PLANNING DIVISION STAFF REPORT

November 30, 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 and an Advisory Recommendation 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 (Updated): Following the Urban Design Commission's November 9, 2022 review, plans have been revised to include a phasing component. Based on discussions with Building Inspection, a phasing plan is necessary in order to address anticipated building permit issuance considerations. In summary, it is anticipated that separate permits will be issued for the City's public portion of the project and the private component of the proposed development. Staff notes that while phases are being established, the entire project is still intended to be constructed in a continuous manner with upper levels to commence upon completion of the lower floors. No other changes to the project design are proposed at this time.

The project continues to include a new mixed-use development containing a public parking garage and bus terminal, as well as private residential housing units on the upper floors. The site is currently zoned UMX (Urban Mixed Use District) and is proposed to be rezoned to Planned Development (PD). The applicant is seeking an updated Initial/Final Approval for the public building and an Advisory Recommendation related to the Planned Development.

Project Schedule (Updated):

- 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 UDC reviewed this proposal at their November 9, 2022 meeting. The Commission provided an Initial Approval for the public building with conditions, as well as an advisory recommendation to the Plan Commission on the Planned Development.
- The Plan Commission is scheduled to review this proposal on December 12, 2022.
- The Common Council is scheduled to review this proposal on January 3, 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). Note, standard (g) relates specifically to phased Planned Developments.

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.*"

Project Background: 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.

Proposed Project Phasing: The proposed development is a public-private partnership that will be comprised of two construction phases:

Public Phase 1: The City will lead the initial phase, which includes the demolition of the existing structure and the construction of the lower podium levels. Construction includes the City-owned intercity bus terminal and public parking that will be comprised of one below-grade and six above-grade levels. While the lower residential levels will be constructed in this phase, associated unit build out and amenities will be completed under the following phase. While the Planned Development standards apply to the entire building, only this portion of the project is considered the Public Building where the UDC is an approving body.

Private Phase 2: The private developer will lead the second phase that includes the nine floors of housing above and adjacent to the garage. This phase also includes the construction of the rooftop deck amenity spaces. Note, the private portion of the project includes an elevator overrun that is in excess of the capitol view height preservation limit, as well as an overall building that is in excess of the maximum height in stories. For this portion of the project, the UDC is advisory, related to the Planned Development request.

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 the design of Hawthorne Court **are not** before the UDC. However, staff notes that in its advisory role, the UDC may provide specific findings related to the proposed development's ability to meet the PD approval standards, including those that specifically speak to the building design and relationship of the building to public spaces and street frontages.

Summary of Design Considerations and Recommendation

Planning Division staff requests that the UDC make updated findings and a recommendation based on the standards for Planned Developments and Public Buildings and recommends the following regarding the structure of their motion. Note that as no design details are being modified, staff has recommended the following using UDC's previous comments. This recommendation is subject to information and discussion at the November 30, meeting:

Advisory Recommendation on PD:

1. UDC should provide findings related on the proposed phasing plan, which is the only difference between this set and what was previously reviewed. The relevant PD Phasing Standard states, *"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."*

2. UDC should confirm/reaffirm the advisory comments provided at their November 9, 2022 meeting:

    - Not to approve the building with an elevator overrun exceeding the Capital View Height Limit.
    - That more substantial plantings be incorporated along Lake Street.
    - Request pedestrian traffic counts for Hawthorne Court and to re-examine the use and design of Hawthorne Court with regard to the development and pedestrian traffic, and to refer the design of Hawthorne Court back to UDC.
    - The applicant shall revise the material colors to provide more contrast between the masonry and the panels on the tower elements. (This Comment was recommended to apply to the Public Building Phase – but also applies to the upper levels.)
    - The applicant shall provide night renderings.

Approving Action on Public Building:

1. The UDC should confirm their **Initial Approval** comments provided at their November 9, 2022, meeting with the following information to be addressed for the consideration of future Final Approval for the Phase 1 component of the development:

    - The applicant shall provide night renderings.
    - The north/south end walls shall be refined to incorporate more articulation in the design/materials.
    - The applicant shall refine the finish treatment of the concrete columns along Lake Street.
    - The applicant shall revise the material colors to provide more contrast between the masonry and the panels on the tower elements.

