PLANNING DIVISION STAFF REPORT

November 9, 2022

PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: **415 N Lake Street**

Application Type: Planned Development (PD), Public Parking Ramp and Mixed-Use Building Initial/Final Approval is Requested

Legistar File ID #: 73342

Prepared By: Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Michael Oates, Eppstein Uhen Architects | Matthew Wachter, City of Madison

Project Description: The applicant is seeking Initial/Final Approval for the construction of a new mixed-use building containing public parking, a bus terminal, and student housing with ground floor residential supporting programing. The site is currently zoned UMX (Urban Mixed Use District) and is proposed to be rezoned to Planned Development (PD).

The development is a public-private partnership. The City plans to demolish and replace the Lake Street portion of the garage. The city also intends to develop a permanent City-owned intercity bus terminal with off-street loading and unloading of passengers. There will be one level of below grade parking and six levels of above grade parking in a building podium. The private development component of the building will include nine floors of housing above and adjacent to the garage, including some affordable student housing units.

Project Schedule:

- The UDC received an Informational Presentation on September 7, 2022.
- At their October 10, 2022 meeting, the Landmarks Commission recommended to the Plan Commission and Urban Design Commission that the proposed new structure is not so large or visually intrusive as to adversely affect the historic character or integrity of the adjacent landmark at 626 University Avenue.
- The Plan Commission is scheduled to review this proposal on November 21, 2022.
- The Common Council is scheduled to review this proposal on December 6, 2022.

Approval Standards: The UDC is an **advisory body** on the Planned Development request. For Planned Developments the Urban Design Commission is required to provide a recommendation to the Plan Commission with specific findings on the design objectives listed in Zoning Code sections 28.098(1), Statement of Purpose, and (2), Standards for Approval (PD Standards attached).

For public projects, the UDC is an **approving body** on the proposed building, Pursuant to MGO Section 33.24(4)(d), "*The UDC shall approve plans for all buildings proposed to be built or expanded in the City by the State of Wisconsin, the University of Wisconsin, the City of Madison, Dane County, the Federal Government or any other local governmental entity which has the power to levy taxes on property located within the City.*"

Adopted Plans: The project site is located within the Downtown Plan planning area in the State Street Neighborhood and is home to the State Street Campus Garage public parking ramp.

> "*Maintain and enhance the State Street district as Madison's premier shipping, dining, entertainment and cultural destination, with a unique sense of place characterized by a vibrant and dynamic mix of uses, a distinctive pedestrian-oriented streetscape, and human-scale developments that actively engage the street and promote synergy and interaction.*"

In addition, the Downtown Plan also recognizes the availability of parking as playing a crucial role in the viability of both State Street and the downtown core, as well as the importance of pursing strategies that allow drivers and residents to park once and use other modes to circulate within downtown. More specifically with regard to design, the Plan notes that "*…above ground parking facilities should be screened from street view with liner buildings. Upper stories of parking structure may be permitted at the street if designed to a level of interest and quality to a building façade.*"

Transportation and Hawthorne Court-Related Considerations. A separate Staff Memo from the City's Transportation Department has been provided with additional background information and analysis related to transportation considerations, including the design of Hawthorne Court. As noted above, the UDC's role in this review relates to the Public Building and PD components. Right-of-way considerations, such as Hawthorne Court design are not before the UDC as an advisory or approving body. Staff notes that in its advisory role, the UDC may provide specific findings related to the proposed development's ability to meet the various approval standards (attached) as part of their advisory recommendation.

Further Information on Development Process: In April 2021, the City issued a Request for Proposals ("RFP") for the redevelopment of the City's State Street Campus Garage as a mixed-use intercity bus terminal with a new parking garage, housing and commercial uses. As part of the RFP process, project goals were identified, including attracting more residential and increased density, encourage a mix of uses that contribute to an active pedestrian environment, provide an enhanced design of the existing infrastructure, including incorporating bicycles and pedestrians, and ensure integration of the bus terminal into the mixed-use development. The Common Council ultimately selected Mortenson Development as the City's development partner for this project and the materials before the UDC reflect the general development concept that was part of the City's RFP evaluation. More information on that process can be found on the City's State Street Campus Garage Mixed Use Project website.

Summary of Design Considerations

Planning Division staff requests that the UDC provides feedback based on the standards for Planned Developments and Public Buildings, keeping in mind the noted City's overall project goals for this redevelopment.

