

**East Washington Avenue BUILD
Capitol Gateway Corridor Land Use and Urban Design Plan
Steering Committee Meeting # 13**

Final Minutes (Approved January 12, 2006)

Monday, December 20, 2005, 5:00-8:00 p.m.

945 E. Washington Ave

Meeting Chair: Bob Horowitz Meeting Facilitator: Rebecca Krantz

Note Taker: Rich Felsing

Purpose of meeting: To continue review of Urban Design Ordinance and schedule follow-up meeting(s).

Attendance and Summary of Meeting Discussion, Decisions, & Action Items here; more detailed notes, and transcriptions of feedback forms are attached.

Committee Members Present [in no intentional order]:

Bob Horowitz-Community-wide representative, David Waugh-Tenney-Lapham Neighborhood Association, Judy Olson-Alder District 6, Brenda Konkel-Alder District 2, Marianne Morton-Commonwealth Development, Curt Brink-Property owner, Phyllis Wilhelm-MGE, Anya Firszt-Greater Williamson Business Association, Teena Browder-East Johnson Street Business Association, Marsha Rummel-Marquette Neighborhood Association, Will Warlick-Marquette Neighborhood Association, Beth Canestra -Emerson East Neighborhood Association, Catherine Debo-Madison Metro, Eric Swanson-Property owner

City Staff Present:

Mark Olinger-Planning and Development, Michael Gay-Office of Business Resources, Alan Martin – Planning and Development

Consulting Staff Present: *Scott Harrington-Vandewalle, Dean Proctor-Vandewalle, Rebecca Krantz - EINPC, Rich Felsing-EINPC*

Members of the Public Present: Gary Werner, Mary Pulliam

Committee Members, City Staff and Consulting Staff Absent with Notice:

Dan Rolfs – Real Estate, Ilse Hecht-Old Market Place Neighborhood

Without Notice: *Kevin O'Driscoll-Downtown Madison, Inc., Susan Breitbart-East Capitol Business Association, Brad Mullins-Property owner, Mario Mendoza-City of Madison Mayor's Office, Michael Waidelich, Planning & Development, Brian Benford-Alder District 12, Bill Kunkler-Fiore Company*

Meeting Summary

Minutes from December 12, 2005, approved.

Group discussed and suggested modifications to draft Urban Design Ordinance.

DRAFT – minutes, RF

A. *Welcome, Agenda Review, Minutes Approval (attached)*

Minutes approved without changes.

R Krantz – Agenda is to get input to modify the draft ordinance, going through section by section, 5 or 10 minutes/section.

Funders of this project include the Dane County BUILD program, the City of Madison, Marquette Neighborhood Association, MG&E, The Mullins Group, Curt Brink, and Research Products, Inc.

B. *Urban Design Ordinance – Presentation of draft and issues for discussion*

S Harrington – Everyone got the emailed ordinance December 14 from Vandewalle & Associates. We inserted references to Plan to signify that the ordinance stems from the Plan, that they go together and need to be viewed together.

Section 2 – We added language, taken directly from the Plan.

Also we listed the core principles right in the ordinance.

....

Page 10, we get into the districts, addition from City’s model, we wanted to bring these elements into play (Monopoly Board display) with the five distinct blocks in distinct sections.

Block Index: Divided area into 18 separate blocks.

SH leads discussion of Table and Block Index, reviewing setbacks...Taken from Bulk Standards in Plan.

SH from email, several questions: 1) requirement vs. guideline – Al said guidelines are treated as requirements unless you can prove otherwise; SH sees the explicit measures as requirements, and more general advice or goals to be guidelines. Give us input today on moving elements between the two categories, as we go.

2) Taking much of our Monopoly Board standards and putting them straight into the ordinance. We felt City-provided language was fluffier, we chose to be more straightforward. Avoided “should/shall” “encourage/discourage” language.

Al Martin – Appeals from UDC go to Plan Commission. If you want requirements, make them requirements. Unless you create an out to a requirement in the language, there isn’t an out; they’ll be treated as such.

Bob H as a lawyer, strongly encourage you to use “shall” when making something a requirement, and use “should” when drafting a guideline.

Q from B Konkel (deferred).

SH – Risks of softening up language at this point, is a risk.

C Debo – I think these are far too restrictive. I’d like to see them loosened up. No room for architectural creativity or anything, loosen it up.

D Waugh – Seems to make sense, but Al M, what’s the “out”?

Al M – If you create any real “out,” you weaken it and create a hole that can be exploited. UDC can apply a guideline in order to make it a stronger design.

