

## AGENDA # 3

City of Madison, Wisconsin

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REPORT OF: LANDMARKS COMMISSION

PRESENTED: April 16, 2012

TITLE: 123 E. Mifflin/24 N. Webster –  
Adjacent to designated landmark,  
Wakeley-Giles Building –Exterior  
alteration adjacent to a landmark. 4<sup>th</sup>  
Ald. District. Contact: Anne Neujahr  
Morrison, Urban Land Interests  
(25845)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Amy Scanlon, Secretary

ADOPTED:

POF:

DATED: April 16, 2012

ID NUMBER:

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Members present were: Stu Levitan, Chair; Erica Gehrig, Vice Chair; Christina Slattery, David McLean, Marsha Rummel, and Michael Rosenblum. Robin Taylor was Excused.

### SUMMARY:

Anne Morrison briefly presented the proposed project. Ms. Morrison explained that the proposed fifth story penthouse addition is complimentary, but in a different style than the existing building. The addition will be stepped back 9 feet from Mifflin and Webster streets. She explained the proposed materials and the schedule for the project.

Slattery questioned if the project team considered using 3-over-1 double hung windows to match the existing to maintain the character defining features of the building. Morrison noted that there are varied window styles on the building. Staff explained that in an attempt to move the project schedule forward, administrative approval was already given for the window changes.

Rummel requested that Morrison described the storefront changes and how they affect the floor plans. Morrison explained and clarified interior changes and noted that the windows will be aluminum instead of vinyl as noted on the drawings.

Gene Devitt, 28 E. Gilman Street, representing Mansion Hill, registering in support and wishing to speak. Mr. Devitt explained that the neighborhood is in support of the project and appreciates the rehabilitation of the existing building.

Charles Squires, 125 N. Hamilton Street #602, registering neither in support nor opposition and wishing to speak. Mr. Squires noted that this proposal will add wall height on the wall shared with the landmark and the view from the rear yard of the landmark may be affect by the extra height. (Alder Maniaci passed around her phone showing a Google maps image of the relationships between the properties.)

Bill Zorr, 125 N. Hamilton Street #702, registering neither in support nor opposition and not wishing to speak.

**ACTION:**

A motion was made by Rosenblum, seconded by Slattery, that the Landmarks Commission finds that the proposed development including a change in window openings, installation of new storefront systems and construction of proposed fifth-story penthouse does not adversely affect the adjacent landmark. Rummel suggested an amendment to request that the Applicant consider the use of 3-over-1 double hung windows. The motion was passed on a voice vote/other.

## AGENDA # 1

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: April 18, 2012

TITLE: 123 East Mifflin Street/24 North Webster  
Street - Exterior Remodeling in the C4  
District, Addition of a 5<sup>th</sup> Story to a Mixed-  
Use Building. 4th Ald. Dist. (25674)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: April 18, 2012

ID NUMBER:

Members present were: Henry Lufler, Acting Chair; Dawn O'Kroley, Marsha Rummel, Melissa Huggins, Richard Slayton and John Harrington.

### SUMMARY:

At its meeting of April 18, 2012, the Urban Design Commission **GRANTED FINAL APPROVAL** of exterior remodeling in the C4 District located at 123 East Mifflin Street and 24 North Webster Street. Appearing on behalf of the project were Gene Devitt, representing the Mansion Hill Neighborhood; and Anne Morrison, representing ULI. Appearing in support but not wishing to speak was Ledell Zellers. Appearing in support and available to answer questions were Matt Dumich, representing Valerio Dewalt Train; and Brad Binkowski. Appearing in opposition but not wishing to speak was Anne Stoelting. Appearing neither in support nor opposition and wishing to speak were Charles S. Squires, Jr. and Bill Zorr. Appearing neither in support nor opposition but not wishing to speak was Jennifer Zorr. Appearing neither in support nor opposition and available to answer questions were Daniel Ross, Carol Toussaint and Louise Smoczynski. Devitt spoke as a neighborhood representative. The neighborhood is pleased to see that the building is not going to be demolished and will be refurbished. Morrison spoke about the condition of the building after a fire and sitting empty for the last 10 months through several seasons. They think they can save what remains of the building as it is valuable to the fabric of downtown. They are planning an elevator, exterior windows and other amenities, restoring 22 of the previous 24 units on the site. New construction will be setback 8-feet from the Mifflin and Webster Street rights-of-way with the overall building height being 44.2-feet; the new top of the parapet would be 53.7-feet. Corrugated metal samples were distributed. A projecting trellis in perforated metal channel will stick off the building 30-inches which will allow shading on the grass and dabble soft light on the building. There are vertical windows and sliding doors, aluminum storefronts in the same finish as the panels, and the glass is insulated. The space between the addition and the parapet wall will be 8'4" for three of the units with small 55 watt fixtures to be installed to provide exterior lighting.