- **Building Height.** When measured in feet, the proposed building complies with the maximum 172-foot height defined on the Downtown Height Map for this site. However, Zoning Staff has determined that, while the measured height would comply, the building currently includes 16 stories where the code allows for a maximum of 12. This is due, in part to parking levels having a shorter floor-to-floor height than other building forms. As such, this will require that the Plan Commission and Common Council make findings related to PD Standard "h" related to extra height (PD Standards attached to this report).

  As the building is not physically taller than what is allowed and has been designed to 'read' as a 12-story building when viewed from Lake Street, Planning Division Staff is supportive of this aspect of the request. Staff also believes that use of residential units to screen the parking results in a preferable condition on Lake Street compared to a conventional parking ramp structure. As noted in the attachment, PD Standard "h" speaks to height in excess of what is allowed, including those that generally speak to compatibility and consistency with context, scale, mass, rhythm, relationship to street frontages, demonstrating a higher quality building, etc. Staff requests that the action of the Commission provides feedback related to the overall structure height, including comments related to the PD Standards.

  In addition, this request now includes three (3) proposed elevator overrun projections into the Capitol View Preservation height limit. At nine feet eight inches, while the proposed overrun is more limited than

other projections that have also included mechanical equipment staff further urges that any such projections are eliminated or minimized. Where allowed by statute and ordinance, projections are only allowable if approved by the Plan Commission as a conditional use, and if approved, projections (including the number of projections) are found to be the minimum required.

- **Building Material Palette.** The proposed material palette is comprised of masonry, metal panel, and fiber cement panels. While the underlying zoning district would allow all of the proposed at the top, middle or base of a building, as well as a trim/accent material, the building is now primarily comprised of a fiber cement panels (floors 5-10). Staff requests the Commission provide feedback and make findings related to the proposed building material palette, including the use of fiber cement panels as a primary exterior material, as well as material transitions and articulation/texture relative of to the PD standards, including those that generally speak to creating "…*an environment of sustained aesthetic desirability*…" and in maintaining a level of consistency/compatibility with the surrounding context, presenting a higher quality building, etc.

- **Ground Level Activation Considerations**. Staff requests the Commission provide feedback and make findings on the following façade and design details:
  - Ground level activation, including the use of a single combined entryway for both the commercial and residential uses, the treatment of the void spaces as a result of the garage/bus terminal entries/exits, incorporating commercial programming elements (including outdoor seating, moveable signage, display, bike parking, etc.) for future commercial uses, and the possibility of adding color, and
  - On-site Landscape treatments at the street level, especially in terms of providing year-round color and texture, and heartiness of the plant selections, etc.

- **Garage Wall Exposure.** As shown on the elevations/perspective view, portions of the upper floors of the garage wall will be exposed on the north and south sides of the building. Consideration should be given to the articulation and materials of the utilitarian end/side walls of the garage and whether the use of some decorative concrete block and/or other patterning can provide additional articulation where these solid walls will be visible. Staff requests the UDC provide feedback and make findings related to the treatment of the exposed garage wall expanses.

- **Long Views**. Due to the prominence of this site within the Downtown and the proposed height, consideration should be given to the composition of the proposed building in terms of its views from State Street, the lake and other vantage points, including materials, glazing, and color; how it fits in as part of the overall cityscape.

- **Lighting.** The photometric plan appears to have inconsistencies with the City's Outdoor Lighting requirements (Section 29.36, MGO) for medium/low level activity areas, including light levels in excess of 2.5 footcandles in pedestrian areas. As a potential code compliance issue, the applicant is advised that an updated photometric plan and fixture cutsheets, consistent with MGO Section 29.36, will be required to be submitted for review and approval prior to permitting. Staff requests the Commission provide feedback and make findings related to the further review and approval of the lighting plan.

Summary of UDC Informational Presentation

As a reference, the Commission's comments from the September 7, 2022, Informational Presentation are provided below:

- This is a nice looking building and a nice solution to a parking garage. I would like the front façade better without the balconies coming out. Juliet balconies could work, otherwise these detract from the clean lines.
- Is that an amenities green roof in the middle?
    - Those balconies are designed as a half-in and half-out situation. The terrace podium we are continuing to program, but it will be an accessible space.
- The balconies I see as cluttered and will detract from the pedestrian experience on Lake Street.
    - The thought was more eyes on the street and activation on Lake Street. There are not many balconies on the rest of the building.
    - Those units are the larger ones. We can study it both ways.
- Those balconies are only used a limited number of months.
- The building materials do not seem to be cohesive with the rest of the neighborhood. I would like to see the first levels as brick façade rather than masonry, which would coincide with the rest of the area better. It will stick out like a sore thumb.
- Our Downtown Design Guidelines recognizes that we have a lot more access to amenity spaces in the downtown area not otherwise offered in other areas. I understand the terrace is still being programmed, but we are not a pool shortage in this area and it doesn't make sense for a greenspace there; Library Mall is right there. This could be better utilized as additional housing and seems like wasted space now. There was similar feedback at the neighborhood meeting.
- It's not really the scope of UDC, but I am very concerned about the entrance to the garage on Hawthorne Court. This past weekend I saw dozens of students walking there after the game, it is a bad space to have cars zipping through. It's something to plan around with how you're designing that area. I would love to see an actual plan for that rooftop.
- This is an exciting improvement to our city. The treatment, activation and safety of Hawthorne Court and Lake Street is critical. As you look at that north façade, the façade of the parking garage has an impact on that experience through Hawthorne Court, it's a funky space. It's important for you to think about both that north edge corner, as well as the Hawthorne frontage, and possibly even also the south corner and how that contributes to a safe activated space.
- I am particularly interested and excited for the activation of Lake Street and a better pedestrian realm. Part of that is the street trees, it is a tough environment for them, and I highly recommend we start to think about Silva cells or some other type of sub-surface zone for root growth so they can actually grow into something substantial. Your proposed trees should start as a substantial size because of how much they are prone to vandalism in this area.
- I like these types of rooftop spaces, having these voids in the architecture. We will need more details.
- I don't see any negative impacts to the landmark building. I appreciate that the mechanical penthouse is kept below the Capital View Height Preservation limit. As a non-architect I'm unsure about the continuous insulation, refinement in general with all the materials, what is appropriate and what feels substantial.
- I have a positive initial response, specifically to the massing, we definitely don't want a huge building with a light well. I like the voids, the generous glazing on the corners. On the balconies, could they be further recessed? They do break-up the smoothness of the façade and a deeper recess might address that. The materiality, the deep strong contrast of black and white in this particular location seems like an

odd choice. Have you tested other options? I wonder if that's the right solution. We have to see the backside of this building, we need to see four-sided architecture.

- The buses vs. pedestrians on Hawthorne Court needs to be studied, how those buses are going to maneuver.
- Our submittal packet did have some view of the east side. It was in the overall plan set.
- There are other ways we can design open space into this rather than having so much of it. To maximize housing that is desperately needed in the downtown area vs. the open space.
- Have you done a shadow study?
    - As part of our RFP response we did a sun study to see the impact of the property on adjoining properties.
- I would encourage you to rethink the colors, it has an effect on the pedestrian experience to walk by a dark building, especially in such a lively part of the city.
- If you have trees along the street and a canopy, a pedestrian going past the building will have to go under the canopy, and things drip off canopies. That sidewalk always feels really tight and busy anyway without a canopy coming over it, and you're adding trees.
- The staff report asked us to look at signage. I see the parking iconic "P" and "garage," are you proposing additional signage on that canopy for the building itself? I can see it pretty easily above the commercial windows.
    - We're intending to come back with a CDR at a later date. The intent is to have street level signage to designate the parking entry, bus terminal entry and housing entry.
- I appreciate your comment about eyes on the street for safety. You're surrounded by some pretty drab, cream color buildings so go nuts, go big.

- With regard to the exterior insulation, the Zoning Code in downtown areas only permits EIFS or a synthetic product as trim or top of building, do we even have the authority to approve something other than what's in that table?
- (Secretary) No. When this comes forward for a land use application, Zoning will review for compliance with the Zoning Code, but the UDC does not have the authority to modify the Zoning Code.
- So there could be some issues with that material that is out of our hands. I would say that if EIFS is going to be used in a significant portion that it not mimic the color and design vocabulary of the other materials. Maybe there are appropriate places for some pops of bright color and exciting expressions.
- With regard to the bus terminal and its location off of Lake Street, it will need some identifying element to it so it's not just a portal with buses coming in and out, so people understand that's where you go to get on the bus.
- Make sure you do have really good lighting and adequate pedestrian walkway separate from the drive aisles on Hawthorne Court.
    - One of the benefits of this project will be the necessity to improve Hawthorne Court, and we are working with a number of departments to redefine that court.
- Why does the project need to be rezoned?
- (Firchow) Staff is comfortable with the PD zoning due to various complexities that came out during the RFP process. With large parking facilities, many of the design components don't fit into the UMX guidelines. Another consideration is the height; it does comply with the downtown height map, however some of the floor-to-floor heights might not work within conventional zoning.
- Sometimes zoning considers that roof terrace as another floor, the PD would allow that to happen.
- I'm happy to see the bus component as part of this project, but surprised that the buses will come down Hawthorne Court and echo the concerns about that. It seems a bit daunting, improved or not.
- Is that metal screen material on the north and south sides of the parking garage? There are opportunities for articulation or a graphic design element.