SH – We can clarify language issues as we go.

RK taking A through E. Other questions? . . .

D Waugh – I liked it, more technical, consistent with what we’ve done.

M Rummel – If we’re creating a boulevard, should we state there will be NO uniform style? Not really accurate to our process.

J Olson – Do these guidelines create a boulevard? Should it say that if they don’t?

C Debo – The negative in there guarantees variety.

M Morton – Vandewalle & process do consciously put some consistent and defining elements in place.

M Olinger – Q – Item C: Do we want to preclude residential?

J Olson – Change to two or fewer.

Discussion led to decision for item C, change four to two dwelling units.

RK leading through doc

Maximum Heights –

II – mechanical heights

P Wilhelm – Use of “high quality” – so subjective, do we want to say this?

Al Martin – It’s typical. We want to say that in order to accomplish our objective, buildings of high design. As applied to individual projects. That language is... there.

PW – Not convinced, but not going to the mat on this.

J Olson – I’d hope the entire body of ordinance reflects the idea of high quality...relationship of step back to height, will that help us create something other than a box? OK, SH replies. OK.

M Olinger – I like envelope for development (page 2, eii), does the height metric ‘get us there?’

SH – Put it into mass & articulation section.

JO – With three equal building footprints in a row, how do you create variation so you don’t get lots of boxes like downtown?

SH – We’re getting to that.

C Debo – Section b7 – in special cases, such as Metro, ‘may reduce requirements, provided owner incorporates decorative elements, etc.’ At Metro – exception?

RK – So that it would mention Metro specifically, and require articulation rather than false parapets?

CD – Yes.

D Waugh – Why do we need to make an exception for Metro?

C Debo – Metro is what it is; false fronts would be an expensive and useless feature. Other ways for buildings to commend themselves...

M Olinger – Most of Catherine’s concerns can be addressed in Section 11, page 9.

W Warlick – This resolves the issue.

M Rummel – This is a long-term thing, in 50 years...sympathetic but an exception doesn’t necessarily make sense.

MO – Historic face will kick in all the guidelines – BUT I don’t see that happening here. General concern is lining up historical preservation with UDC in handling this type of issue.

C Debo – Extending a parapet will not meet the requirement to create a unique and interesting façade.

C Brink – Could we deal with Metro as a special case? Everything else is private; Metro’s public.

A Fyrszt – UDC actually makes the judgment call, so why don’t we get rid of gas station language and let UDC do it?

JO – Too general, creates loophole; name Metro.

WW – Any other like facility?

MO – Catherine, explain? What’s the issue, here?

C Debo – New section runs a ways; extensive, no useless parts.

M Morton – Need more info.

B Konkel – b1, b2, b3 and b4 – requirements or guidelines? Worded as “shall” but the rest are guidelines.

D Waugh – Don’t know if I like b2... I like the variation.

SH – b2 – We’ve seen streets with the same façade elements horizontally. It’s true that one element that breaks that rhythm will stand out.

Dean – Some variability needed.

M Rummel – don’t quite get the horizontal; % of retail windows vs. other windows at ground level; some of the shalls should be shoulds.

JO – Need to retain this language in some strong way. Consistency of cornices...if we look at a block with a real anomaly, I think we wouldn't like it. Do some homework; look at buildings.

C Brink – The good thing we have IS IN the guidelines. Gives the flexibility needed, in that somebody at the UDC can point to the Plan Guidelines as support for their building's variation. If it's way out outside the Core Principles, they'd have to prove that at UDC. If it's a minor variation, we've got the guidelines to support their project.

SH – Table, line 10-15 – all is the same, except for the setback.

C Debo – Block 15?

SH – Where there is no Main Street, this does NOT apply. So there'll be a change to reflect this on blocks 10-14.

D Proctor explains schematic of setback variability. Showing 10-20 foot setback range, and varying treatments.

SH – Consistency and coherence carries through, but allows for variability and flexibility of treatments by individual buildings. Some flexibility was called for.

C Debo – Break setbacks with existing structure and two rows of trees.

SH – Rehab kind of a deal.

WW – Item four – front façade (III b VI) define primary street. Should include East Main.

Item 8 – I like the 20% setback, but not the “less than”. Need room for pedestrians.

Beth – Need to get rid of some of the “shoulds” – take out the squishiness and underscore the imperative. Not a requirement, but more strength as an imperative.

JO – Move 4 and 5 to the requirements.

WW – B Konkel, don't you need to call out different section on the North side? Should say ‘everything but the side streets on the north side.’

