

AGENDA # 2

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: November 30, 2016	
TITLE: 801, 815 East Washington Avenue/802, 814 East Main Street – New Development of Retail and Office Space, and an Entertainment Venue Known as “The Cosmos” in UDD No. 8. 6 th Ald. Dist. (44223)	REFERRED:	
	REREFERRED:	
	REPORTED BACK:	
AUTHOR: Alan J. Martin, Secretary	ADOPTED:	POF:
DATED: November 30, 2016	ID NUMBER:	

Members present were: Richard Wagner, Chair; Cliff Goodhart*, Tom DeChant, Lois Braun-Oddo, John Harrington, Michael Rosenblum, Dawn O’Kroley, Rafeeq Asad, Richard Slayton and Sheri Carter.

*Goodhart recused himself on this item.

SUMMARY:

At its meeting of November 30, 2016, the Urban Design Commission **GRANTED INITIAL APPROVAL** of new development located at 801, 815 East Washington Avenue/802, 814 East Main Street for “The Cosmos” located in UDD No. 8. Appearing on behalf of the project were Lee Christensen, representing Gebhardt Development; and Jacob Ziomek.

The overall site development hasn’t changed much. The plans provide for a four-story structure along with an option to add four additional stories for 8-stories in total. Additional office space at the fourth floor has been added to increase the massing of the building. The tower element fits within a smaller footprint and also meets the stepback requirements of UDD No. 8. They will be asking for bonus stories to meet the height requirements. Building materials include red brick to match brick in the neighborhood, rust color orange steel for the Frank Productions entertainment venue, darker metal composite material and fiber cement. Bicycle parking is provided near the park (on site), but the entertainment venue applicant cannot accommodate the necessary 125 stalls and is open to the possibility of some of the bike parking being placed in the parking ramp, or renting spots for those shows where larger crowds are anticipated.

Tim Parks of the Planning Division spoke to the staff report for the project. The building has a 45-degree stepback and is acceptable, but there needs to be clarification on the bonus stories for both projects. Regarding the bike parking, the Parking Utility is anticipating no more than 20 bike stalls in the parking structure; whether or not they would be amenable to allowing some of the public parking in the streets near the sites to be bagged may be a way to proceed. Planning and Zoning staff do not see 125 bike parking stalls as exorbitant. The Secretary noted that signage is being shown for illustrative purposes only and will have to return to the Commission for approval.

Comments and questions from the Commission were as follows:

- I don't think bike parking belongs in the terrace. The bike parking issue has to be resolved as it affects the project.
- We need a condition that the issue about canopy trees in the public right-of-way, as well as in the private property to be resolved with staff.
- Your public park space (corner of Livingston and Main Streets), considering the context of that corner, that's a really paved area you're calling a park; you would need substantially more features to consider that a park.
- Your loading zone will have to be reviewed to see that you're not essentially making 1/3 of that public internal street make it feel like you're in a parking loading zone-alley.
- I think we cause more problems when we approve something piece-by-piece (four-story vs. eight-story).

The Commission was uncomfortable with support for finding that the bonus stories for the eight-story version could be provided based on its design. In addition, concerns with the four-story option's façade in regard to its features as detailed by Parks with his staff report were as follows:

The four-story version of the project is seeking relief from the minimum façade height of three stories adjacent to East Main Street. The applicant suggests that the proposed 32-foot tall two-story portion of the building complies with the height in feet of that portion of the building if not the prescribed number of stories. Staff believes that the mass of that portion of the base is acceptable despite being technically deficient a story due to the height in feet and articulation of that portion of the building. However, for the four-story addition/ second phase of the building, which the applicant proposes to cantilever over the lower portion of the building, staff feels that the design appears incomplete and recommends that the area between the roof of the second floor and the base of the fifth floor be fully enclosed within the building mass with an exterior treatment consistent with the rest of the building (materials, openings, articulation, etc.).

In addition, the Commission noted concern for full address of the following, relative to the eight-story option, as noted by Parks in his report as follows:

The eight-story version of the building also does not appear to meet the 45-degree stepback requirement above five stories in Block 12b adjacent to E. Main Street. For new buildings on Blocks 2b, 2c, 3b, 4b, 10-16, and 17c, Section 33.24(15)(e)12a requires that any mass above five stories that exceeds a footprint of 130 feet on any side parallel to E. Washington Avenue and 200 feet on any side perpendicular to E. Washington Avenue shall have a stepback of 45 degrees, unless the Urban Design Commission approves a maximum of ten percent increase in the footprint due to structural or other constraints. The applicant should establish how the stepback affects the floor area of the portions of the building above the fifth floor adjacent to E. Main Street, and how the ten percent increase in footprint applies for the purposes of the Urban Design Commission making a finding on this provision.

Finally, the portion of the proposed eight-story building adjacent to E. Main Street will 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. Of those, the project may be eligible for bonus stories under the LEED Gold certification or equivalent or on-site publicly accessible plaza/ pocket park (1 to 5 ratio) in subsection i., or some combination in subsection ii. sufficient to warrant additional height of: LEED Silver certification or equivalent; on-site publicly accessible plaza/ pocket park (1 to 10 ratio); a minimum of 50 percent vegetative

roof cover; through-block multi-modal connection; and adequately sized, publicly available community meeting room.

ACTION:

A motion was made by DeChant, seconded by Slayton, to grant initial approval with contingencies. Tim Parks noted that initial approval would apply to a four-story building effectively referring consideration of an 8-story building. It should be communicated clearly to the Plan Commission what will be before them on December 12, because there are many aspects of the approval the Plan Commission could consider (height and setback), certain aspects of that are set aside until there is resolution on the 8-story mass. It would be almost helpful that initial approval of the four-story and referral of the 8-story. Ald. Carter, as a member of the Plan Commission, noted that it is easier for the Plan Commission to decide on a whole, rather than piece-by-piece. The assembly hall/concert hall theater, the absolute parking waiver or reduction, and some specific uses being asked for such as general retail, restaurants, taverns are all conditional uses as well. There are elements of a four-story building that the Plan Commission could certainly deal with on December 12th, but the height would require another conditional use by the Plan Commission, but they wouldn't be able to grant that yet because it isn't resolved.

The Chair remarked that there are a lot of issues for the Plan Commission and the public to weigh in on. The sooner they can weigh in on this the better; this is an important and significant enough project that if we can help it move forward we ought to do that. Ald. Carter suggested that if Tim Parks were able to advise and guide the Plan Commission that they could consider the project. The Chair inquired about granting approval of 4-stories when an applicant may request 8-stories. Parks replied that the applicant is going with either four or eight; if there are concerns with the four-story building, recognizing that it is one project in two versions and they are going to build one or the other, if there's a concern with a four-story version, the Urban Design Commission needs to clarify that it is comfortable with it. The Plan Commission would need relative comfort and certainty on what they are looking at.

The Secretary noted that signage is being shown for illustrative purposes only and will have to return to the Commission for approval.

On a motion by DeChant, seconded by Slayton, the Urban Design Commission **GRANTED INITIAL APPROVAL** of the four-story version, noting three serious issues that need resolution. The motion was passed on a vote of (7-1) with Carter voting no.

The motion provided for the following:

- To move this forward doesn't to have the discussion about use doesn't necessarily approve the massing of the four-story piece. If there is a tower, that massing may be revised. The massing should return to this body.
- The corner of Livingston and Main Streets has to be more park-like.
- The bike parking has to be resolved.
- The appearance of the alley/loading dock needs revision.
- Resolution of the street tree issue.
- The standards for UDD No. 8 are being met.