Slayton asked for precedence on the trellis; stone brackets on the existing building with the trellis being their interpretation of the top of the new building both as shading elements and emphasizing the top of the building. They have received a Certificate of Appropriateness from the Landmarks Commission. Their lighting will be operated by switches for the tenants, and they do have a diffuser, similar to what the neighboring condominium has. The new windows are more than twice as soundproof as the previous windows, and the building will now have central air so air conditioning units will not be needed.

Bill Zorr spoke as a resident of the neighboring condominium building. He presented a request for a delay on the approval of this project. They are happy with ULI being their new neighbor and have appreciated ULI's outreach to them. They had not received details of the penthouse addition until last week, with several unknown factors the residents have questions about regarding the increase in height. He questioned the light impact from 55 watt bulbs and wondered what the real wattage would be. Their concern about noise is not so much what will come out of the windows, but living along that corridor there is an echo chamber and they can easily hear peoples' voices down below. Huggins inquired whether referral was necessary; if questions and concerns are not going to change the building outcome, the process should move forward. Rummel pointed out that several City bodies that have to approve this project are going to be pushing for more modern materials rather than keeping it all brick.

Charles S. Squires, Jr. spoke as a resident of Capitol Point Condominiums. He appreciates ULI's efforts for this building and looks forward to the retail aspects that will make the street classy and tone down West Mifflin Street. He agreed that the main two concerns are the lights facing them from the top level, and a combination of the distance of the setback behind the parapet wall combined with the height. With some calculations, the difference of one foot in the setback and overall building heights is the difference between his bedroom seeing the sky or not seeing anything at all. He also agreed about the "trend" of putting non-matching units on top of a building with differing materials. He cited Butler Plaza as one of these projects that is truly ugly.

Binkowski stated that the penthouse component is critical to the overall development. The weight of brick would be too heavy on the penthouse addition, thus the aluminum, contemporary look to the building. Their dilemma comes from the need to complete by September, which is one month later than they would hope for rental season. If they do not get the penthouse addition approved, their ability to finance something that isn't approved by the City of Madison comes to a halt, jeopardizing the project and causing construction to stop. He further noted that the metal cornice will soften the impact of the building height.

O'Kroley commented that the description of how modern architecture is inserted into historic is excellent. She appreciated the neighbors and how articulate they are on their needs. She has no doubt the light fixture issue can be resolved with further discussion.

#### **ACTION:**

On a motion by O'Kroley, seconded by Huggins, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (5-0). The motion provided for the following:

- The design team shall discuss and provide for staff review and approval the lighting fixtures and any modifications to the penthouse configuration, materials and height as an outcome of contacts with the Capitol Point Condominium Association residences.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 8, 8 and 8.

**URBAN DESIGN COMMISSION PROJECT RATING FOR: 123 East Mifflin Street/24 North Webster Street**

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
<b>Member Ratings</b>	-	-	-	-	-	-	-	8
	-	7	-	-	-	-	8	8
	-	8	-	6	-	-	9	8

**General Comments:**

- Nicely done renovation.

## AGENDA # 3

City of Madison, Wisconsin

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REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: March 21, 2012

TITLE: 123 East Mifflin Street/24 North Webster  
Street – Exterior Remodeling in the C4  
District, a Restoration and Renovation of a  
Fire Damaged Mixed-Use Building. 4<sup>th</sup>  
Ald. Dist. (25674)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: March 21, 2012

ID NUMBER:

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Members present were: Richard Wagner, Melissa Huggins, Henry Lufler, Todd Barnett, Marsha Rummel, Richard Slayton and Dawn O’Kroley.