    Note, while the UDC included the elevator overrun under their review of the public project, this element is not be a part of the public project to be constructed by the City. The elevator overrun element is part of private development phase and therefore UDC may only be advisory on that component. Staff notes that state statute and City ordinance place the purview of that item as a conditional use, which may only be granted by the Plan Commission.

Summary of UDC Action from November 9, 2022 Meeting

As a reference, the Commission's comments from the November 9, 2022, Initial Approval and Advisory Recommendation are provided below:

The Commission discussed the following:

- Programming for the outdoor space – what will be the programming in the courtyard?
    - At the high roof level outdoor space with landscaping and green roof, social area, grills, game areas, movable seating. The podium level, sits above the parking garage which is adjacent to an indoor fitness center that extends into the outdoor podium area for outdoor exercise. There is some space program for games and lounging adjacent to the pool, gill areas, private tenant patios, movable seating as well.
- I'm disappointed more hasn't been done to passively activate the large uninteresting east and north elevations, and how that might contribute to activing Hawthorne Court. Not in terms of lighting or improvements in Hawthorne Court itself, but in terms of the actual architecture and how it addresses activation along Hawthorne Court, there's not much going on there.
- On Sheet L1.0, there is a note that states there is six-inches of planting depth in the mulch is too much, it should be more like three-inches.
- Have silva cells been discussed for the street trees along Lake Street, giving them a more viable chance of living?
    - We can discuss that with our landscape architect.
- It may be out of their control if it is in the right-of-way.
- It would certainly be a conversation between the development team and Forestry. It can happen, the development team will have to design and pay for it, it would need approval in coordination with Forestry. It would be a good idea in this high trafficked area close to State Street.
- What is the finish of the columns along the Lake Street first floor façade?
    - We have talked about potentially a metal panel. We are showing them as exposed concrete. Immediately behind the columns is the glass and the metal that you can see into the habitable space/entry lobby for the housing component. Something we want to work through with the City and the development team.
- Has anything been explored for getting that elevator overrun out of the Capitol View Preservation Limit?
    - The alternative would be eliminating that amenity space on the high roof that is the only way to get rid of the eight-foot overrun. The overrun has been reduced in size to the bare minimum square footage and only encompasses the elevators necessary to get to that space, and are located in the center of the building footprint, so you don't see it from 3 of the 4 long views.
    - We do feel very confident that we can do it for less than eight-feet, probably be about a foot less than that.
- Is it within the scope of our role to make any recommendations based off of the traffic flow of Hawthorne Court?
- Yes, it is because this is integral with urban design, and there was a memo from Tom Lynch that showed a couple of alternatives and the rationale for going with this design. That could be part of our advisory recommendation.
- (Secretary) I would agree, it fits within the Planned Development standards. I would note that Sean Malloy from Traffic Engineering is here, and could speak to how they transitioned through the conceptual design to where we are today.
- The columns warrant something more than just a plain concrete, burnished or something that would elevate that a little bit.