SH – Not sure he agrees on the side streets. We've got it elsewhere that strong pedestrian flow is a strong imperative. Mifflin an exception, there, but elsewhere it's taken care of.

SH – Six requirements. Need to define these terms.

C Debo – Security fence. We'll need one. See item one, screening requirements.

M Olinger – I think we can look at that; we've worked around that elsewhere, it shouldn't be a problem in residential area.

CD – This [??] will be built on top of an existing repair facility.

M Rummel – I'd a Q on that too. This is across from our area.

RK – “Commercial” wrong word here.

JO – Row houses next to parking ramps – not a good idea. Section v., doesn't like the adjacency of parking lot with multistory building.

A Martin – Much of this will change. It's not the use, but rather the design. How the building functions at this locale, not the actual use.

C Brink – My point on 2 – this is a requirement. Façade is very important; ground floor use is a guideline.

M M – Disagree with Curt. Ground floor activity, not housing.

CB – Gorman's got it. It will not rent on the street. Requirement gives me no factor to negotiate. Use components should go into guidelines.

MO – Other issue is that every ramp should have street frontage. Use internal ramps; then this is not an issue.

SH reads from Plan, no street should be fronted by a bare parking ramp.

C Debo – Section v. under requirements, should be reference to surface lots, not ramps.

Under guidelines number vi. – Access off of Railroad Street, clarification.

WW, ‘campus exception.’

SH says ‘wherever possible’ and these are guidelines.

CD page7 – A1 (articulation) talking about tall building – clarification.

Page 8 – part 2? Regarding windows, what about employment uses?

BREAK

Gary Werner – Regarding setbacks & heights. Regret the late input, noticed opportunities too late.

Am concerned about the whole concept of making the street pedestrian-friendly, with lots of activity along the street. Look at W Wash & Wisconsin Avenue. Wide streets, wide terrace, wide setback – you do feel you’re not right in the traffic. One way to give peds wider room is to trade vertical space for horizontal space. E Wash is one of the grandest streets in Wisconsin – and one of the most dismal. Worth the time and input. Comparable to the Champs d’ Elysee, important, pedestrian.

Beth – Interplay between inside and outside, Plan agrees in general with these goals, (gave examples), heights and massing so people don’t feel closed in.

JO – Increasing size of terrace, helps trees.

RK – Brings us to landscaping.

WW – Wait, another issue on parking: Want to see incentives for alternative transportation; parking graphic should be in parking section.

SH – Design, not land use. This is site design, ratios and parking is a land use issue.

Al Martin agrees, but says it is pertinent here.

Landscaping and Open Space

D Waugh – #2 about trees. Need something about species.

WW – Parks should draw up a separate plan, outside of this one, for trees, species, spacing, etc. WW – have a callout referencing the separate plan explicit here.

MO – Public or private?

WW – Both.

Beth – What’s the benefit, purpose here? Isn’t that much too detailed? Regimented, what about species variability?

Al Martin – Each district already has a list of recommended trees, canopy heights, etc. UDC has a list and applies it. UDD 4 has a list.

WW – No point to variability here. I don’t think it hurts anybody to have a plan.

DW – I agree. One species creates a distinctive look. Danger of single species.

SH – #3 – Stuff in the median already. A palette of species had already been defined to some degree.

B Horowitz – In A1 – blank should be filled in by City Planning & Development Department.

MO – Forestry Department, but don’t know boulevards.

M Rummel – B1 take out “dining and art displays.”

Site lighting and furnishings

Bob H – Replace blank for approval in the same way for the same reasons.

SH – Regulations, safety, etc. – Engineering, may know of requirements and regulations that we may have to accommodate.

M Rummel – Add mopeds to bike storage facilities.

SH blank in 7a3? Voids & masses. Dean shows graphic of 40 vs. 60% lot coverage.

MM – Take an example. I do worry 60% coverage is a lot of mass, just a reaction.

RK coverage at Gorham?

MO – Every square inch.

A Martin – References Aberdeen University Avenue. We're already doing better here.

P Wilhelm – I don't think the 40% achieves the density we're going for, and will create canyons.

C Brink – I don't know what this means. It's too soon to know how to read this. This is just an arbitrary thing that popped in here without input. Without any validation of these numbers. We've maximized heights – limited height, but now we're discussing interior requirements – when I don't know the actual impact of that on the numbers yet.

WW – Can consultants explain the purpose of this?

Dean – Illustrate variable options, footprint only may not be the best way to show this.

