URBAN DESIGN COMMISSION MEETING REPORT

November 30, 2022

Agenda Item #: **2**

Project Title: 415 N Lake Street - Planned Development (PD) and Public Building for the New Lake Street Public Parking Ramp and Mixed-Use Building. 2nd Ald. Dist.

Legistar File ID #: 73342

Members Present: Cliff Goodhart, Chair; Lois Braun-Oddo, Christian Harper, Shane Bernau and Amanda Arnold

Prepared By: Jessica Vaughn, AICP, UDC Secretary

Summary

At its meeting of November 30, 2022, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a public building and made an advisory recommendation to the Plan Commission to approve a Planned Development, including phasing plan for the new Lake Street public parking ramp and mixed-use building. Registered and speaking in support were Nate Gundrum, John Chapman. Registered in support and available to answer questions was Mike Oates. Registered in support but not wishing to speak were Shahd Abdel-Wahab, Abigail Thornton, Julia Rosendahl, London Donohoe, Blair Steele, Ellie Brockman, Carson Bantle, Ali Petrick, Lauren McAndrews, Lauren Summers, Marissa Iacullo, Ann Magne, Hannah Haugland, Liza Grim, Grace Reimers, Mallory Louis, Sophia Birner, Jon Okonek and Abby Smith. Registered and speaking in opposition were Eli Tsarovsky, representing the Campus Area Neighborhood Association; and Michael Hierl. Registered in opposition but not wishing to speak was Kristin Chambers.

The Secretary noted the introduction of a phasing plan, with no other changes proposed at this time. Phase 1 is limited to the podium, Phase 2 includes the upper levels and residential portion of the project. The Secretary suggested a potential singular motion with multiple components that addresses both the advisory recommendation on the new phasing plan and Planned Development, and an action for the Phase 1 public building component of the development. This motion will supersede the November 9th action by the body.

The Commission discussed the following:

- We talked about precedent with the elevator overrun. Has precedent already been set, have similar situations in the past been approved?
- Yes, numerous precedents have been set. We need to focus on the overall height and scale of the tower, site plan and amenities. The Plan Commission will grapple with the Capital Height Preservation Limit and building height. They are looking to us for recommendations on the building design.
- (Secretary) If the Commission identifies the elevator overrun as a key issue, the recommendation should be tied back to the review and approval criteria for conditional use and Planned Developments.

Gundrum noted that nothing has changed since the Commission met three weeks ago. Mortensen is responsible for design of the residential component, and will facilitate continuous construction once the City completes the parking component. Permits will be processed as two separate packages: one for the garage and one for the housing. It's a technical requirement to have a phasing plan for those two separate permit packages.

Eli Tsarovsky spoke in opposition. The Campus Area Neighborhood Association does not feel it is efficient and effective to put buses and increased vehicular traffic down Hawthorne Court. Concerns specifically include how people interact with the entrances to parking and the building, pedestrian circulation, attractiveness of walkways, enhanced pedestrian

comfort and safety, and signs for pedestrian walkways; these issues are not being honored in the public portion of this project. There is a huge opportunity for public art on Hawthorne Court; having that much vehicular traffic would take away from the PD. More work needs to go into promoting pedestrian safety and comfort.

Michael Hierl spoke in opposition as the owner of Liquid and Ruby, which has a 720 capacity music venue that is only open on nights they present concerts or host private events. The business has been here for twelve years in this location as the last large privately and independently owned music venue downtown. It is an extremely unusual business in that it is an 18+ business model with a liquor license, yet they have almost no police calls. Opposition to this project started when they considered a dangerous traffic plan; three of their four fire exits would be severely affected by construction and the on-going project and would probably close the business. In his experience, he has never seen such a difficult stakeholder engagement process, he fully supports CANA's concerns, and cited the Greenbush redevelopment as a contrast in the process of engaging the neighborhood and stakeholders. The landlord and owner of this building have never been contacted regarding this project. The project team should begin to take into account the neighborhood's concerns as we all deserve the same degree of care in terms of accommodating and shaping projects. This project seems to have a momentum driven by staff without the serious consideration of neighborhood concerns.

Commission discussion continues below.