- The traffic study seems to stop at the development. I'm not clear on what happens between the development and State Street on Hawthorne and how traffic flows if we make Hawthorne a one-way, how that affects the development or the existing apartments passed the development. How does circulation work for everyone further into Hawthorne Court?
    - As it exists it is two-way traffic. There's a very small sidewalk that's not very safe at 2-3 feet wide. The proposal is to turn Hawthorne Court from two-way into one-way traffic, allowing us to increase the pedestrian realm three times the width from two feet to a seven-foot sidewalk. Vehicle access is off University Avenue one-way to the north, exiting through a public easement westbound onto Lake Street. In addition, the City has made available loading zones which are not there today on University Avenue, and has also made loading zones available on Lake Street. There is twelve times the amount of pedestrian traffic on Lake Street compared to Hawthorne Court.
- As you go up there's two-way traffic in and out of the parking structure. If you come out of the parking structure, and take a left, then you're directed out past the buses?
    - Yes.
- What about the apartments just outside the greyed area towards State Street?
    - Traffic to the north of the development would travel south and exit out onto Lake Street.
- Coming south and going next to the buses again, it's two-way up until the buses?
    - Yes.
- As far as the general appearance of the building, the color is fine, it looks like you're trying to match the brick in the panel above. It would look nicer or lighter if you went to a lighter contrasting panel on the two towers, there needs to be more contrast between the brick and the panels, and it looks heavy.
- The details provided by City Transportation on why Hawthorne Court vs. Lake Street was a very helpful, thorough analysis. In that spirit, I appreciated the comments about enhancing the plantings more, little more mature or significant that could be a very nice feature in that goal of activing Lake Street even more.
- What is happening at Level P4, is it a two story atrium condition, better understand the open to below note?
    - There are two loft units in the four levels of the parking structure. The left is the first floor of the loft units and the right is the upper level of the loft units. It is a two story space in the residential portion of the building.
- The encroachment into the Capitol Preservation Limit is very unfortunate, if almost not passable, in my opinion. I do commend the team on fitting as many stories in as you did, we're all behind the idea of more housing. However that elevator overrun is really, really quite unfortunate in trying to get this building to work in this location. What studies have been done to increase housing density with less floors to bring this building down under that limit? Does removing the loft do anything in that direction? Also an open thought to the whole group about whether the podium might be allowed to be taller to get more units into the courtyard area to bring the height down.
    - From a tower footprint perspective this 'U' shape is ideal for maximizing the amount of daylight into the units from a health and wellness perspective. Other shapes were considered, but they, in our opinion did not have enough daylighting into the units. We could look at a different concept the loft units potentially.
- I wouldn't recommend a fully enclosed courtyard, maybe one or two stories more that encloses that 'U' shape, it would not be perceived by street level pedestrians. Curious if something like that would maintain housing units but keep the height down?
    - Are you suggesting adding a couple of floors above the lofts along Lake Street to make it an "o" for a couple levels and then 'U' shaped above that?
    - We had done some long range views that show the elevator overrun.
- Yes. The full plan set has some of the views you're talking about. I'm seeing view #2 on A 406 that appears to be from further down University Avenue, you can't see the Capitol from there anyway from a

pedestrian level but you certainly see those elevator overruns. We may have the information you're talking about, just not in the presentation file.

- The data presented on the pedestrian flow between Lake Street and Hawthorne Court was misleading. The concern is not just pedestrian flow, but times of day that Hawthorne Court is being used currently and who is using it. Currently there are people lined up on the court, how do you expect to control for inebriated college kids in that generally use the court and where bars to do not have places right now to line-up these kids? The concern is a bunch of drunk college kids with big buses driving through a small court, through a small lane. How are we going to mitigate that issue?
    - We've had discussions with Tom Lynch, there is only one bus currently scheduled to use the terminal during bar time. In his memo, even during bar time between 11:00 p.m.-1:00 a.m. there are still three times the amount of pedestrians using Lake Street than Hawthorne Court. The current sidewalk width that is used by patrons of the bars is two feet, by switching it to one-way traffic we can give more of that overall width to pedestrians and widen that realm from two to seven feet. We can't control inebriated college students but we can give them a wider pedestrian zone.
- It is false comparing Hawthorne Court to Lake Street when the entrance is University Avenue. How does this pedestrian traffic compare when you add the data usage from University Avenue traffic which is the entrance to the court?
    - I don't have that data. But there is only one bus using the court at bar time.
- The Liquid, their emergency exit is on Hawthorne Court, that is their main exit and their capacity could go down from over 1,000 to just about 300 people. How will you account for the impacts of utilizing Hawthorne Court for local businesses that have emergency exits there and how those exits impact their capacity? There is limited parking on University Avenue for drivers to pick-up their food, where will they go?
    - We are aware that maintaining emergency exits is of concern, and have been in contact with business owners, we will maintain those and expand the sidewalk from two to seven feet to make that condition even safer. There were also concerns with regard to loading and unloading. The City is making accommodations for loading zones off University Avenue and Lake Street to serve that purpose.
- Also, what about delivery drivers to pick up food. Where will they go?
    - The city will introduce loading zones on Lake Street and University Avenue for the purpose of serving delivery drivers.
- What would it take for you to provide those numbers with regard to pedestrian traffic?
    - I'd need help from the City on that.
- (Mikolajewski): Traffic Engineering does not currently have pedestrian counts on that section of University Avenue. We as a City would need to get those counts.
- (Malloy): For a weekend count, we could probably do in the next two weeks or so. We do have quite a bit of cameras in the area, we could do a count with our cameras there. To clarify, is it a count of pedestrians on University as they cross Hawthorne Court?
- Pedestrians use the court when there's not enough space on University Avenue. It is equally important to study Lake Street and compare the pedestrian flow and impact of those numbers. It's not just the court, it's the pedestrian flow on University.
    - OK, the crosswalk of Hawthorne Court.
- For urban design purposes, we do need to take into consideration the alternative to the present plan as per the staff memo from Tom Lynch, almost doubling the driveway entrance on Lake Street or at least the percentage of the overall street length that the project would be dedicated toward driveways. We need to grapple with this so that the ground floor isn't just all driveway entrances and exits, to preserve the alleyway of Hawthorne Court.

