



November 3, 2020

Members of the Urban Design Commission:

Given the conflicts we believe the project currently presents to City of Madison ordinances and land use standards, the representatives of Eno Vino do not believe that the American Exchange project meets the City of Madison ordinance standards for approval recommendation, and would like to see the project referred by the Urban Design Commissioners on November 4<sup>th</sup> to encourage the development team to further revise their project design.

We do believe there is a path to success for all parties that can be achieved with project design and massing adjustments. The team from the North Central Group (NCG) has studied and is presenting an achievable and feasible design adjustment that could create a “win-win” for the project developers and the people that use the public amenities on the ninth and tenth floors of the adjacent AC Hotel. The City of Madison would also see an improved outcome, relative to tax revenue and property valuation should the developer adjust their concepts, and “flip” the tower component to make better use of the mid-block area of the development, and push the project’s tower massing off of the E Washington Avenue side of the development.

COVID-19 has created a limited and unusual environment for stakeholder engagement in community land use decisions. Before making a 100-year decision, on a \$135 million project, City Staff and committee members should seek to have a detailed accounting of the impacts to city assets and surrounding land uses. After this project was proposed, we created a Change.org petition to register public sentiment on the community impacts to Eno Vino’s space in a COVID-safe way, and as of today, we have received more than 1,250 signatures, of which 615 came from Dane County residents opposed to the project as designed, with at least 412 City of Madison residents registering their opposition. We hope that you will spend some time reviewing the public comments and signature pages we have collected and provided to City Staff regarding the important community asset that would be negatively impacted if the project is built as currently proposed.

During the UDC presentational meeting of May 27<sup>th</sup>, 2020, ULI principal Brad Binkowski testified that ULI’s goal in this development was to create a downtown commercial space stronger and better for everyone. That is our goal as well. As the ULI project is currently proposed, it affects the health and vitality of the neighboring property and existing uses, and we believe the project currently does not meet the standards for approval under Madison ordinances.

This project is a significant \$130 million addition to Madison’s most iconic downtown commercial district. The building mass, location, and commercial impacts are significant, and we look forward to a detailed public review to ensure the best outcome for all that balances the need for redevelopment amongst existing user groups. We believe that the project design can be adjusted with time and guidance to a mutually beneficial design.

A zoning map amendment is a legislative decision, and the City of Madison and its commissions have broad discretion when deciding whether to approve, deny, or approve with conditions a zoning map amendment. Accordingly, even if ULI’s proposal meets all of the standards of the PD District ordinance, which we don’t currently believe is the case, City of Madison approving bodies may take into account other factors that relate to the impact on the community and surrounding properties when deciding to approve, deny or approve with conditions.



At this juncture, we believe that it is incumbent upon Urban Design Commission members to adjudicate inherent conflicts that exist between the proposed project site and its existing surroundings, especially as it relates to the previous land use approvals the AC Hotel project was granted by UDC and Plan Commission in 2015. Within the City of Madison Downtown Plan, the detailed height map for the site of the AC Hotel recommends a maximum of eight (8) stories along East Washington Avenue, with the possibility for up to two (2) bonus stories to encourage and reward buildings of “truly exceptional” design. These height recommendations were codified in the Zoning Ordinance.

The bonus stories are intended to encourage and reward buildings of “truly exceptional” design: *“... Rather additional stories are to be used as a tool to encourage and reward buildings of truly exceptional design that respond to the specific context of their location and accomplish specific objectives defined for the area.” (Downtown Plan, Appendix C: Additional Building Height)*

When the AC Hotel was approved for construction in 2015, the City of Madison approval bodies found that the building’s design of 8 stories and proposed use met these standards for “truly exceptional” design. The top two floors of the AC Hotel that encompass the Eno Vino space have been explicitly built as public amenities and the inclusion of the restaurant was designed to explicitly respond to the exceptional design standards proscribed in the Downtown Plan. The Eno Vino space directly responds to the specific context of its location by using its height and vantage point to the Capitol Square as a public access asset.

Now, five years later, approving the American Exchange Project as-is would significantly block the public’s view corridor from the public amenity that the City so desired just five years ago. Moreover, it would cause significant hardship for the viability of Eno Vino’s restaurant due to its impact to the restaurant’s environment and the community impact to the landscape of the Capitol Square from the property’s public amenity spaces.