- In reading the CANA memo, it references emergency exits and also normal exits. I'm confused about what exits are emergency and what are regular. Is the City threatening to change your occupancy if this plan were to go forward as proposed?
    - The plans are still being developed, the concern is that we have a decent capacity that allows us to book national acts that otherwise might pass over Madison. We have 700 people in a basement level, rather than going all the way up the stairs to the main entry and exit on University Avenue, three of our four fire exits are located at basement level directly adjacent to Hawthorne Court. The idea of increased traffic is very disconcerting. The area between our building and Lake Street is a trash and parking area for buildings on University, that exit also is critical again to avoid people having to go from the main floor all the way up to the main entry and exit on University Avenue.
- But your capacity isn't being directly threatened by this per se.
    - The occupancy is clearly one issue, but the issue of allowing our guests a safe exit in an emergency is very much equal priority to us. It's already a threatening environment for pedestrians on Hawthorne Court. It's a long-established pedestrian thoroughfare, you're not going to change those traffic patterns without blocking them. The number of times we've seen pedestrian vs. vehicles on our cameras, there's nothing about using Hawthorne Court for vehicular traffic that's consistent with Vision Zero.
- (Chair) Our authority is to make a motion on the design of the public building. We're not involved in Hawthorne Court, we could weigh in on the design of the bridges that connect over Hawthorne Court to the Frances Street ramp. Although these issues may be valid and require and deserve more concern and attention, it's really not this Commission's purview to go there.
- (Secretary) The design of Hawthorne Court is not part of the Commission's purview. We do have Tom Lynch from Traffic Engineering with us this evening. He could speak to traffic counts or design questions related to Hawthorne Court.
- Does this fall under UDC's purview if the alternative is trying to find a solution of using the Lake Street entrance, would that impact the design of the building and the building aesthetic?
- Yes it would. We had that discussion when we discussed Traffic Engineering's letter that talked about the amount of garage door entrances and openings being 40% on Lake Street, where we consider street activation and the presence of the building. We're being asked to reformulate our motion from last time so that the Plan Commission and staff can say it was approved in two phases. We did have the conversation prior to the motion being made a few weeks ago.

- Has staff considered moving the bus terminal entrances to Lake Street, which may decrease the amount of street presence, even if the private parking entrance is still using Hawthorne Court, would that decrease the amount of entrances on Lake Street?
- (Tom Lynch) It depends on how the underground parking is served. This photo of Hawthorne Court illustrates the issues: it's narrow, all the emergency doors will remain as they are, we don't have the authority to take away that access. Right now it's about a two-foot sidewalk, on weekend evenings patrons use that area to wait for events. The width of Hawthorne Court is about sixteen-feet, typically a two-way street is 20-24 feet, it shouldn't be a two-way now. We are proposing to make this a one-way, somewhat of a woonerf, and the protected space would become seven-feet. This is a challenging situation, of the two alternatives it's probably better to reduce the entrances on Lake Street. The chosen proposal is a simpler flow.
- Has staff considered even just using Lake Street for just the buses?
- We haven't, that would mean three entrances on Lake Street and one on Hawthorne Court. It's not an ideal width for two-way traffic on Hawthorne. We want to provide a legal way for people to park and load/unload. We will be providing loading zones on University Avenue for those businesses. As far as the emergency exits, we don't have any plans on taking that access away. As far as traffic volumes, we project between one quarter and one third of the traffic volumes on a neighborhood street. They won't be so excessive and coming from one-way only.
- I would be interested to see keeping one-way on Hawthorne and moving the buses to Lake Street, that way they're not crossing two lanes.
- A bus on Lake Street also crosses crosswalks and bike lanes, and the sidewalks there have twelve times more pedestrian activity.
- I agree this is an unsolvable problem with such constraints to all issues. I'd like to shift to the motion from last time, we won't be able to solve all the technical issues tonight.
- We don't have the authority to make those solutions. We're trying to reiterate our motion from three weeks ago that would supersede that motion, it was for initial approval with a number of conditions including the façade design of Hawthorne Court, column covers, some landscaping, confirmation that the number of stories is appropriate.

A motion was made by Bennett for Initial Approval, asking that the Plan Commission study the bus entrance on Lake Street.

(Secretary): In wording a motion on approving vs. advisory, the approval motion is limited to the public building portion of the development, Phase 1 construction only. The advisory recommendation is another bucket with a recommendation to the Plan Commission based on the Planned Development criteria. Part of that is the elevator overrun, open spaces, criteria for building design.

The motion was withdrawn.

- The advisory recommendation should also include the phasing plan, in addition to the other items the Commission discussed, to be reaffirmed from November 9th.
- A motion to approve the public portion of the building as Phase 1, with the following conditions, and advisory to the Plan Commission that the Plan Commission shall approve the project as Phase 2 with the following conditions to come back to the UDC.

A motion was made by Braun-Oddo for Initial Approval of the public building portion of the development. The motion is for approval of the phasing plan as presented and Initial Approval of the public building portion of the development. The Commission would like to see more detail at a pedestrian level (both streets), including the materials at the columns, the material selection, more augmentation of plantings at the front of the building, and the review of the Hawthorne Court traffic study to verify that is the best traffic flow for buses. The UDC recommends the Plan Commission approve the private portion of the development and accept the phasing as presented.

The motion was seconded by Arnold.