- I agree with that comment. I appreciate the Traffic memo, it helps us understand, and I'm going to trust that Traffic staff knows way more than I do. The good part is that it's getting buses off the street for people waiting with their luggage; there are some positives in there.
- The overrun isn't as much about the views, it's about setting precedence. We either really protect this or we don't. I appreciate recognizing it may not be a big vision thing, this is precedent for future projects.
- I commend you on how you've set this up, it is smart to have residences facing Lake Street and not the parking, it's a huge improvement. Appreciate the colors you're working with.
- Is this allowable that somebody has no choice but to go under the canopy to get through the sidewalk? It concerns me that if it's crowded, the sense of who owns the sidewalk sense, it blocks others trying to get through.
- (Secretary) They are allowed and would need a right-of-way encroachment permit and would need to enter in to an agreement with the city.
- I'd like to see a night rendering, I'm curious how people will know buses are coming and going, what kind of lighting there will be, if it gets mixed up with the commercial lighting and spaces, it's a busy part of the city, especially with events going on downtown. How all the signage is going to work, night renderings might help understand that.
- Do you have demarcated seating areas at the pool to allow for privacy, or are there apartments next to the pool next to floor to ceiling windows of someone's apartment?
    - There are student housing units on the south and east sides of the pool. The north side is the athletic club and some green squares and rectangles on the east and south sides, those are to privatize the units from the public area.
- This is an improved project from what we first saw. The façade on Lake Street is much better without the balconies. Overall it presents well, pretty attractive building. Appreciate the color elements, but a, confused about the red color, appears more terracotta-ish, appreciate the effort put into the landscaping on the amenity areas, nice to see the green sedum roofs and planters, nice selection of plants listed on there. The bench planters shown on the ground level along the front of the building are ridiculously small, will get vandalized and will never hold what you have listed; should be revisited with your landscape architect. There should be way more planters along the front of this building this size.
- Consider all those ugly concrete pillars, something should be done with those. You could improve and soften the entrance to the building with more planters (six or seven) and plantings.
- I'll reiterate the comment about going the extra mile for tree health in front of this building.
- Regarding the elevator overrun, from the development team's standpoint you probably feel it's ridiculous that this is important. But it is and that's why this height limit exists. It seems to be more and more of an issue with projects that push it right to the limit and want an exception for a mechanical unit on the roof. To comply you would remove an entire floor of housing, but we also respect this height limit, and if it means something it needs to be respected. I am especially troubled when developments are being built from scratch, you got good architects, I refuse to believe these buildings can't be tweaked in many different ways to not have these exceptions. We know from other projects that you can pick your long views from wherever and make it look how you want it to. We don't know what the views are from multiple other taller buildings in the neighborhood or on campus, or what's in the future.
- (Secretary) Generally, the projection is allowed with a conditional use, to include mechanical equipment, but it needs to be demonstrated that it is the minimum necessary to provide the required access per the building code.
- (Firchow) It is defined in state statute and city ordinance. The elevator overrun is approvable, but only by conditional use, which is the purview of the Plan Commission. It is the only body that can grant that approval. UDC can certainly provide advisory comments.
- It's not as earth shatteringly precedent setting because it is something by ordinance the Plan Commission can grant approval of as a conditional use. Church steeples and other things are allowed to be in that area, but they want it to be the absolute minimum necessary to get that equipment to work

while keeping the datum of that main roof level where you want to limit protrusion into that protrusion view zone that is a mile around the Capitol.

