



Project Address: 202 East Washington Avenue and 15 North Webster Street

Application Type: Demolition Permit and Zoning Map Amendment for Planned Development

Legistar File ID # [35010](#), [34641](#), and [33109](#)

Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Rick Roll, Acting Principal Planner

Summary

Applicant: 202 E. Washington LLC; North Central Group; 1600 Aspen Commons, Suite 200; Middleton, WI 53562

Contact: Josh Wilcox; Gary Brink and Associates; 7780 Elmwood Avenue, Suite 204; Middleton, WI 53562

Property Owner: Same as the applicant.

Requested Actions: The applicant requests approval of a demolition permit and a zoning map amendment for 15 North Webster Street (currently zoned DR-1 Downtown Residential District) and 202 East Washington Avenue (Currently Zoned DC- Downtown Core) to rezone them to the PD-GDP-SIP (Planned Development-General Development Plan-Specific Implementation Plan District).

Proposal Summary: The applicant proposes to demolish a vacant automobile repair facility (Pahl Tire) for the purpose of constructing a 10-story hotel. The hotel includes 164 guest rooms and 38 under-building valet parking stalls. The proposed height exceeds that allowed by the Zoning Code's height map for a portion of the site and therefore, the applicant is requesting to rezone the property to the Planned Development (PD) District.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185]; Zoning Map Amendments [M.G.O. Section 28.182(6)]; Planned Developments [Section 28.098(2)]; and the Urban Design District 4 Standards [Section 33.24(11)].

Review Required By: Urban Design Commission (UDC), Plan Commission (PC), and Common Council.

Summary Recommendation: The Planning Division believes the approval standards may be able to be met with this proposal. If such a finding can be made, the Plan Commission should approve the demolition permit and forward Zoning Map Amendment 00140, rezoning 202 East Washington Avenue and 15 North Webster to the PD-GDP-SIP (Planned Development-General Development Plan and Specific Implementation Plan District) PD-GDP (Planned Development-General Development Plan) to the Common Council with a recommendation of approval. This recommendation is subject to the input provided at the public hearing and the comments and conditions recommended by reviewing agencies. Should the Commission find the standards are not met, this item should either be referred for further revisions or placed on file.

Background Information

Parcel Location: The subject site has an area of approximately 13,392 square feet and is located at the northeast corner of the intersection of East Washington Avenue and North Webster Street. The site is within Aldermanic District 2, Urban Design District 4, and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes two properties. 202 East Washington Avenue is a 9,036 square foot site now occupied by a vacant automobile repair facility. That facility, built in 1900 is primarily a one-story structure with a small second floor. 15 North Webster Street is a 4,356 square foot parcel with a four-unit apartment building constructed in 1889.

Surrounding Land Use and Zoning:

North: Property being redeveloped into a 58-unit apartment building zoned UMX (Urban Mixed Use) District;

South: East Washington Avenue with office and state office buildings beyond, zoned DC (Downtown Core) District;

East: Office buildings zoned DC with the Frank Lloyd Wright designed landmark “Lamp House” zoned DR-1 (Downtown Residential District 1), beyond; and

West: Surface parking zoned DC.

Adopted Land Use Plan: The Comprehensive Plan (2006) includes the subject properties within the Downtown Core Sub District of Downtown. That district includes a variety of recommended uses including high-density residential development and commercial lodging. The Comprehensive Plan references the more specific recommendations of detailed plans prepared for the area.

In the Downtown Plan, the East Washington frontage is recommended for Downtown Mixed Use Development while 15 North Webster Street is included within a larger area recommended for predominantly residential development. The detailed height map 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. The North Webster property has a maximum height recommendation of six (6) stories. These height recommendations were codified in the Zoning Ordinance.

In March of 2014, the Common Council adopted the Report of the Lamp House Block Ad Hoc Plan Committee as a supplement to the Downtown Plan. The purpose of that report was to advise the Plan Commission and the Common Council about an appropriate vision and special area plan for this important heritage block, which includes the Frank Lloyd Wright designed “Lamp House.” The subject site is located in a portion of the block labeled as most appropriate for redevelopment. From a maximum height perspective, the plan confirms the maximum heights recommended in the Downtown Plan and later codified. The intent is that meaningful sunlight reaches the Lamp House rooftop. That plan also recommends building gaps above four stories along East Washington Avenue to allow additional sunlight to reach the lamp house.