- I have mixed feelings about the balconies. They do not get used and I'm concerned that the appeal of them vs. what they do to the overall design of the façade isn't always a good trade-off, I would reconsider that.
- The amenity areas, it's all in the details, I hope to see something interesting and perhaps out of the ordinary for those spaces, I'd like to see some plant material up there. The very top of the roof, when I see the top floor of a tall building with absolutely nothing on it, I see a wasted opportunity. A lot of cities mandate the top floor has green roof or solar, I would love it if Madison had those kinds of requirements, but projects can also voluntarily look at those options.

ATTACHMENT
PD Zoning Statement of Purpose and Standards

28.098 (1) Statement of Purpose.

The Planned Development (PD) District is established to provide a voluntary regulatory framework as a means to facilitate the unique development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations, and that features high-quality architecture and building materials. In addition, the Planned Development District is intended to achieve one or more of the following objectives:

(a) Promotion of green building technologies, low-impact development techniques for stormwater management, and other innovative measures that encourage sustainable development.

(b) Promotion of integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas, with enhanced pedestrian, bicycle and transit connections and amenities.

(c) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.

(d) Preservation of historic buildings, structures, or landscape features through adaptive reuse of public or private preservation of land.

(e) Provision of more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques.

(f) Facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.

28.098(2) Approval Standards for Project

The standards for approval of a zoning map amendment to the PD District, or any major alteration to an approved General Development Plan, are as follows:

(a) The applicant shall demonstrate that no other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the objectives of (1) above. Conditions under which planned development may be appropriate include:
   1. Site conditions such as steep topography or other unusual physical features; or
   2. Redevelopment of an existing area or use of an infill site that could not be reasonably developed under base zoning district requirements.

(b) The PD District plan shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

(c) The PD District plan shall not adversely affect the economic health of the City or the area of the City where the development is proposed. The City shall be able to provide municipal services to the property where the planned development is proposed without a significant increase of the cost of providing those services or economic impact on municipal utilities serving that area.

(d) The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. A traffic demand management plan may be required as a way to resolve traffic and parking concerns. The Plan shall include measurable goals, strategies, and actions to encourage travelers to use alternatives to driving alone, especially at congested times of day. Strategies and actions may include, but are not limited to, carpools and vanpools; public and private transit; promotion of bicycling, walking and other non-motorized travel; flexible work schedules and parking management programs to substantially reduce automobile trips.

(e) The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District.

(f) The PD District plan shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors. Areas for stormwater management, parking, or in the public right of way shall not be used to satisfy this requirement.

(g) The PD district shall include suitable assurances that each phase could be completed in a manner that would not result in an adverse effect upon the community as a result of termination at that point.

(h) When applying the above standards to an application for height in excess of that allowed in Section 28.071(2)(a) Downtown Height Map, except as provided for in Section 28.071(2)(a)1. and Section 28.071(2)(b), the Plan Commission shall consider the recommendations in adopted plans and no application for excess height shall be granted by the Plan Commission unless it finds that all of the following conditions are present:

1. The excess height is compatible with the existing or planned (if the recommendations in the Downtown Plan call for changes) character of the surrounding area, including but not limited to the scale, mass, rhythm, and setbacks of buildings and relationships to street frontages and public spaces.
2. The excess height allows for a demonstrated higher quality building than could be achieved without the additional stories.
3. The scale, massing and design of new buildings complement and positively contribute to the setting of any landmark buildings within or adjacent to the project and create a pleasing visual relationship with them.
4. For projects proposed in priority viewsheds and other views and vistas identified on the Views and Vistas Map in the City of Madison Downtown Plan, there are no negative impacts on the viewshed as demonstrated by viewshed studies prepared by the applicant.

(i) When applying the above standards to an application to reduce or eliminate stepbacks required by Section 28.071(2)(c) Downtown Stepback Map, the Plan Commission shall consider the recommendations in adopted plans, including the downtown plan. No application to reduce or eliminate stepbacks may be granted unless it finds that all of the following conditions are present:

1. The lot is a corner parcel.
2. The lot is not part of a larger assemblage of properties.
3. The entire lot is vacant or improved with only a surface parking lot.
4. No principal buildings on the lot have been demolished or removed since the effective date of this ordinance.