- North and south ends of the building that are mostly parking garage, the material listed is decorative concrete block. You're playing fast and loose with what decorative means, it just looks like a plain dark grey block; there is nothing decorative to it at all. Look at articulating or using surface treating that visible to make it more aesthetically pleasing.
- I appreciated the report by Tom Lynch giving us the thought process for the Hawthorne Court bus terminal traffic. We desperately need a bus station like this, but I am disappointed this is the spot it ended up because it is problematic as everybody is noting. Given the concerns and reading the rationale behind how they needed up where they did, I begrudgingly have to agree that most of the decisions made on it seem to be the correct ones. How many buses a day would come in here?
    - In my discussion with Tom Lynch, the number was 20.
- (Mikolajewski): That's what I recall as well.
- That's a relatively modest number of times per day the buses will come through there. I don't think we should overstate that impact. The improvements in there, particularly that widened sidewalk is really important. Twenty buses a day are not going to blocking those emergency exits, I don't see that as an issue. While I kind of wish this was in a different place, given the constraints it seems like they have presented the best solution.
- Clarity on the shape of a motion.
- (Secretary) There are two parts to this: The UDC Approval is for the public building portion, just the building, which could take the form of Initial/Final with or without conditions. The UDC is Advisory on the Planned Development, making a recommendation with outlined considerations you are recommending the Plan Commission to adopt. Anything related to the PD include design elements on Hawthorne Court, elevator overrun, landscaping and open spaces, and excess height.
- (Firchow) Since this is one Legislative item, it would be best course to have one motion in multiple parts.
- There were some items outside the public building considerations such as silva cells, the development of Hawthorne Court, the affirmation of the building height and number of stories (has 16 floors but reads as 12). The Plan Commission would be granting a conditional use on that, the Plan Commission would appreciate our findings on the height. And with regard to the public building, it is all four elevations, materials, colors and lighting, garage wall exposure and materials, and colors. You could entertain a motion that states Initial, Final, or referred, with the following advisory recommendations to the Plan Commission.

A motion was made by Knudson for Initial Approval of the building and recommendations to the Plan Commission on the Planned Development. He noted his motion was for Initial because the elevator overruns are there to access the rooftop amenities, not to access the machinery for the floors below.

Discussion on the motion was as follows:

- The shaft overrun is the height listed at the top, you can see the Capitol View Limit on the right. It is just the overrun portion that's exceeding the height limit, not the lobby or other components that get you to the roof.
    - The elevator lobby is the roof height, which is labeled on the left, the elevator shaft, just the overrun of the elevator to the right. Just the overrun exceeding the height limit, not the elevator lobby.
- This is an elevator serving the roof top plaza. I don't think the rooftop plaza is a strong enough reason to do this. It's not a key feature of this important project. My Initial Approval is based on a building that avoids going above that cap limit with an elevator there to serve a rooftop plaza.

    - The elevator getting to the rooftop plaza is allowing people to get there, but also the availability to the mechanical equipment that is under the Capitol view limit that resides on the roof on the portion that is not habitable. Getting equipment up there, it does serve that function as well.
- My motion remains, and I would suggest that as a Commission we might entertain some studying of how we can get more units on lower levels to still keep the overall housing units comparable. That might include evaluating that "O" style courtyard for one or two floors, as well as a strong encouragement for more substantial plantings along Lake Street for a strong activation design element, night renderings, noting also avoidance of excessive pedestrian lighting (there's a note in memo about ordinance), and more articulation on the garage wall expanses.

The motion was seconded by Bennett.

