

**From:** Tucker, Matthew  
**Sent:** Thursday, January 28, 2010 3:03 PM  
**To:** 'Amy Supple'  
**Cc:** Murphy, Brad; Studesville, Larry; Mendoza, Mario  
**Subject:** waterfront setback information provided 1-21-10  
**Importance:** High

Amy- Thank you for this information (copy attached). I have looked over the information, I have a few questions, along with a few general comments:

Question:

1. When we met previously to discuss this issue, there was some question as to what portion of the buildings you should measure to for 12 and 28 Langdon Street. I recall that your group wanted to measure to a retaining wall for a surface parking lot at 12 Langdon St., and also wanted to measure to an at-grade patio for 28 Langdon St. I had indicated at that time that you could not measure to those features, you needed to measure to the buildings and other qualifying portions of the buildings (please see the attached pictures specifically showing where to measure to). In looking at the aerial photo accompanying the submittal, it looks like you measured to the parking lot and surface patio, and not the qualifying portions of the buildings. I see in your submittal, beneath Table 1, you provide a general statement describing the measurement. For clarification purposes, would you please identify where you measured to for 12 and 28 Langdon Street, or a survey showing the features you have measured to?
2. The City's maps and your submittal show the development at 116 E. Gilman having a narrow corridor out to the lake. I recall asking you to research this property, specifically to check if the legal description of the property (as on-file in the Dane County Register of Deeds office) indeed represents what is shown on yours and our maps. If this is true, thus property qualifies as one in the "existing development pattern" average, and site at 150 E. Gilman St. (the Verex Plaza office building) would be dropped. Please confirm.

Comments:

1. At our August meeting, we also talked about the fact that the existing setback for the Edgewater Hotel site cannot be used to calculate the average setback, as the existing hotel is part of your development site/zoning lot. I see that it was included in your calculation. You will need to drop the Edgewater Hotel site, and pick up the property at 620 N. Carroll St., which I see has a setback of 50.3' in your submittal.
2. The Vilas mansion/NGL boathouse is not a principal structure, it is an accessory structure. Per my review of the Waterfront Development section of the code, the setback is established by principal buildings on developed zoning lots, not accessory buildings/structures. So, the counting of the boathouse with a setback measurement of 0' is not consistent with the measurement calculation. You will need to provide the setback of the NGL building, as this is the principal building on the zoning lot where the boathouse sits.
3. The submitted setback information shows that some of the setback measurements have been rounded to the whole foot. We need the precise measurement for all properties, either taken to the tenth of a foot or the specific inch. Given that the Ordinary High Water Mark (OHWM) is a known elevation, we expect setbacks to be precisely measured by your surveyor, to then accurately calculate the "existing development pattern" average.
4. If you cannot provide us with the accurate information necessary to make a determination before our reports are due to the Plan Commission, we will use previously-submitted setback data and other City records or maps to provide a "best guess" as to approximate the setback. A staff estimation will not eliminate the requirement to provide the required information.

A timely response to these questions and comments will help staff address inquiries relative to the waterfront setback. At this time, the submitted information is not adequate. Attached to this message, you will see a copy of a survey submitted for a different project, which clearly provided the detail that we need to calculate the "existing development pattern" per Se. 28.04(19)(b)1.

If you wish to appeal any part of the interpretation that I have provided herein, please contact me to take the next appropriate steps.

Thanks Amy,

Matt Tucker  
Zoning Administrator

# Hammes Company

22 East Mifflin Street, Suite 800  
Madison, Wisconsin 53703  
Tel: 608 274 7447 Fax: 608 274 7442

January 20, 2010

Bradley J. Murphy  
Planning Unit Director  
City of Madison  
Room GR100  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53710

Re: Edgewater Hotel Redevelopment, Requested Waterfront Setback Information

Dear Brad:

At the request of the City of Madison I am forwarding the enclosed memo from BT<sup>2</sup> Engineering and Science which provides an estimate of the average waterfront setback for properties surrounding the Edgewater Hotel.