Zoning Summary: The applicant proposes to rezone the subject properties to the PD (Planned Development) District. The zoning code established the PD process for applicants to request height in excess of that allowed in the height map. Standard 28.098(2)(g) applies specifically to projects requesting this additional height.

Zoning Summary Table

	Required	Proposed
Lot Area	As per approved plans	As per submitted plans
Lot width	As per approved plans	As per submitted plans
Open space	20% of lot area	As per submitted plans
Front yard	As per approved plans	As per submitted plans
Side yards	As per approved plans	As per submitted plans
Rear yard	As per approved plans	As per submitted plans
Building height	As per approved plans	As per submitted plans
Number parking stalls	0 (Central Area)	38 – underground
Accessible stalls	2 – underground	None shown
Loading	2 for lodging, hotel buildings 50,001 to 200,000 sq. ft. GFA	1
Number bike parking stalls	1 per 10 bedrooms (16)	6
Landscaping	Yes	Yes
Lighting	Yes	Yes
Other Critical Zoning Items	Urban Design, Barrier free (ILHR 69) Utility easements	

Table Prepared By Patrick Anderson, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description

The applicant, the North Central Group, requests approval to demolish two buildings for the purpose of constructing a 10-story, 164-room hotel at the intersection of East Washington Avenue and North Webster Street. This request is subject to the standards for demolition permits, zoning map amendments, Planned Developments, and the standards for Urban Design District 4.

The first building proposed for demolition is the vacant “Pahl Tire” automobile repair establishment at 202 East Washington Avenue. City Assessor’s records indicate that this 7,385 square foot structure was built in 1900. The second building proposed for demolition is a vacant three-story, four-unit apartment building constructed in 1889. Exterior photos of the buildings are included in the submittal packet. No other information related to the existing buildings is included in the submitted materials.

The proposed building is 10 stories in height. Plans show the building is just beneath the Capitol View Preservation Height limit. The code allows certain elements to extend above this limit with conditional use approval, but that has not been requested here. No elements are shown to project above this limit.

Portions of the hotel are generally sited up to the sidewalk edge, with some areas of the building along North Webster recessed approximately three feet. The main hotel entrance fronts onto Webster Street with a secondary entrance now proposed on East Washington Avenue. A large canopy is proposed to cover much of the Webster Street sidewalk, adjacent to the main building entrance.

The base of the building includes large two-story windows at the corner, framed by a ceramic tile that comprises the balance of the building's base. The building's main body, consisting of floors four through eight, is clad in a light-colored masonry veneer on the street-facing sides. Two sizes of masonry in the same color are used with the smaller module used between windows. The upper two floors consist primarily of glass and metal panel. Other building facades feature combinations of the block and metal panel as shown.

From a programming standpoint, the ground floor of the hotel includes lobby, lounge, and meeting rooms. The second floor includes guest rooms, a fitness center and a meeting room. Floors three through eight are promised primarily of guest rooms. The ninth floor includes meeting rooms and an indoor/outdoor "flex space." The tenth floor includes a restaurant and bar with outdoor seating and five additional guest rooms.

Beneath the building are two levels of underground parking, providing 38 automobile parking stalls. Due to the steepness of the ramp, it will not be accessible to the public. The applicant will utilize valet parking to park cars.

Analysis and Conclusion

This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185]; Zoning Map Amendments [M.G.O. Section 28.182(6)]; Planned Developments [Section 28.098(2)]; and the Urban Design District 4 Standards [Section 33.24(11)]. This analysis begins with a discussion of adopted plan recommendations.

Conformance with Adopted Plans

The Comprehensive Plan (2006) includes the subject properties within the Downtown Core Sub District of Downtown. That district includes a variety of recommended uses including high-density residential development and commercial lodging. The Comprehensive Plan references the more specific recommendations of more detailed plans adopted for the area.

In the Downtown Plan, the subject site is split between the Downtown Core and James Madison Park planning areas. The dividing line between these areas runs between the subject properties, with 202 East Washington listed as part of the former and the residential 15 North Webster part of the latter. The detailed height map recommends a maximum of six (6) stories for 15 North Webster Street and eight (8) stories along East Washington Avenue, with the possibility for up to two (2) bonus stories. The bonus stories are intended to encourage and reward buildings of "truly exceptional" design as noted in the below excerpt:

Where additional stories are available, it is not intended that they be earned merely by complying with standards and criteria that would be required and expected in any case, such as underlying zoning regulations, good design, or sensitivity to an adjacent historic landmark. The intent is not simply to allow a taller building and additional stories should not be considered "by right" heights. 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)

In addition to the above, the Common Council adopted the Report of the Lamp House Block Ad Hoc Plan Committee as a supplement to the Downtown Plan in March 2014. The purpose of that report was to advise the Plan Commission and the Common Council about an appropriate vision and special area plan for this specific block, which includes the Frank Lloyd Wright designed "Lamp House."