- A friendly amendment to advise the Plan Commission to review the usage of Hawthorne Court. We need more numbers on pedestrian usage because University Avenue is connected to Hawthorne Court. There is not a solution for local businesses, a proposed solution but not a guarantee, that's important moving forward.
- We are advisory to the Plan Commission.
- (Secretary) It sounds like it is a recommendation to the Plan Commission to request pedestrian traffic counts on Hawthorne Court.
- Yes, to request pedestrian traffic counts and to a solution for local businesses for the usage of Hawthorne Court.
- I could see this amendment being expanded to include the overall design of Hawthorne Court, which is in the right-of-way and not a part of the developer's design; we can certainly make that recommendation. What we can request additional information or changes on is the building elevation facing Hawthorne Court.
- (Firchow) Just a quick clarification, this is a friendly amendment if all the commissioners agree. Otherwise we would need to vote on the amendment. Are there any objections to the amendment?
- It would be good to define it a little better for me. We've asked whether pedestrian traffic crossing at Hawthorne Court has been considered as part of this recommendation. If the motion articulates some specific questions like that, then the Plan Commission has something to do with it.
- For the purposes of this it would be good to keep it more open ended because there is such a broad range of concerns over utilizing Hawthorne Court. My goal is not to belabor the issue or delay approval, but they need accurate information and to fully understand how this will impact those in this area. There's a broad range of concerns with regard to Hawthorne Court that cannot be condensed into one question.
- (Firchow) It's okay to have advisory comments regarding Hawthorne Court. The Plan Commission is reviewing the planned development standards and not the design of Hawthorne Court. The actual design of Hawthorne Court will be a separate City process. We have to know how these are intended to work together, because the design of the building relates to the design of Hawthorne Court, but the Plan Commission is in a similar boat that they are advisory on the zoning map amendment. As pointed out earlier, we can certainly provide advisory comments on things we want to look at but PC when they see this item, but they are also not an approving body on the details of Hawthorne Court at this time.
- Not necessarily about the design of Hawthorne Court, but the design of the building as it relates to Hawthorne Court.
- You mentioned eliminating the elevator overrun and studying some other considerations for other configurations of the podium. Typically Initial Approval signs off on the basic massing of the building; is the elimination of the overrun and potentially a floor and other configurations at the podium something that is much more comprehensive than an Initial Approval?
- (Secretary) With regard to the overrun, we need to be clear what the intent is because the building as it sits is compliant, it's the elevator overrun that is exceeding the Cap View Height limit. If the goal is to

remove that overrun, there would be no rooftop plaza. That would be a recommendation to the Plan Commission because UDC is advisory on the overrun as part of the conditional use review.

- With an Initial Approval motion, I don't know that we can ask for other design studies that significantly change the massing.
- (Secretary) I would agree on that. Initial Approval says you're generally okay with the box, it's how we are refining the box to look like a building.
- I tried to suggest how that box or massing might change as a compromised way of keeping this going. That was the intent of suggesting the shape of the courtyard change.
- One of the issues I would like to see resolved is the Hawthorne Court elevated or rendered so we have a clear idea of the intent from a pedestrian level. I'm having issue with materiality because all the renderings are these long views and I'm not seeing what those columns look like, and really what the experience on Hawthorne Court would be. The designers should spend some time giving us more detail because it's an impactful building and I need to see what that pedestrian experience is going to be.
- I'm not sure where we landed on the amendment or what it's really saying. In my own opinion on of the Hawthorne Court subject, the development team presented an alternative circulation flow, what they're presenting is the preferred alternative. Asking for pedestrian counts is good but I don't know if I'll be any more qualified than a traffic engineer to do anything with those numbers. We may be adding busywork that doesn't actually help us make a more informed decision. Their preferred alternative is better than the second alternative. That's separate from what Russell did originally include, which was a building architectural treatment of the facades that activate and address Hawthorne. I'd like clarification on what the amendment is because the way it started we might need to vote on it.
- (Secretary) For the friendly amendment, a recommendation to Plan Commission to request pedestrian traffic counts on Hawthorne Court and address solutions for businesses utilizing Hawthorne Court with regard to the design of the court.
- The amendment can be generalized as the usage of Hawthorne Court as it relates to the pedestrian experience within the development.
- So then the amendment is more consistent with what the previous comment was saying related to the design of the building and how it relates to the pedestrian experience along both Lake and Hawthorne.
- Please clarify the motion, as amended.
- I wanted a few things regarding Hawthorne Court and about the development in general. Trying not to underestimate the issue with HC, it is a genuine valid concern with regard to usage. I know that right now that alley is unsafe. I understand that we are widening it and making trying to make solutions with the local businesses, however as it stands, I am not fully confident in the solutions we have right now. I understand that a strong argument that the current version is better than an alternative. There could be other solutions that have not been explored yet. I think there needs to be further exploration. So, it is concerning how that flow will work; we need a strong understanding of how that works. Trying to get more information to see when it comes back; I encourage staff to work with the neighborhood association and businesses to come to an amicable solution. I do not think that what is currently proposed is acceptable.
- The effects the design of Hawthorne court that is well beyond the limits of this project. We could as an advisory recommendation to the PC that we request that the final designs of Hawthorne Court be brought to the UDC.
- We are not in a pool shortage. Consideration should be given to other programming.
- (Secretary) The motion is for Initial Approval for a building that avoids going into the Capitol View Preservation Limit, the applicant shall provide night renderings, the end walls north and south elevations shall be revised to show more articulation, especially the garage walls, and the applicant shall provide Hawthorne Court elevations and renderings with regard to the building.

