



Department of Planning & Community & Economic Development

Planning Division

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TO: Urban Design Commission
FROM: Timothy M. Parks, Planner
DATE: March 6, 2017
SUBJECT: ID [44223](#) – Consideration of "The Cosmos" mixed-use retail /office /entertainment development at 801 E. Washington Avenue; Urban Design Dist. 8; 6th Ald. Dist.

The applicant, Gebhardt Development, LLC, is requesting **final** approval by the Urban Design Commission to construct an eight-story commercial/ office building containing 152,925 square feet of floor area at 801 E. Washington Avenue in Urban Design District 8 ("UDD 8"). The UDC granted initial approval of the project at its January 11, 2017 meeting on a 6-0 vote. That motion requested that the City Attorney review and advise the Plan Commission on the bonus stories request; further provided for address of the treatment on E. Main Street, the screening and façade element, simplification on the banding on the building, and details of the plantings on the green roof, along with address of landscape comments. The Plan Commission approved a conditional use for the eight-story building on January 23.

The portion of the eight-story building adjacent to E. Main Street requires application of the bonus stories criteria for the additional feet above grade proposed. While an eight-story building is allowed in Block 12b per UDD 8, the ordinance limits the number of feet per story to an average of 9-12 per floor above the first, where an 11-15 foot story height is allowed. The proposed eight-story building will stand 116 feet tall, which will exceed the 99 feet allowed based on 12 feet per floor on floors 2-8, and 15 feet for the first floor. The project is eligible for up to two bonus stories and 123 feet of total height pursuant to the criteria in Section 33.24(15)(e)12c.i or c.ii. In order to grant final approval, the UDC shall determine whether the project meets the criteria for approval of bonus height in UDD 8.

After previously seeking to make the shared plaza between The Cosmos and adjacent Spark project at 819 (now 821) E. Washington Avenue publicly accessible as required by the bonus stories criteria without success and pursuing LEED certification at one of the levels identified in the ordinance, the applicant now proposes to make a 3,300 square-foot plaza on its site at the southwesterly corner of the building a publicly accessible pocket park and to provide a community room on the fourth floor. A detail of the plaza can be found on Sheet L102 of the plan set dated March 1, while the details on the community room may be found on Sheet A702.

The Planning Division believes that the proposed pocket park adjacent to the corner of S. Livingston and E. Main streets depicted on Sheet L102 satisfies the requirement for bonus story/ height at the 1:10 ratio called for in subsection c.ii subject to the applicant and City entering into a Public Access Management Agreement to ensure public accessibility to the pocket park for the life of The Cosmos building prior to issuance of building permits for the project. The proposed fourth floor community room is similar to community rooms included in the applicant's Constellation and Galaxie projects nearby, and likewise adequately addresses the criteria for bonus stories/ height in UDD 8.