Included in this memo is a calculation of the average setback of the developed waterfront zoning lots between James Madison Park and the UW Limnology Lab, which is the developed portion of the downtown Lake Mendota shoreline. We have provided this calculation to assist the Plan Commission and Common Council in its review of the Conditional Use Permit and PUD zoning for the proposed redevelopment of the Edgewater Hotel. This table demonstrates an average setback of 51.3 feet throughout this lakefront zone.

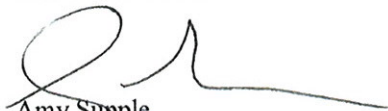
We have also asked BT<sup>2</sup> Engineering and Science to estimate the five (5) developed zoning lots on either side of the proposed development. BT<sup>2</sup> has determined the average setback of those lots to be 69.3 feet.

As you know, the existing Edgewater Hotel is built closer to the water than the proposed hotel addition and as such the "principal building setback" for the development is already established as 16.5 feet.

Per my discussion with Matt Tucker on January 15, 2010, I will call later this week to set up a time to meet and review the information in more detail. In the meantime, please call if you have any questions in advance of that meeting.

Thank you.

Sincerely,  
HAMMES COMPANY



Amy Supple  
Development Director  
Enclosures

cc: Matt Tucker (w/enclosures)



## MEMORANDUM

DATE: January 15, 2010  
TO: Amy Supple, Landmark X, LLC  
FROM: Mark Huber, P.E.  
SUBJECT: Edgewater Waterfront Setback Measurements

BT Squared, Inc. measured waterfront setback distances for several development lots adjacent to the Edgewater Hotel on June 4, 2009. A summary of the waterfront setback measurements is provided in **Table 1**.

In accordance with instructions from the City of Madison, the waterfront setback distances were measured from the Lake Mendota ordinary high-water mark (OHM) elevation of 850.7 to the nearest structure (36-inches above grade) or the main building on each development lot.

We also measured setback distances for additional development lots between the Edgewater Hotel and the University of Wisconsin Limnology Lab. For development lots between the Limnology Lab and 233 West Lake Lawn Place, the measurements were made using an online Dane County GIS mapping tool, which is based on 2005 aerial photography. All of the measurements that we collected are summarized on **Table 2**.

MRH  
I:\3826\Correspondence-Client\Waterfront\_Setback\_Memo\_100115.doc

**Table 1**  
**Waterfront Setback Measurements**  
**Proposed Edgewater Redevelopment**  
**BT<sup>2</sup> Project No. 3826**

<b>No.</b>	<b>Name</b>	<b>Address</b>	<b>Parcel ID</b>	<b>Setback (feet)</b>
5	Alpha Phi Sorority	28 Langdon St.	070914409010	173.0
4	22 Langdon LLC (Apartments)	22 Langdon St.	070914409028	152.0
3	Sigma Pi Fraternity	16 Langdon St.	070914409036	110.0
2	Delta Tau Delta Fraternity	12 Langdon St.	070914409044	48.0
1	Edgewater Hotel	666 Wisconsin Ave.	070914409078	16.5
1	National Guardian Life Boathouse	530 N. Pinkney	070914403070	0.0
2	Pickney Place Condominiums	533 N. Pinkney	070914402113	66.7
3	Lakeshore Apartments	122 E. Gilman St.	070914402048	94.8
4	UW Boat House	130 E. Gilman St.	070914402030	0.0
5	Verex Plaza Office Building	150 E. Gilman St.	070914402014	31.9
<b>Average Setback</b>				<b>69.3</b>

Setback distance is from Lake Mendota ordinary high-water mark (OHM) of 850.7 to the nearest structure (36-inches above grade) or the main building on the development lot