The “Vision” in the plan states that “The Lamp House Block will be a thoughtful and vibrant built environment that:

- 1) Balances historic preservation and economic development values by encouraging appropriate development around the Lamp House; and
- 2) Recognizes the potential economic value of heritage tourism for the Lamp House when accessible to the public; and
- 3) Preserves the residential character of the area immediately around the Lamp House by retaining the compatible residential scale and feel of surrounding buildings; and
- 4) Protects Frank Lloyd Wright’s design for the Lamp House on its original site, including associated views to the house from the street and from the house to Lake Mendota, as well as the “outdoor room” created around the house by its distance from the surrounding buildings.”

The subject site is located in a portion of that block identified as being most appropriate for redevelopment. The proposed building does not impact the four identified views to the Lamp House nor does it impact any views from the structure to Lake Mendota.

From a maximum height perspective, the plan confirms the maximum heights recommended in the Downtown Plan and later codified in the Zoning Code. For this plan, the intent was to ensure meaningful sunlight reaches the Lamp House rooftop. The 10-story height proposed on the current 15 North Webster property exceeds the plan’s recommended height by four stories. Based on information provided by the applicant, the proposed height results in approximately two extra hours of morning shade per day during the March and September Equinoxes between the hours of 10 and 12:00 pm, compared to the existing development pattern.

Zoning Map Amendment Standards

The standards for zoning map amendments are relatively broad and state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (including zoning map amendments) enacted or amended after January 1, 2010 be consistent with the City’s Comprehensive Plan. 2010 Wisconsin Act 372 clarified “consistent with” as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.” As noted above, while the project is not entirely consistent with the height recommendations in the Downtown Plan and its supplement, the Report of the Lamp House Block Ad Hoc Plan Committee, staff believes the proposal could be found consistent with the underlying Comprehensive Plan.

Planned Development Standards

The specific standards for approval of Planned Developments are provided in Section 28.098(2) of the Zoning Code. As a Planned Development, a site-specific zoning text has been provided. Staff has recommended clarifications regarding allowable height, parking and loading, and permitted uses, as discussed below. Additional discussion on the individual standards follows.

(a) Other potential base zoning districts cannot be used to achieve a substantially similar development pattern

Staff believes this standard is met. During the drafting of the Zoning Code it was intended that requests to exceed the Downtown Height Map were considered as Planned Development rezoning requests. The applicant has proceeded as such.

(b) Facilitate the development or redevelopment goals of adopted plans

As noted above, the proposed project is not entirely consistent with the recommendations of the Downtown Plan and the Report of the Lamp House Block Ad Hoc Plan Committee. In the submitted materials the applicant notes that the project takes several efforts to enhance “heritage tourism” as noted in that Plan’s visions statement.

(c) Shall not adversely affect the City’s economic health or the cost of municipal services

The Planning Division does not have information indicating the project will adversely affect the City’s economic health or cost of municipal services. The letter of intent states the project will provide up to 50 new jobs. The applicant states that the project could have a positive impact related to promoting heritage tourism related to the Lamp House.

(d) Shall not create disproportionate traffic or parking demands

Based on their review of this proposal, the Traffic Engineering Division has recommended several “major and non standard” conditions to help mitigate the anticipated traffic impacts. Included in the Plan Commission materials is the traffic impact study including an analysis of queuing in the loading zone along Webster Street. A follow up operations plan was provided to staff on September 10. At the time of report writing, this information was still under review and the Planning Division understands that the Traffic Engineering Division may have additional comments.

The applicant proposes to utilize valet parking to manage customer parking. As shown on the submitted plans, North Webster Street right-of-way will be utilized for hotel customer automobile drop-off. The Traffic Engineering Division believes this area, labeled as a loading zone, can accommodate six (6) automobiles. The valet attendant would park vehicles in one of the building’s 38 under-building parking stalls or in an off-site lot. No public access to the on-site ramp is allowed due to its steep grades. The hotel has reached an agreement with the City’s parking utility to reserve parking stalls in the nearby City Capitol North Parking Structure.