This project will establish a 100-year design choice for a vital intersection of Madison’s downtown. If leased up successfully, it will bring up to 2,000 employees to the site and more than that 2,255 net new automobile trips daily (per information provided in ULI’s traffic study). A project referral with direction for a massing redesign would be warranted to ensure that significant daily impacts to pedestrians, bicyclists, and existing surrounding users of the space are thoroughly addressed before the project proceeds any further.

We encourage you to read the detailed technical review of the ordinances that we submitted to City of Madison Planning Staff on October 28, 2020. In it we have outlined in significant detail how the project as proposed does not meet the Urban Design District #4 Statement of Purpose, Madison General Ordinance (M.G.O.) 33.02(11)(a), and guidelines (i.),(ii.), and (iii) of M.G.O. 33.02(11)(4)(b).

Additionally, the project is in conflict with the Planned Development standards M.G.O. 28.098(2), specifically standards (a), (c), and (e). Relative to the significant environmental, cultural, and economic considerations of the Eno Vino space within the AC Hotel, we do not believe that the project is conforming with the underlying mission of using a PD zoning framework, and that it explicitly fails in meeting PD objective (c) “Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.”

The project is also in conflict with Conditional Use standards and the ordinance change in 2019 regarding the Wisconsin State Capitol Building, Sec. 28.183(6)(a)17 of the Madison General Ordinances to create a conditional use standard for projections into the capitol view height area. This project significantly impacts the long views of the State Capitol building from the property on the corner of E Washington Avenue, a priority viewshed.



Further refinement is needed before initial design approvals are granted, as there are compatible design options available to the project team by more efficiently utilizing the mid-block massing of the project design, explicitly at 15 and 19 North Pinckney Street, and shifting the rooftop green space to the East Washington Avenue side of the building. It is our understanding from the architectural analysis performed by NCG that it is possible to shift the building massing without disturbing the structural elements of the building design, the amount of commercial space available for rent, and the internal parking circulation of ULI's parking proposal.

Since the writing of our staff letter, we had the opportunity for a Zoom meeting with half a dozen members of the CNI Steering Committee. It was an engaged and productive exchange of perspectives. As a small business, we appreciate the opportunity to have met with the resident-based group that had been meeting regarding the project. It is our understanding that we have a difference of opinion from the steering committee on the concessions that ULI has made on the project design.

In addition to the significant concerns we have regarding the placement of building massing on the site, there are a number of elements to the American Exchange Project that to-date have not been thoroughly or satisfactorily responded to by the applicants:

- Effects of traffic, pedestrian, bicycling conflicts especially within the circulation of E Washington/N Webster/E Mifflin Street and its bike boulevard relative to more than 2,000 employees to the site and more than 2,255 net new automobile trips daily;
- Eno Vino bar and restaurant public access long views of the Wisconsin State Capitol Building;
- The impact of parking density relative to the on and off-peak usage on the revenues and operation of the Capitol Square North Parking ramp, owned by the City of Madison Parking Utility and located within the James Madison Park neighborhood and adjacent to the block of the proposed project;
- Sound and lighting impacts to residential and commercial tenants of N Webster Street from traffic circulation and loading bay impacts.
- Detailed project renderings of rooftop mechanicals and associated screening, relative to the 9<sup>th</sup> and 10<sup>th</sup> floor users of the adjacent AC Hotel property.

While the project has undergone some design changes since its initial informational hearing before your committee, any adjustments made have not mitigated the negative impacts to our adjacent property. Urban Land Interest is seeking a PD rezoning of the space and they are customizing the site to serve their specific interests. Our space serves the general public, with more than 171,000 members of the Madison community and visitors to the city having used our space in 2019 alone. As commission members with jurisdiction on upholding the Urban Design District 4 standards, and in your advisory role to Plan Commission, we implore you to hold this project to a higher community design standard that does not negatively impact the experience of thousands of people that regularly use our space.

Thank you for your diligent review and attention to our concerns.

Sincerely,

Jose & Sara Granados, Owners of Eno Vino Downtown  
John Smithe, Owner of Eno Vino Downtown