**Table 2**  
**All Waterfront Setback Measurements**  
**Proposed Edgewater Redevelopment**  
**BT<sup>2</sup> Project No. 3826**

No.	Name	Address	Parcel ID	Setback (feet)
1	Limnology Lab	680 N. Park St.	070915401015	45
2	Helen C. White Library	600 N. Park St.	070915401015	72
3	Wisconsin Union Theater	800 Langdon St.	070914303014	105
4	Hoofers Boat House	800 Langdon St.	070914303014	35
5	Memorial Union	800 Langdon St.	070914303014	0
6	Red Gym	716 Langdon St.	070914303014	0
7	Pyle Center	650 N. Lake St.	070914303022	0
8	Sigma Alpha Epsilon	627 N. Lake St.	070914301018	62
9	CHT Apartments	616 Mendota Ct.	070914301026	68
10		622 Mendota Ct.	070914301034	93
11		661 Mendota Ct.	070914301042	27
12		640 N. Frances St.	070914301224	0
13	French House	633 N. Frances St.	070914419019	70
14		244 W. Lakelawn Pl.	070914419225	70
15	Alpha Gamma Rho Fraternity	233 W. Lake Lawn Pl.	070914419233	60.3
16	Mullins Apartments	222 E. Lake Lawn Pl.	070914419267	53.0
17	Madison Community Cooperative	225 E. Lake Lawn Pl.	070914419275	58.2
18	Alpha Delta Phi Fraternity	640 N. Henry St.	070914419415	5.8
19	Chi Psi Fraternity	150 Iota Ct.	070914410017	35.0
20	Cliff Dwellers Apartments LLC	140 Iota Ct.	070914410025	12.0
21	Nottingham Cooperative	146 Langdon St.	070914410116	54.5
22	Pi Beta Phi Sorority	130 Langdon St.	070914410158	46.7
23	Kappa Sigma Fraternity	124 Langdon St.	070914410174	27.2
24	Kappa Alpha Theta Sorority	108 Langdon St.	070914410207	54.0
25	Mendota Lakeshore Aprtments LLC	620 N. Carroll St.	070914410231	50.3
26	Alpha Phi Sorority	28 Langdon St.	070914409010	173.0
27	22 Langdon LLC (Apartments)	22 Langdon St.	070914409028	152.0
28	Sigma Pi Fraternity	16 Langdon St.	070914409036	110.0
29	Delta Tau Delta Fraternity	12 Langdon St.	070914409044	48.0
30	Edgewater Hotel	666 Wisconsin Ave.	070914409078	16.5
31	National Guardian Life Boathouse	530 N. Pinkney	070914403070	0.0
32	Pickney Place Condominiums	533 N. Pinkney	070914402113	66.7
33	Lakeshore Apartments	122 E. Gilman St.	070914402048	94.8
34	UW Boat House	130 E. Gilman St.	070914402030	0.0
35	Verex Plaza Office Building	150 E. Gilman St.	070914402014	31.9
<b>Average Setback</b>				<b>51.3</b>

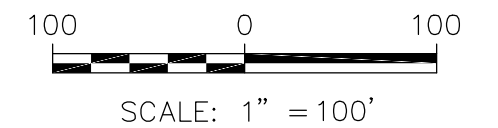
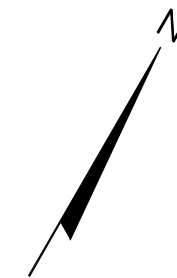
Setback distance is from Lake Mendota ordinary high-water mark (OHM) of 850.7 to the nearest structure (36-inches above grade) or the main building on the development lot



Development Lots Nos. 1 - 14 setback measurement from Dane County GIS mapping tool (2005 aerial photography)  
All other measurements from 6/4/2009 BT Squared field survey



NOTES:

1. PROPERTY LINES AND AERIAL PHOTO BASE MAP PROVIDED BY CITY OF MADISON
2. SETBACK DISTANCE IS FROM LAKE MENDOTA ORDINARY HIGH-WATER MARK (OHM) OF 850.7 TO THE NEAREST STRUCTURE (36 INCHES ABOVE GRADE) OR THE MAIN BUILDING ON THE DEVELOPMENT LOT

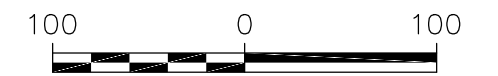
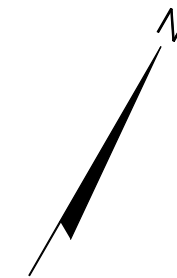


PROJECT NO.	3826	DRAWN BY:	KP		2830 DAIRY DRIVE MADISON, WI 53718-6751 PHONE: (608) 224-2830 FAX: (608) 224-2839	CLIENT 	22 EAST MIFFLIN STREET SUITE 800 MADISON, WI 53703 PHONE: (608) 274-7447	SITE EDGEWATER HOTEL 666 WISCONSIN AVENUE MADISON, WISCONSIN	WATER FRONT SETBACKS SW	FIGURE
DRAWN:	06/10/09	CHECKED BY:	MH							1
		APPROVED BY:								





NOTES:

1. PROPERTY LINES AND AERIAL PHOTO BASE MAP PROVIDED BY CITY OF MADISON
2. SETBACK DISTANCE IS FROM LAKE MENDOTA ORDINARY HIGH-WATER MARK (OHM) OF 850.7 TO THE NEAREST STRUCTURE (36 INCHES ABOVE GRADE) OR THE MAIN BUILDING ON THE DEVELOPMENT LOT



SCALE: 1" = 100'

PROJECT NO.	3826	DRAWN BY:	KP	ENGINEER 	2830 DAIRY DRIVE MADISON, WI 53718-6751 PHONE: (608) 224-2830 FAX: (608) 224-2839	CLIENT 	22 EAST MIFFLIN STREET SUITE 800 MADISON, WI 53703 PHONE: (608) 274-7447	SITE EDGEWATER HOTEL 666 WISCONSIN AVENUE MADISON, WISCONSIN	WATER FRONT SETBACKS NE	FIGURE
DRAWN:	06/10/09	CHECKED BY:	MH							2
		APPROVED BY:								

# 28 Langdon St.



Measure to the edge of this elevated patio



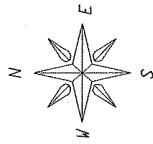
# 12 Langdon St.