Traffic Engineering staff believes the success of this site is largely contingent on how the valet is operated and traffic managed. Many of the noted concerns relate to the operation and staffing adequacy of the proposed valet service. In their comments, they note that if the applicant does not provide a proper number of valet attendants, vehicles are likely to double park in the bike lane and travel lane. Double parking will impact the safety and operation of the street. The Traffic Engineering Division is recommending that at least four (4) valet attendants be required at all times. Further, that division is recommending that a minimum of four (4) spots in the loading zone be reserved for arrivals of guests checking in.

The Traffic Engineering Division has further requested that there be an ability to monitor traffic impacts in the future. A mechanism to do this is through the City’s “continuing jurisdiction” authority, which exists for conditional uses. As such, Planning Division staff has recommended that the proposed zoning text be amended

to list the hotel as a conditional use within this PD district. In the future, additional measures could thus be required, with Plan Commission approval, should conditions change, other non-anticipated impacts arise, or traffic impacts are not otherwise not believed to meet the applicable conditional use standards.

Also in their conditions, the Traffic Engineering Division recommends that the applicant provides a three-foot wide easement to allow for the widening of the public sidewalk along North Webster Street to eight (8) feet. The recently approved apartment building to the north is providing such an easement. The subject site represents the balance of that block face and as proposed, the sidewalk “necks down” at the hotel, where both the Planning and Traffic Engineering Divisions anticipate more pedestrian movements and conflicts. This request was raised by the Planning and Traffic Engineering Division staff months before an application was made and has been continually discussed. In response, the applicant has increased the area where the wider sidewalk exists, however the corner of the building is still proposed without a wider sidewalk. Implementation of the condition is anticipated to result in a significant redesign of the building’s corner.

(e) Coordination of Architectural Styles and Building Forms

The Planned Development Standards also require that the PD District plan coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses.

The Planning Division acknowledges that the building has undergone several improvements since earlier concepts were first presented late last year. Staff considers the most current plans a significant improvement over earlier versions. The simplified façade is enhanced with vision glass at the corner, additional street-facing entrances, the use of masonry, and the removal of “wall pack” HVAC units and associated louvers from the façades. All of these are seen as important steps toward improving the building’s character. The applicant has made further alterations since appearing before the Urban Design Commission on August 20. These alterations include providing additional masonry and windows along the “Lamp House” side of the structure, changes to the composition of the building’s east façade, and changes to the upper story’s composition. A narrow cap has been provided to provide a more defined top to the building along some elevations.

These improvements notwithstanding, the Planning Division still has some design concerns on the project. While discussed frequently with the applicant, items regarding height and sidewalk width are understood to be beyond the proposed program and would result in substantial changes to which the applicant has not been willing to commit. The applicant has also raised concerns regarding the ability to further recess the garage doors as noted below.

- **Height & Plan Consistency.** A key question for the UDC, Plan Commission, and Common Council is whether the project can meet the standards for excess height and bonus stories. While much improved in its design, the question remains as to whether this proposal meets the meet the “truly exceptional” bonus story-threshold as recommended in the Downtown Plan. Further analysis on height is located under the discussion of the “Height in Excess of Downtown Height Map.”
- **Webster Street Sidewalk Width.** Since its initial discussions on the project, staff has recommended that the applicant provides a three-foot wide easement to allow for the widening of the public sidewalk along North Webster Street to eight (8) feet. The recently approved apartment building to the north is providing such an easement and wider sidewalk. The subject site represents the balance of that block and as proposed, the sidewalk “necks down” at the hotel, where both the Planning and Traffic Engineering Divisions anticipate more pedestrian movements and conflicts including the operation of the valet service. This is discussed above under standard (d).

- **Remove Planter Obstructions along Webster Street.** In the areas where a wider sidewalk is provided, the latest plans show small planters being added. Staff believes these obstructions should be removed to minimize conflicts along the sidewalk.
- **Parking Garage Door on Webster Street.** The project has overhead garage doors within four (4) feet of the right-of-way. If the project were developed in conventional zoning, the code would require the parking garage door be set back at least 10 feet. However, the applicant is proposing to rezone out of conventional zoning for the purpose of achieving additional height. This garage door placement standard is not required under the broader, more flexible PD standards. However, staff believes the garage doors should be further recessed and be of a design quality that enhances the street-level on Webster Street.
- **Building Materials.** There have been further revisions to the building's exterior and the color of exterior materials since the August 20 presentation to the UDC. In the latest version, the dark grey metal proposed at the top of the building has been revised with bronze-finish metal. The dark ceramic panel at the building's base is now a lighter grey. The Planning Division saw a photograph of the revised materials for the first time on September 12. Based on that, the colors in the elevation drawings appear to be somewhat different than what was shown in the material photograph. The actual colors should be clarified as part of the Urban Design Commission meeting.