### SUMMARY:

At its meeting of March 21, 2012, the Urban Design Commission **GRANTED FINAL APPROVAL** for exterior remodeling in the C4 District, restoration and renovation of a fire damaged building. Appearing on behalf of the project were David Jennerjahn, representing Urban Land Interests; and Brad Binkowski. Appearing in support and available to answer questions was Tom Daly, representing Urban Land Interests. Appearing neither in support nor opposition were Marilyn J. Martin, Guy V. Martin, Florian Smoczynski and Louise Smoczynski. Until June of 2011 this building housed 24 residential units with retail on the first floor, when fire swept through the building. Because it has been sitting in this condition since last year it has also sustained damage from the elements. They feel the structure is worth investing in to rehabilitate the building. Jennerjahn proposed changes to making the interior units work better, primarily the new arrangement of units which requires natural light and ventilation, which requires them to increase one set of windows on the west side and one set on the south elevation. Other changes include repairing the cornice that collapsed from the fire, adding proper egress stairs, the addition of an elevator, modifications to the storefront, adding sprinklers and enhanced thermal performance of the building. Comments and questions from the Commission were as follows:

- What type of windows are you installing?
  - Matching the existing single hung window, aluminum clad with a medium bronze color.
- The transition of this building – you’re inserting a modern hand in a modern dialogue in this mention of a potential additional story above. It’s very intriguing that this building can now have a new life with the materials applied in a modern fashion.
- On the south elevation, the lower windows, what is their condition now?
  - They are infill with plywood and are pre-fire.

The Secretary stated that if they do add an additional story they would need to return to the Commission and requested that the details on the commercial storefront be dealt with at a staff level approval.

**ACTION:**

On a motion by Barnett, seconded by Huggins, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (6-0). The motion provided for the following:

- Study the storefront proportions.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 6, 7, 8 and 8.

**URBAN DESIGN COMMISSION PROJECT RATING FOR: 123 East Mifflin Street/24 North Webster Street**

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
<b>Member Ratings</b>	-	-	-	-	-	-	-	7
	-	-	-	-	-	-	-	8
	-	6	-	-	-	-	7	6
	-	-	-	-	-	-	-	8

General Comments:

- Terrific project.





Department of Planning & Community & Economic Development  
**Building Inspection Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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**DATE:** May 16, 2012  
**TO:** Plan Commission  
**FROM:** Matt Tucker, Zoning Administrator  
**SUBJECT:** Bicycle parking requirements for PUD at 24 N. Webster / 123 E. Mifflin

A question has been raised by the applicant regarding the ability to provide typical bike parking amenities for this PUD project. The project is a PUD because of the proposed addition, and thus it is somewhat impractical for the typical bike parking requirement to be met, however, the condition of approval has been included at this time to require the bike parking.

Current status:

The previously fire-damaged building is currently under construction (restoration), as a 4-story 18-unit mixed-use building in the C4 Zoning District. Bike parking was not provided in the pre-existing building that is being restored, nor was there a requirement to provide bike parking as part of the restoration building permit. The regulations allowing the restoration of a nonconforming building allow for the construction as approved – without additional bike parking.

The subject PUD rezoning includes a fifth story addition, containing 4 dwelling units. This type of change typically requires a site to be brought up to compliance in regard to the provision of the required number of bike parking spaces for the development. For a similar development not approved as a PUD (typically a Conditional Use and/or rezoning approval), the code would require 22 bike parking spaces plus two spaces for the commercial space. With this project, the applicant is providing no dedicated bicycle parking facilities, and it appears bicycles will be stored within the dwelling units themselves, should a resident wish to store a bicycle. The reconstructed interior of the building now includes an elevator, which eases in the ability to get a bicycle to the dwelling units.

PUD requirements:

Per Sec. 28.07(6)(e) (PUD subsection), there are no pre-determined bicycle parking requirements. All such requirements are made a part of an approved development plan, agreed upon by the owner and the City, as reviewed and approved by the Plan Commission and Common Council. Typically, with a residential PUD development in the downtown area, projects are approved with a bike parking ratio of one space per unit, and for student-oriented developments the ratio of provided bike parking is closer to one space per bedroom. Also, if it is possible to locate bike parking in the adjacent right-of-way, the City would look to work with the developer to provide a rack and approval for rack installation.

Conclusion:

Due to site constraints, existing building limitations, and other factors, the provision of the typical amount of bicycle parking, as dedicated separate space within the development site, is not being provided. The applicant has indicated a desire for the project to be approved as submitted by the Plan Commission and will be able to address questions or concerns during the public hearing at Plan Commission. It appears as though providing dedicated bike parking at a level of one space per dwelling unit would be very difficult within the interior of the building, however, surface bike parking within the adjacent right of way, to serve both visitors to the residential or commercial part of the building may be a possibility. Staff has identified the typical bike parking requirement for the Plan Commission to consider, and the Plan Commission may approve, modify or affirm any particular bicycle parking requirement or condition for the development as part of their action.