Measure to this wall of bldg

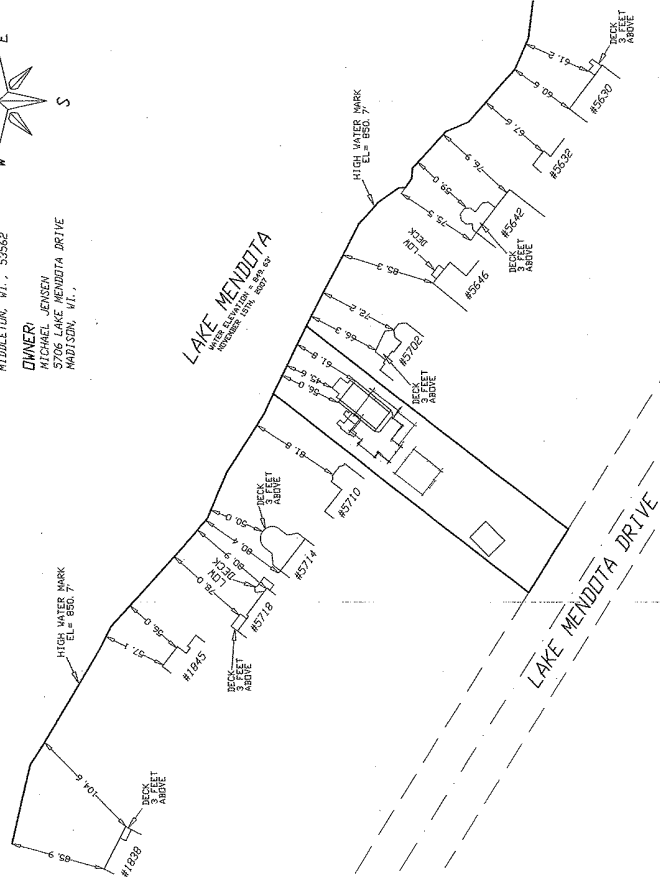
# LAKE SETBACK

SCALE 1" = 50'