(f) Project Phasing

This project is not proposed to be developed in phases.

(e) Open Space and Recreational Facilities

The report of the Zoning Administrator indicates that project does not provide details showing that 20% of the site is being preserved as open space is met. A waiver to this provision can be requested as noted in that agency's comments.

(g) Height in Excess of Downtown Height Map

As noted above, the applicant is pursuing PD zoning to exceed the height in the Zoning Code's Downtown Height Map. As such, Planned Development standard (g) also applies to this project. (Please note that Standards (g)3 and (g)4 do not apply to this project).

- (g) 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 28.07(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.

The recommendations of adopted plans are summarized in the above “Conformance with Adopted Plans” analysis. The “excess height standard” specifies that the Plan Commission shall consider the recommendations in adopted plans and Standard (g)1 requires a finding be made that the excess height is “compatible” with the planned character of the surrounding area. Approval of this project, as proposed, would represent a departure from the specific adopted height policy recently adopted in the aforementioned plans. Nevertheless, this doesn’t preclude the Urban Design Commission, Plan Commission, and ultimately the Common Council from finding the proposed building is compatible with the surrounding area and consistent with the above. However several factors, include those mentioned above, should be carefully considered.

One such factor is the shadow impacts resulting from the larger building mass and specifically its impacts on the landmark Lamp House. A summary shadow study report, prepared by staff, is included as an attachment to this document.

At the equinox, the proposed building provides about two additional hours of shading on the Lamp House (between the hours of 10:00 am and 12:00 pm) that is not occurring under the present conditions. For comparative purposes, staff also compared the proposed shadow impacts to a conceptual building that was constructed to the current maximum allowable bulk standards, consistent with the Lamp House Plan. A six story mass at 15 North Webster Street would provide some shadowing within the same timeframe, though less shadow would be cast on the Lamp House. This is depicted on the second page of the attached shadow study.

In regards to standard (g)2, the applicant has cited several areas in which they believe the proposed taller building allows for a “demonstrated higher quality building” than without the additional stories. A letter is attached. One of the key changes was the move away from individual unit “wall pack” HVAC units for each unit. This has provided a substantial aesthetic improvement, removing a large number of utility penetration and louvers on all sides of the building. The applicant also notes the project is being designed to meet three levels of “green” environmental certification. The applicant has also cited other building investments, including the increased amount of masonry and windows as primary façade materials.

Urban Design District 4 Standards

The subject site is also within Urban Design District 4. That district was established to improve the appearance of the major transportation corridors east of the Capitol Square which is a major entrance into the City of Madison. The standards include signage, building lighting, and building design. Under building design, materials are required to be “low maintenance and harmonious” with other buildings in the area. Along East Washington, the district standards state that metal shall be used as an exterior building along East Washington Avenue as an integral part of a design of “exceptional merit.” The standards for public rights-of-way note that rights-of-way shall be consistent with plans approved by the City forester, after consultation with the Urban Design Commission.

Demolition Approval Standards

In considering the Demolition approval standards, the Plan Commission must find that the proposed demolitions are both 1) consistent with the intent and purpose of the zoning district and 2) that the proposed future use is compatible with the purpose of the demolition section of the ordinance. As noted above, the project is

proposed concurrently with a zoning map amendment. Numerous demolition permits have been approved in conjunction with a zoning map amendment, and demolition of the existing building is not inconsistent with the purpose of the zoning district.

Regarding finding “2” the standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts, including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. The demolition standards also state that the proposed use should be compatible with adopted plans, which is discussed above.

The demolition standards also state that the Plan Commission shall consider the report of the City’s Historic Preservation Planner regarding the historic value of the property, as well as any report submitted by the Landmarks Commission. The Preservation Planner forwarded the comments of the Landmarks Commission who voted to state and that the building at 202 East Washington Avenue has historic value as an original service station and that they strongly regret the loss of the historic fabric and value in notable proximity to a landmark regarding the building at 15 N. Webster Street.

Public Input

At the time of report writing, there have been some written comments submitted to the Urban Design Commission. Staff notes that the applicant team has participated in several neighborhood and neighborhood steering committee meetings as part of this process. Public comments provided at neighborhood and Urban Design Commission meetings to date have largely focused on concerns over traffic safety related to this development proposal. Other concerns have been raised about the scale of the building and the appropriateness of awarding bonus stories.