  Further, a recommendation to the Plan Commission with the following recommendations: the UDC recommends that more substantial plantings be included along Lake Street, that the Plan Commission

request pedestrian traffic counts for Hawthorne Court and to reexamine the design of Hawthorne Court with regard to pedestrian and vehicular traffic, and to refer the design of Hawthorne Court back to the Urban Design Commission.

- (Secretary) To clarify, the UDC is advisory on the Capital View Height limit, ultimately the Plan Commission is approving. To be as clean as possible, this leaves that as a recommendation rather than being incorporated into the Initial Approval conditions. Also, what about the incorporation of the finish treatment of the columns along Lake Street, the mulch depth, silva cells, the brick and panel colors on the towers? Does the Commission want to entertain any of those items being worked into the Initial Approval?
- (Firchow) This is a complicated motion. Procedurally it is not the Plan Commission's purview to refer the design of Hawthorne Court back to UDC. Advising the Plan Commission wouldn't necessarily get the design of Hawthorne Court back to this body. Ultimately, this would not be a Plan Commission decision. Also, to be absolutely clear that the Secretary's read of the motion is the motion.
- It's an overrun above the Cap View Limit, but it's a design choice to bring the elevator to a certain floor.
- Is your motion would be for the Plan Commission to not approve the conditional use for the overrun exceeding the Capitol View limit?
- I thought this was more in our court to comment on the design of the building and the design choice to have a rooftop terrace and a design choice to bring an elevator to an occupied rooftop. I am trying to keep the action in our court versus Plan Commission.
- The Plan Commission has the approving authority. WE are not allowed to approve it or not, we are advising them on whether or not it should be approved.
- Do we not have the authority to grant initial approval given the design choice to have a rooftop terrace and an elevator?
- (Firchow) My question would be on the intent of the motion. If the PC does approve the conditional use, when we review this at a Final Approval level, is your intent then that even if the Plan Commission approves it, the UDC wouldn't support it?
- My intent is if this body agrees with me, the body would agree on the next round when we get to Final Approval whether we think this design choice of the elevator shaft height is appropriate. If the PC approves the elevator overrun, I am thinking that we have the duty to comment on whether we think that design choice is appropriate, the intent is to keep the overrun under the cap limit.
- The intent of the motion is to keep the elevator overrun under the Capitol view limit.
- (Firchow) There are concerns with the UDC's role, where it specifically notes PC has approval authority. We are getting into a tricky area based on that cap view projection.
- We have settled on keeping it as an absolute minimum and that only the minimum number of elevators that are needed to reach the rooftop or penthouse should be allowed to extend into the preservation view limit a little bit more focused.
- (Secretary) Before a vote, I wanted to confirm if the comments regarding the finishes on the columns and colors.
- I would welcome the amendment of columns and finishes.

The motion provided for the following:

On a motion by Knudson, seconded by Bennett, the Urban Design Commission **GRANTED INITIAL APPROVAL of the public building and made an ADVISORY RECOMMENDATION to the Plan Commission**. The motion was passed on a vote of (6-1-0) with Knudson, Bennett, Bernau, Harper, Braun-Oddo and Klehr voting yes; Arnold voting no; and Goodhart non-voting.

Initial Approval with the following conditions:

- The building design be revised to eliminate the intrusion into the Capital View Height Limit.

- The applicant shall provide night renderings.
- The north/south end walls shall be refined to incorporate more articulation in the design/materials.
- The applicant shall refine the finish treatment of the concrete columns along Lake Street.
- The applicant shall revise the material colors to provide more contrast between the masonry and the panels on the tower elements.
- The applicant shall provide Hawthorne Court elevations and renderings of the building.

The UDC **Recommends** to the Plan Commission the following conditions/comments:

3. Not to approve the building with an elevator overrun exceeding the Capital View Height Limit.
4. That more substantial plantings be incorporated along Lake Street.
5. Request pedestrian traffic counts for Hawthorne Court and to re-examine the use and design of Hawthorne Court with regard to the development and pedestrian traffic, and to refer the design of Hawthorne Court back to UDC.

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.