PREPARED FOR:  
 JESSON SHELTER  
 1000 WINTERIDGE ROAD  
 MIDDLETON, WI., 53626

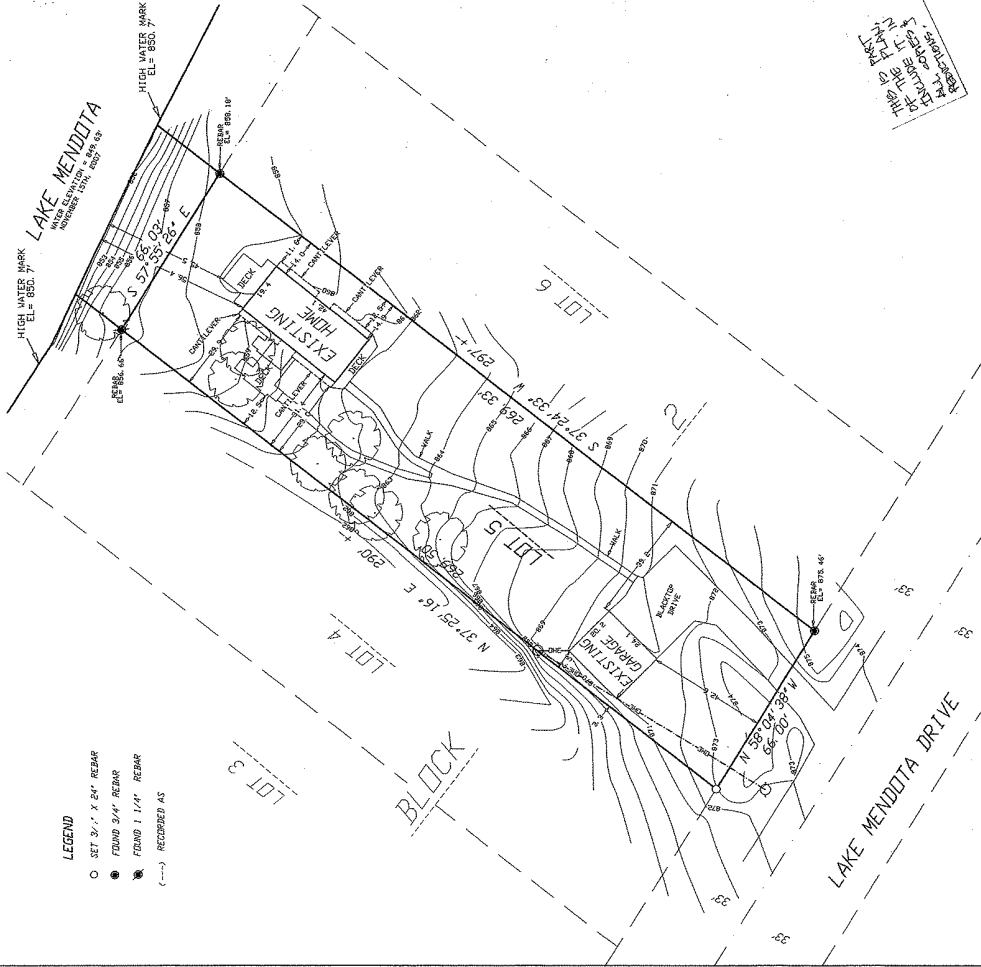
OWNER:  
 MICHAEL JENSEN  
 5706 LAKE MENDOTA DRIVE  
 MADISON, WI.,



- NOTES**
- 1.) PARCELS ARE REFERENCED TO THE NORTH LINE CORNER OF HWY 104. THE LINE OF LAKE MENDOTA DRIVE IS ASSUMED TO BEAR N. 89° 01' 50" W. AND AGREEMENTS RECORDED AND UNRECORDED.
  - 2.) THIS PARCEL IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS RECORDED AND UNRECORDED.
  - 3.) UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY. CALL DIGRESS HOTLINE FOR EXACT LOCATION OF UNDERGROUND UTILITIES. 1-800-998-8811
  - 4.) METLANDS IF PRESENT WERE NOT DELINEATED OR LOCATED.
  - 5.) AREA OF PARCEL = 12,796.50 FT. OR 0.41 ACRES TO INCLUDE 1/2" LINE 19,317.50 FT. OR 0.44 ACRES TO HIGHWATER MARK

# LOT DETAIL

SCALE 1" = 20'



**SURVEYOR'S CERTIFICATE**

THIS PLAN AND SURVEY WERE PERFORMED UNDER MY SUPERVISION AND WAS CORRECTED, AND ACCORDING HERETO, THIS PLAN IS A TRUE SCALE AND UNBESPOKE REPRESENTATION OF THE INFORMATION, BUILDING IMPROVEMENTS AND ALL VISIBLE ENCUMBRANCES IF ANY, BY **DAVID E. WILLIAMSON**

*David E. Williamson*  
 DAVID E. WILLIAMSON, S. 1002



**WILLIAMSON SURVEYING COMPANY**  
 1044 WEST MAIN STREET, WAUKESHA, WISCONSIN 53097  
 PHONE 1 - 800 - 253 - 5105

**PLAT OF SURVEY**  
 LOT 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

CITY OF MADISON, DANE COUNTY, WISCONSIN

DATE: 12-1-07  
 SCALE: AS SHOWN  
 CHECK BY: B. E. W.  
 DRAWN BY: NDA PRELIVE  
 SHEET 1 OF 1

**REPORT TOTALS**

TOTAL DISTANCES = 690.5'  
 DIVIDED BY 10 HOMES  
 TOTAL AVERAGE = 69.05'

HOUSE NUMBER	DISTANCE TO WATER (R.D. CORNER)	DECK TO WATER (7' ADEPT. CORNER)	NEAREST POINT
H1839	65.5'	104.6'	65.5'
H1845	65.5'	78.0'	78.0'
H1870	65.5'	50.0'	50.0'
H1874	65.5'	50.0'	50.0'
H1877	65.5'	50.0'	50.0'
H1878	65.5'	50.0'	50.0'
H1879	65.5'	50.0'	50.0'
H1880	65.5'	50.0'	50.0'
H1881	65.5'	50.0'	50.0'
H1882	65.5'	50.0'	50.0'
H1883	65.5'	50.0'	50.0'
H1884	65.5'	50.0'	50.0'
H1885	65.5'	50.0'	50.0'
H1886	65.5'	50.0'	50.0'
H1887	65.5'	50.0'	50.0'
H1888	65.5'	50.0'	50.0'
H1889	65.5'	50.0'	50.0'
H1890	65.5'	50.0'	50.0'
H1891	65.5'	50.0'	50.0'
H1892	65.5'	50.0'	50.0'
H1893	65.5'	50.0'	50.0'
H1894	65.5'	50.0'	50.0'
H1895	65.5'	50.0'	50.0'
H1896	65.5'	50.0'	50.0'
H1897	65.5'	50.0'	50.0'
H1898	65.5'	50.0'	50.0'
H1899	65.5'	50.0'	50.0'
H1900	65.5'	50.0'	50.0'