be any different in the calculations. It reads a little vague, I would think that vision glass, means any transparent glazing, whether it is a window or a curtain wall.

(4)2a. and 2b. What constitutes 50 SF of vision glass, *"50 SF and over of vision glass areas"*, does this mean 50 sf of uninterrupted glass? Let's say we have a wall of glass that is larger than 50 SF but it is broken up by window framing that breaks down the glass to less than 50 SF segments? Would that make the glass exempt? Wondering if the description could be made more clear, and specific. Maybe it needs a definition.

(4)(c) Says glass *"14 feet above a green roof"*, seems like it should say: all vision glass up to 14 feet from the green roof, or from zero to 14 feet...

I am very concerned that this will have the effect of discouraging green roofs, which can provide a lot of benefits our city could use. Also, I'm not sure that a green roof that is 100' above the ground will attract many birds. Has there been any studies on this? Could leave this item out, and it would be covered under (4)(a). That way green roofs that are higher than 60' would be exempt.

Also what constitutes a green roof? Is there a definition, what if there are several planters? If the definition says a *"green roof"* has to have over 30% green, that will have the effect of reducing green area to less than 30%.

Also, this does not mention reflective glass, maybe that is covered somewhere else in the ordinance, but reflective glass also may cause bird strikes, and the bird strike deterrent pattern is not very visible through reflective glass.

As you know the timing is not great for this, as the economy takes a nose dive, seems like this should wait for when we have a better economic outlook again, in order to not to discourage new development. From the information that I have gotten from glass companies, even the lease expensive bird friendly glass doubles the cost of the glass.

Hope this makes sense. Thanks for listening.

Doug Hursh, AIA, LEED AP
Potter Lawson, Inc.

Glaeser, Janine

From: Doug Pahl <pahl@aroerberle.com>
Sent: Tuesday, June 16, 2020 5:19 PM
To: Glaeser, Janine
Cc: Sarah Skalitzky
Subject: Bird Ordinance

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Hi Janine –

I got some info passed on to me about an ordinance that the City is considering. I have some analysis of the ordinance as I read it that I thought I would share with you if you want to pass it along or consider it. By the way, I support efforts to protect wildlife. I think it's nice that the City is trying to do something to protect endangered species. I am also someone who works within the framework of these ordinances, so I am approaching it with a critical eye as a designer and a regular user of the zoning code.

1. The language is imprecise and hard to interpret. Specifically the glass treatment requirements.
2. It seems reactionary to current development proposals that are under review in the city now that are predominantly glass (see point 5)
3. The Drafter's analysis cites research that glass buildings account for bird deaths, they do not cite research that their proposed strategies prevent them. I think it is important to base an ordinance on proven methodology.
4. It seems counter to some of the other design ordinances that require/desire facade transparency
5. I feel like the city will be better off adopting a broader conservation policy for developers similar to LEED that allows more flexibility but encourages (requires) adoption of ecologically sound practice. I think this seems like untidy policy-making to me.

Thank you for your consideration,
Doug Pahl, AIA

Doug Pahl, AIA
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Glaeser, Janine

From: Duane Johnson <DJohnson@knothebruce.com>
Sent: Wednesday, June 17, 2020 4:53 PM
To: Glaeser, Janine
Subject: RE: Madison - Bird-Safe Glass Ordinance

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Janine,
Thanks for sharing.
I did look it over and a some questions and concerns did come to mind.

Is the intent that the treatment would need to only be applied to the 60' height? Or continue full height. I feel some additional wording could clear the objection up on that. it also doesn't relate back to building location in anyway, it just kind of blanket covers everywhere, from what I've read on other cities (often coastal) often target buildings with parks, water, etc. near them.

From the research I had done for JDS, and I'm no expert, the better applications are very expensive and limit the glass type/manufacturer in addition many smaller wood framed buildings use pre-glazed windows (Pella, Andersen, etc.) which would not have an option for the treatment to be installed in between the glazing, this from what I know would only be achievable by a stick on application. I am just not sure how long those would last in a rental type application and they are of course do obstruct people's views more.

Anyway just wanted to give some feedback.

Again thanks for sharing.

Duane M. Johnson, AIA, LEED AP | Architect | Knothe & Bruce Architects, LLC

Glaeser, Janine

From: Steve Holzhauser <steveh@eua.com>
Sent: Wednesday, June 17, 2020 1:24 PM
To: Glaeser, Janine
Subject: FW: City of Madison Bird Glass Ordinance

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Dear Janine,

I object to the proposed ordinance prescribing solutions that affect the design and cost of buildings. My objection is two-fold.

1. Building owners deserve to make decisions of this type based on their own values. The added cost to their project should not be a mandate. There are many prescriptions that people can impose upon others to force compliance in an effort to save wildlife, environment or even human lives. In our everyday lives, we could reduce injuries and disease to humans by stricter regulations on equipment, food and machines, yet this is widely considered government overreach.

2. If this ordinance is adopted, Madison, WI will add to the complexity and challenge related to recruiting new high-quality development to the city. When companies can choose to locate a new facility anywhere they test the feasibility and measure the cost by comparison in different locations. Suburb cities around Madison have deployed a variety of tools to be attractive to companies interested in the Dane County area. This added cost burden to projects in Madison will serve to provide addition reason to build just beyond the city.

I recommend that we all raise the awareness of the issue with birds and glass, but I do not support an ordinance that prescribes architectural materials.