Discussion on the motion:

- (Secretary) To clarify, is the motion to carry forward everything or just the items you outlined?
- Just the items outlined. I purposely left out the overrun, not approving it because there's enough precedent there to accept that.
- The Hawthorne Court traffic piece related to building design and the pedestrian environment?
- I'm not sure if more information is coming. I agree and think that all of the scenarios investigated, the one chosen seems to be the most rational as far as traffic, pedestrian and bike safety.
- (Secretary) There is a motion on the table, review of any Hawthorne Court design is outside the Commission's purview. We would put that under advisory rather than the Initial Approval portion of the motion.
- The original motion also had mention or requirement of the Hawthorne Court building elevation information.
- I want to make sure that in that Initial Approval of the Phase 1 project we are addressing the materiality and articulation of the Hawthorne Court elevation. In the previous comments we had notes about the northeast and southeast corners specifically. Do you feel that was covered in your motion?
- If it wasn't readily clear let's add yours as a friendly amendment to clarify that.
- Sounds great.
- North and south relative to the garage walls?
- Yes, it applies to the level of design articulation in the building along Hawthorne Court, specifically at the corners and the walls that are at the corners.
- The previous motion was also related to the blank walls of the garage that were exposed. Include that as well?
- Yes, I'm seeing those as one and the same since they're tied together.
- To clarify, we included with the advisory recommendation to study the bus entrances on Lake Street?
- Yes, the recommendation to the Plan Commission is to request review of Hawthorne Court traffic counts relative to pedestrian and traffic circulation and safety.
- I'm confused as to why as advisory on a Planned Development, that more substantial plantings be incorporated along Lake Street, and the Initial Approval for the public building has references to treatments of the concrete columns, is there a reason why for the same general area and aesthetic concerns, one is in one part of the motion and one is in the other? Both should be in the public part.
- I corrected that as Phase 1 for the City.
- (Secretary) The directive in the code with regard to public buildings specifically outlines the Commission's purview, noting we are approving on the building portion and advisory on the landscape.
- As far as the advisory, we all agree and knew the last time around that the Plan Commission will have the final say on the elevator overrun. I would like them to know in some form or fashion that as a group, we are not pleased with these types of overruns. It was very clear last time around that the majority of this group was not happy with it, and that should be passed on to them. Our displeasure with approving those exceptions should be noted.
- In order to get that roof access under the Capital Preservation Limit, the building would have to come down a story and lose units. If we think the overall mass, scale and roof amenities are acceptable, the Plan Commission will grapple with whether or not they think it's worth having an overrun going above. We have to understand the ramifications of not recommending approval of the overrun.
- I understand all the ramifications. Are you saying that we should just suck it up and let it go?
- We have recommended approval of a number of projects where the overrun and mechanical rooms have gone above the Capital limit. If we're making a stand in this case we should be very clear what it is in the design of the building that should prevent the overrun from exceeding that limit.
- (Firchow) The motion on the floor right now did not include that provision. It could be proposed to add that as an amendment to the main motion.

- I won't drag this out any further, I find it disappointing that it seems that without trying to force the hand of the Plan Commission, there are objections to these, forget changing the existing design, I'm talking about getting ahead of the developers that are doing these to take this into account from the get-go. But they all know they're going to get the approval so they keep asking for it. I'm not interested in advancing a separate amendment.
- I could see a scenario without a designed open space where they wanted to bring it up without any open space or amenities. The Commission could say whereas this project has provided some usable open space, the UDC is not inclined to recommend approval for elevator overruns or mechanical rooms into the preservation limit where there isn't something given back. In this case something was given back.
- Providing something that relates back to the criteria, making sure things are the minimal necessary for that access.
- As a friendly amendment: the Commission is not uniformly on board with these routine exceptions for mechanical overruns in excess of the Capital View Preservation Height Limit and would prefer to see these minimized to the greatest extent possible, but will go along with exceptions in exceptional circumstances, including improved amenities and open spaces that are of value to the residents of the development.
- No objections to friendly amendment.

Action

On a motion by Braun-Oddo, seconded by Arnold, the Urban Design Commission **GRANTED INITIAL APPROVAL** of the public building with the following conditions:

- That more detail be provided at the pedestrian level both along Hawthorne Court and Lake Street with regard to building design, materials and renderings, refinement of the finish treatment of the columns, including materials selection. An amendment to the motion by Bernau to add refinement of the level of design/articulation at the built corners and north/south elevations along Hawthorne Court and the exposed garage walls was accepted.

The UDC **RECOMMENDS** that the Plan Commission approve the private portion of the development and phasing as presented. The UDC further recommends the following:

- To incorporate more substantial plantings along Lake Street.
- Review the Hawthorne Court traffic counts relative to traffic circulation and pedestrian safety, and bus entrances and exits.

An amendment to the recommendation was made by Harper, noting that the UDC is not uniformly on board with routine exceptions for overruns and would prefer to see them minimized to the greatest extent possible. Exceptions in special circumstances, including where amenities that add value to the development, would be acceptable.

The motion and recommendation both passed on a unanimous vote of (5-0).