## **Firchow, Kevin**

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**From:** CapitalviewApts Apts [capitalviewapts@yahoo.com]  
**Sent:** Tuesday, May 15, 2012 8:38 PM  
**To:** Murphy, Brad; Firchow, Kevin; Verveer, Mike  
**Cc:** amorrison@uli.com  
**Subject:** Re: 24 N. Webster Street/ 123 E. Mifflin Street - C4 to PUD-GDP-SIP - Construct fifth floor

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Committee Members and Staff,

My wife, Nora Z Davila, and I own 117-119 East Mifflin Street, which is directly adjacent to Capitol Hill Apartments. We are pleased that Urban Land Interests has continued to invest in downtown Madison and has acquired Capitol Hill Apartments. We are delighted that they intend to preserve and restore the existing brick building which has now been vacant and in a state of extreme disrepair for almost a year. We have reviewed their plans for the proposed addition and are in strong support of the proposal. We are confident that the addition will be an asset to the neighborhood and look forward to having this project complete as soon as possible.

Thank you for your consideration,

Tony Davila  
Capital View, LLC

## Firchow, Kevin

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**From:** Anne N. Morrison [amorrison@uli.com]  
**Sent:** Tuesday, May 15, 2012 11:45 AM  
**To:** Firchow, Kevin  
**Cc:** Martin, Al; Bill Zorr (billzorr@alliantenergy.com)  
**Subject:** Capitol Hill-Capitol Pointe  
**Attachments:** 3576P\_isotemplate.pdf

Hi Kevin,

In preparation for Plan Commission review, I want to provide you with an update on changes to Capitol Hill Apartments since UDC approval.

Last night ULI met with residents at Capitol Pointe Condominiums to discuss light fixtures for the exterior penthouse lights. ULI provided Capitol Pointe with four options for light fixtures that we thought would address the desire for minimal downlighting. Capitol Pointe was satisfied with the choices and selected the attached fixture.

In addition to the concerns about lighting, there was also some discussion on building height. After reviewing the rationale for the penthouse at its proposed height, the residents who attended the meeting were satisfied with the plans as currently proposed.

I am copying Bill Zorr from Capitol Pointe on this email.

Please let me or Bill know if you have any questions. Also, please let me know if there's anything else needed for your file to document the changes in light fixture.

Thanks!  
Anne

## Urban Land Interests

**Anne Neujahr Morrison** | Commercial Leasing & Development

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**RESOLUTION REQUESTING A DELAY ON DECISION TO APPROVE  
PENTHOUSE ADDITIONS TO CAPITOL HILL APARTMENTS**

**CAPITOL POINT CONDOMINIUM ASSOCIATION, INC.**

**Whereas**, Urban Land Interests (ULI) has proposed to construct penthouse apartments on top of an existing apartment structure located at 24 North Webster Street/123 East Mifflin Street; and

**Whereas**, the city of Madison's Urban Design Committee is scheduled to review for approval ULI's proposal on April 18, 2012; and

**Whereas**, The Board of Directors of Capitol Point Condominium Association, Inc. and the residents of the Condominium have not had an opportunity to thoroughly review the impact of the project due to limited time between ULI's presentation of the penthouse plans to Condominium residents (April 10, 2012) and the Urban Design Commission's meeting to review ULI's application; and

**Whereas**, certain residents of the Condominium have concerns regarding the impact of the proposed penthouse additions on individual residences of the Condominium in regards to loss of sky view, light pollution emanating from wall mounted penthouse terrace light fixtures, proposed penthouse exterior being distinctly incompatible and not in keeping with the classic period structure of the existing apartment building, unknown distance of penthouse setbacks, and acoustic effects of penthouses on street noise;

**Now therefore, be it Resolved**, That the Board of Directors of Capitol Point Condominium Association, Inc. requests the City of Madison, the Urban Design Committee and various other City of Madison Committees to delay a decision on the addition of penthouse apartments to the top of the existing Capitol Hill Apartment building until such time that information regarding the concerns of Capitol Point Condominiums have been thoroughly vetted.

Dated this 17th day of April, 2012

**CAPITOL POINT CONDOMINIUM ASSOCIATION, INC.**



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**Susan J.M. Bauman**  
**President**