Conclusion

The applicant, the North Central Group, requests approval to demolish two buildings for the purpose of constructing a 10-story, 164-room hotel at the intersection of East Washington Avenue and North Webster Street. This request is subject to the standards for demolition permits, zoning map amendments, Planned Developments, and the standards for Urban Design District 4.

As part of this proposal, the applicant seeks approval to exceed the Zoning Code’s Downtown Height Map for a portion of the structure. The Zoning Code established using Planned Development (PD) zoning as the process to request additional height in the Downtown. As detailed in this report, a portion of the subject site has a six (6)-story height limit. The balance of the development site has a height limit of eight (8) stories with the possibility of additional two (2) bonus stories. Among the findings that need to be made is that the additional height is “compatible” with the planned character of the surrounding area and that the excess height allows for a demonstrated higher quality building than could be achieved without the additional stories. The Downtown Plan recommends bonus stories are intended to encourage and reward buildings of “truly exceptional” design.

This proposal has many positive attributes. The addition of a hotel and associated rooftop restaurant will provide both street level and upper floor activity at a prominent corner in the City. The design of the project has significantly improved since earlier versions. The simplified façade is enhanced with vision glass at the corner, additional street-facing entrances, the use of masonry, and the removal of “wall pack” HVAC units and associated louvers from the façades. The incorporation of the 15 North Webster property into the proposal is

also a positive, as it would have otherwise been an “orphaned” development between two larger redevelopment sites.

Notwithstanding the proposal’s many positive qualities, there remain questions on whether the standards, in particular those for Planned Developments (PD), can be met. Based on the comments from Traffic Engineering, there are traffic-related concerns on this proposal. Management of the drop-off and valet operations are key considerations. Several conditions have been proposed to mitigate the anticipated impacts. Please note that the applicant provided a more detailed management and operations plan on September 10 and that information is still under review by the Traffic Engineering Division which may result in additional or revised comments or findings. Any additional information will be provided as a follow up to this report. Other PD standards in question relate to architectural character and height in excess of the Downtown Height Map.

This proposal is consistent with many, but not all of the recommendations in adopted plans. The most significant difference is the height recommendation in the Downtown Plan and the recently completed Report of the Lamp House Block Ad Hoc Plan Committee which confirmed the six-story limit that applies today. Approval of the proposal would reflect a departure from these recently adopted plans.

At the time of report writing, staff is aware of some neighborhood concerns about this proposal. These primarily relate to traffic and circulation concerns with this development. Other concerns have been raised about the scale of the building and the appropriateness of awarding bonus stories.

The Urban Design Commission, Plan Commission, and Common Council should carefully weigh the submitted information, analysis, and testimony provided at the public hearings as it relates the relevant standards.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division believes the approval standards may be able to be met with this proposal. If such a finding can be made, the Plan Commission should approve the demolition permit and forward Zoning Map Amendment 00140, rezoning 202 East Washington Avenue and 15 North Webster to the PD-GDP-SIP (Planned Development-General Development Plan and Specific Implementation Plan District) PD-GDP (Planned Development-General Development Plan) to the Common Council with a recommendation of approval. This recommendation is subject to the input provided at the public hearing and the comments and conditions recommended by reviewing agencies. Should the Commission find the standards are not met, this item should either be referred for further revisions or placed on file.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Kevin Firchow, 267-1150)

1. That the zoning text be revised to identify “hotel” as a conditional use. The purpose of this condition is to provide continuing jurisdiction, especially as it relates to possible traffic impacts. The final zoning text shall be approved by the Planning Division and Zoning Administrator.
2. That the Zoning text shall be revised to include provide additional information on parking and loading. Details shall be consistent with the approval conditions with the specific text to be approved by Traffic Engineering Division, Planning Division, and the Zoning Administrator.
3. That the Zoning text shall be revised to note that height shall be as shown on approved plans and shall comply with the Capitol View Preservation standards of Section 28.134(3). The final zoning text shall be approved by the Planning Division and Zoning Administrator.
4. That the planters adjacent to the building between the building and existing sidewalk be removed to limit pedestrian obstructions.