Sincerely,
Steve Holzhauser, AIA
WI Architect

Glaeser, Janine

From: Jennifer Lehrke <jlehrke@legacy-architecture.com>
Sent: Thursday, June 18, 2020 10:30 AM
To: Stouder, Heather; Glaeser, Janine; Firchow, Kevin
Cc: Fruhling, William; Scanlon, Amy; Bailey, Heather
Subject: RE: Bird-Safe Glass Ordinance

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Ah!!! Yes, if it's new construction only, then I don't have any concerns. I was thinking I read somewhere that it would also apply to remodels that would include glass replacement, which was the cause for my concern.

Thank you for getting back to me so quickly! Good luck with your ordinance!



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From: Stouder, Heather <HStouder@cityofmadison.com>

Sent: Thursday, June 18, 2020 8:47 AM

To: 'Jennifer Lehrke' <jlehrke@legacy-architecture.com>; Glaeser, Janine <JGlaeser@cityofmadison.com>; Firchow, Kevin <KFirchow@cityofmadison.com>

Cc: Fruhling, William <WFruhling@cityofmadison.com>; Scanlon, Amy <AScanlon@cityofmadison.com>; Bailey, Heather <HBailey@cityofmadison.com>

Subject: RE: Bird-Safe Glass Ordinance

Good morning, Jennifer-

Good to hear from you, and I hope you're well. Thank you for your comments/questions. I connected with Heather Bailey on this yesterday, and I don't believe she has any concerns, since these requirements would only apply to new construction.

Still, as this ordinance moves forward, it might be a good idea for you to share comments with the Plan Commission (and please let me know if you'd like for me to share your e-mail below with them). If your concern remains, even knowing that this only applies to nw construction, please let us know.

Best-

Heather



Heather Stouder, AICP *(she, her, hers)*

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The 2020 Census is here! As we practice social distancing, take the opportunity to complete the census now from the comfort of your own home. You can fill it out online at my2020census.gov, by [phone](#), or by [mail](#).

From: Jennifer Lehrke <jlehrke@legacy-architecture.com>

Sent: Wednesday, June 17, 2020 10:28 AM

To: Stouder, Heather <HStouder@cityofmadison.com>; Glaeser, Janine <JGlaeser@cityofmadison.com>; Firchow, Kevin <KFirchow@cityofmadison.com>

Cc: Fruhling, William <WFruhling@cityofmadison.com>; Scanlon, Amy <AScanlon@cityofmadison.com>; Bailey, Heather <HBailey@cityofmadison.com>

Subject: Bird-Safe Glass Ordinance

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As Vice President/President Elect of AIA Wisconsin, I received a request for architects to comment on the Bird-Safe Glass Ordinance which was introduced last night. I am not speaking on behalf of AIA Wisconsin, but rather as a licensed architect.

Having spent the last three years assisting the City of Madison in re-writing their Historic Preservation Ordinance and drafting the city's first ever Historic Preservation Plan, my only concern would be that this ordinance has the potential to conflict with the historic preservation goals laid out therein. A simple way to resolve the conflict would be to introduce an amendment with an exception for locally designated landmark buildings and (contributing) buildings within the period of significance in locally designated historic districts, as well as individual buildings and contributing buildings in historic districts listed in the State and/or National Registers of Historic Places and individual buildings pursuing federal and/or state historic tax credits with an approved Part 1 application (which sometimes comes 12-18 months before the State and/or National Register listings).

Thank you for reaching out to the architectural profession to provide expert advice and comment on this ordinance.

Sincerely,



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From: Kirk Keller <kkeller@prarch.com>
Sent: Tuesday, June 16, 2020 4:49 PM
To: Glaeser, Janine <JGlaeser@cityofmadison.com>
Subject: Comments on bird strike glazing

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Janine,

Thank you for reaching out the architectural community for comment on the proposed language for bird strike glazing.

I am responding to your request based upon my personal professional experience researching the available products for various clients, as a long time Madison resident and as a person with five types of bird feeders in my back yard.

I strongly do not support the proposed changes to any Madison ordinance proposing support of anti-bird strike glazing. Please feel free to use any of these points individually or together as you see best.

1. Madison is a diversely populated mid-size city with the largest components of the small central core already in place. Any new construction in the CBD is controlled by height limitations which leads to a somewhat homogenous skyline that is meant to be dominated by the Capitol building.

The new Northwestern Mutual Life Building (550 feet) along the Milwaukee lakefront area did undertake a migratory bird study due to the height and location of the structure. Madison's relatively consistent skyline does not possess any single, or group, of taller structures that would hinder large groups of migratory bird.

2. Madison's other major commercial office zones consist largely of mid-rise structures. The structures in these office parks are largely spread out and do not pose a concentrated issue for large groupings of birds.
3. Most bird strike glazing has a 'haze' or pattern to it that obstructs views. Glazing with add on films create vision problems for some building occupants along with maintenance issues. Madison is a City that is proud of the views that are offered to our lakes and green vistas. These views should be maintained as a part of the beauty Madison has to offer. I have worked with several corporate clients that wished to review the available anti-bird strike products in an effort to support their corporate missions of providing environmentally friendly structures. No client I have worked with ever approved bird strike glazing and instead chose to use portions of the building budgets on other positive environmental efforts.
4. The clearest bird strike glazing is manufactured is in Europe. Shipping cost, material cost and the time to acquire all mean that the materials available for use are not 'green' and could not be used as part of a LEED assembly.

Birds strike buildings. Both windows and non-windowed areas receive bird strikes. I believe the intent of the proposed ordinance language, as drafted, does not serve any type of substantial benefit to the Madison natural or built environment. Please contact me directly if I can assist further in explaining any of the points above.

Thanks again,

Kirk

Kirk Keller AIA, NCARB



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