City Engineering Division (Contact Janet Schmidt, 261-9688)

5. The proposed new building will cross an underlying platted lot line. Current fire code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
6. The Joint Driveway Easement over the northerly side of this parcel will need to be modified or released and a new agreement drafted and recorded to address the proposed common sidewalk between this property and the property to the north shown on the site plan.
7. Encroachments in the public right of way for overhangs, planters, footings or other private improvements will require a privilege in streets administered through the Office of Real Estate Services.
8. Non-standard improvements such as colored or textured concrete or non-standard plantings will require a maintenance agreement, administered through City Engineering.
9. All rooftop drainage shall be discharge to the public storm sewer system. No roof water shall be allowed to drain over the sidewalk.
10. Correct the existing storm pipe along E. Washington Avenue (sheet C-101). The pipe is vitrified clay and not reinforced concrete.
11. A 10” connection of the private storm sewer to a 12” pipe requires a structure at the connection.

12. Plumbing for any restaurant area shall be designed for separate metering as the sewer utility is proposed a separate rate class for those types of discharged.
 13. Soil contamination remains at the site, per BRRS #03-13-182441. If such soil is excavated as part of this redevelopment, it shall be managed in accordance with Ch. NR 718, Wisconsin Administrative Code. If you have questions on this requirement contact Brynn Bemis at 608-267-1986.
 14. Any improvements to N. Webster Street for additional parking for the drop off area shall be approved by the Board of Public Works, in accordance with plans approved by City Traffic Engineering and City Engineering.
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15. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project. (MGO 16.23(9)c)
 16. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
 17. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
 18. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
 19. The approval of this Conditional Use or PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester. (MGO 16.23(9)(d)(6))
 20. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
 21. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)

22. The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments. (INFORMATIONAL)
23. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
24. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
25. All damage to the pavement on E. Washington Avenue and N. Webster Street, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link:
<http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
26. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
27. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)
28. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used. POLICY AND MGO 10.29
29. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
30. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
31. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Reduce TSS off of the proposed development by 80% when compared with the existing site and b)
32. Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.
33. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or

Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).

34. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc... and d) Sediment loading calculations.
35. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14))
36. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

37. The applicant submitted a traffic impact study including studying queuing in front of the building in the loading zone along Webster Street. The queuing study as such only estimated the necessary valets during the peak arrival hours and did not provide any information as to the appropriate staffing levels for non peak arrival hours. The study assumed seven loading spots in front of the building. Traffic Engineering has determined that six spots are more likely given the geometrics shown in the submitted plan. The study also did not account for employee's absence and the impacts this would have on vehicle queues along Webster St and into the travel lanes. The queue study also appears to only anticipate use of the applicant's on-site parking as well as the Capitol Square North Garage. The applicant plans on also acquiring spaces in the Brayton Street Lot.
38. If the applicant does not provide a proper number of valet attendants, vehicles are likely to double park in the bike lane and travel lane. Double parking will impact the safety and operation of the street. As a condition of approval the applicant shall provide a parking operation plan to be approved by the City Traffic Engineering Division. The parking operation plan shall provide for a minimum of 4 Valet attendants at all times during peak check out/ check in times. Applicant shall provide data from similar hotels to determine the proper hours of peak check out/ check in times. If the Traffic Engineering division determines the applicant has failed to provide proper data, 4 valet attendants shall be required at all times. If the applicant wishes to provide less than 4 valet attendants during any other time of operation, the applicant shall provide an additional study justifying the reduced valet attendants along with data from similar hotels supporting the study. The parking operations study shall also include the number and location of all parking spaces that are to be used by the valet.
39. As a condition of approval the applicant shall at all times reserve a minimum of 4 spots in the loading zone for arrivals of guests checking in. These spaces shall be shown as part of the parking operation plan. As part of the plan valets shall be instructed that these spaces not be used to store vehicles by the valet attendants at any time. If the designated valet spaces are occupied, the valets shall not stop in front of the hotel until

such time as valet spaces are available. Failure to do so will impact the safe and orderly operation of the street.

40. Applicant plans to lease space from public ramps for which they have no control. A condition of approval shall be at such time the leases for the parking ramps change in either number of spaces or location, applicant shall revise their parking operations plan and have it approved by the City Traffic Engineering Division. This shall include redoing any necessary parking studies as determined by the City Traffic Engineering Division. All studies and revisions to the parking operations plan shall be conducted prior to expiration of the leases spelled out in the traffic operations plan.
41. The applicant plans to block the entrance to their loading dock as part of their parking operations. As such a condition of approval shall be that no deliveries are taken at the hotel from the hours of 6 A.M. to 9 A.M. and from 3:00 P.M. to 6:00 P.M. Monday through Friday. The applicant shall refuse deliveries from any vendor that arrives during those hours.
42. The applicant plans to block the entrance to their underground parking as part of their parking operations plan. As such a condition of approval shall be that the underground parking only be used for valet parking at all times.
43. A condition of approval shall be that additional modifications to the parking operation plan may be necessary in the future if the safety of the street is impacted by double parked or stopped vehicles in the street. The applicant shall modify operations to prevent this including but not limited to adding additional valet attendants or automatically including valet parking with the hotel room to insure the loading zone remains operational.
44. The loading zone in front of the building on Webster Street is unlikely to accommodate busses in addition to normal check-in / check-out operations. Applicant shall work with group reservations to insure bus arrivals are scheduled and coordinated so that the spaces reserved for valet storage are clear during times when busses are expected to arrive. This shall be included with the parking operations plan.
45. Ramp grad exceeds recommended maximums for public parking and as such shall only be used for valet or private parking.
46. Underground parking is not dimensioned and therefore not reviewable at this time. Applicant shall expect major redesign of the building structure may be necessary when plans are submitted for final review. Currently the elevator and stairs appear to be in the drive/backup aisle and need to be relocated for plan to be approvable.
47. Items in the Right-of-Way are not approvable through the site plan approval process. Approval of the submitted plans does not grant approval of the items shown in the public right of way or approval of uses of the public right of way such as the loading zone. Applicant will need to obtain additional approvals to place items in the right of way and for specific uses of the right of way.
48. This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, covered sidewalks will be constructed and maintained as soon as possible and little to no access to the Public Right Away will be granted for construction purposes. Applicant shall expect that construction methods above and beyond normal construction will be necessary to build on this site.

49. The development as proposed will increase pedestrian congestion and conflict between pedestrians and guests using the valet service. The applicant shall provide a permanent 3 foot sidewalk easement for the length of the property along Webster Street to mitigate the impacts to the public right of way.
50. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
51. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
52. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
53. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Zoning Administrator (Contact Pat Anderson, 266-5978)

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| 54. In regard to the provision of open space, the applicant has not provided details of the 20% open space requirement subject to PD zoning, and therefore requests a waiver of said requirement with this application pursuant to 28.098(4)(e.). |
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55. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances or as approved by the Urban Design Commission. Permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
56. Sec. 28.185 (7)(a)5. requires approval of a reuse and recycling plan by the Recycling Coordinator, Mr. George Dreckmann(608-267-2626), prior to the issuance of the demolition permit.
57. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
58. Section 28.185(9) (a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
59. Work with Planning and Zoning staff to revise zoning text including but not limited to the reduction through a conditional use approval of required loading spaces 28.141(13)(b).

60. Provide a minimum of 16 bicycle parking spaces as required per sec. 28.141(3) and 28.141(11). Provide a detail of the bike rack design. As this is a PD, the Plan Commission may approve structured parking.
61. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Bill Sullivan, 261-9658)

62. The fire command center shall be accessible from the lobby/reception with the entrance visible upon entering the lobby.
63. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
64. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt Scott Bavery (608) 576-0600.

Parks Division (Contact Kay Rutledge, 266-4714)

65. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
66. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
67. This development is within the Tenney, Law & James Madison park impact fee district (SI26). Please reference ID# 14143 when contacting Parks about this project.

Water Utility (Contact Dennis Cawley, 261-9243)

68. This property is not in a wellhead protection district. The Madison Water Utility shall be notified to remove the water meters prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
69. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

Metro Transit (Contact Tim Sobota, 261-4289)

70. Metro Transit bus stop zone #1140, a special event/detour stop used whenever buses cannot directly serve the Capitol Square (i.e. Farmers Market, Concerts on the Square, etc.), is located on the north side of East Washington Avenue, from the current bus stop sign pole location forward to the North Webster intersection. The proposed planter wall shown running almost immediately adjacent the curb would appear to leave less than sufficient width for passengers to be able to safely exit the rear door of a stopped bus.
71. The applicant shall either use temporary fencing that can be removed whenever the bus stop zone is active (during special events), or revise the planter wall to be sufficiently offset from the curb in order to allow safe passenger access at this special event/detour bus stop zone.
72. Metro Transit operates daily transit service along East Washington Avenue through (or to) the North Webster Street intersection. Trips are normally scheduled to operate through the intersection and serve bus stop ID #1618 west of the North Webster intersection – but when the Capitol Square is closed to traffic due to events, buses need to stop on East Washington just before the North Webster intersection – before then turning right onto North Webster Street.