SH – Floor area ratio can be used to shape the building any way you like ... in terms of mass, height, step back. As Curt said, having set the façade, height, and step back, going deeper to further define the interior too – doesn't make any sense at all.

D Waugh – Gorman was a reaction to Metropolitan Place, to avoid one massive block.

M Rummel – Masses and voids should be in the air not on the street. I'd rather have the open space on street level to be enjoyed, experienced.

Bob H – Concerned that this & other issues imply we're demanding all our buildings will look like wedding cakes.

Eric – One too many requirements. This one would likely interfere with a great design. And it may get in the way of developer discussion with neighbors.

JO – Don't mind the mass or requirements of an individual site. BUT building after building after building with the same general envelope or mass will create too much sameness, see University Avenue – how not to do that?

Brenda – Floor Area Ratio?

(who?) – When you've already got height etc., limits, you can already get the densities you've got. There are already enough criteria here to get what you want.

SH – We'll look at the effect of FAR.

A2 – SH, variability will lose.

D Waugh – Cake seems to be a trend, why can't we just go up with a wall of glass?

M Rummel – “No Mies van derRohe, sorry.”

Buildings designated as landmarks, not historic buildings.

Colors & Materials

MR – No primary colors? Not happy with that.

SH – Conflict with Capitol.

MR – Trees will cover it up.

C Brink D1 – All kinds of ‘sidings,’ all kindsa ‘real,’ allkindsa faux’ , define.

MO – That’s faux.

Bob H – A3 – At end, we should say windows should not be visually obstructed. Windows papered over at Walgreens.

MO – This is a constant problem.

Al Martin – Usually a problem with PUDs, which get around usual provisions.

RK – Transparency vs. translucency. Little less strict?

SH – Need a third category to cover Metro and uses that aren’t visually attractive or that you really don’t want to see into.

C Brink – Good point regarding use. Keep the glass clear, to see the activity inside. If there’s a certain use, or on the other hand, if an employee inside needs to see out . . . Don’t avoid transparency, staff input needed here. Good requirement.

MO – Agreed.

M Rummel – On Willy Street retail built, only used for commercial – offices just put up blinds.

C Brink – Blinds can at least be opened, for maximum people-friendly use.

Bob H – Signs limited in height.

RK – What’s a “pole sign?”

DP – Pole vs. monument signs, defined with pictures.

WW – Pole sign definitely out. Oriented to cars. De-escalation of sign wars. Move to ped-oriented signs. Even monument signs a problem.

C Brink – Ped-oriented signs on federal highway doesn’t really do much. Dealing with tenants, who put everything on the line to move here, you’ve got to have some kind of Wayfinding that’d be useful to the new tenants. Necessary. Still have to have people be able to find out who and where they are, and so they can make money. Some balance between taste and flexibility is necessary. Signage can be very attractive, and can add activity to the overall liveliness – but must be functional. As it is, we have to submit signage package, as it is. Flexibility for any given function.

MM – Support the section, but where is everyone else on this? 10A1 works.

C Brink agrees.

MO – Run into this all the time. Getting buildings closer to street, what about the signs? Need language in here encouraging us to think differently.

Restoration / Rehabilitation

MO – How do we deal with rehabilitation? Metro would/should get an award, not get pilloried, as is Catherine’s worry. Landmark structures need to be treated better. We need to be clear on this.

M Rummel – Not all worthy buildings are land marked. Good language here should not be used to overlook buildings that haven't made the landmark list. Add the buildings that have historic status; we have a list.

Al Martin – Reference the list, and put it in the Plan.

SH – See p5 of the Plan, those buildings are in there.

MO – Concerned about how we do this . . . Gardner building, staff has said is of interest, but not eligible. This category should be left open to future changes in decision-making by new owners, City staff, or future public processes.

B Konkel – When assessed? It changes.

MR – Women's building, property owner wasn't interested, UDC deferred. So...

RK – So # 11 has 3 categories – rehab, historic not yet assessed as landmark or designated as landmark, and old but turned down as landmark.

SH – Get rid of it OR keep it and do it right.

MM – Map page 5, these are qualified.

SH – Scrap it, or treat it right.

MO – Can rehab any building they like. And we're not going to make them do all these things.... Catherine's worried about something that's never going to happen.

MO – Make a distinction between rehabilitation and new construction. So the categories are clear.

AM – Agrees. Not a problem for Metro.

RK – 12 through 15, should these be in here or not? Regarding district segment 1, etc.

SH – Adds more specific context layer. Works in tandem with the factors influencing decisions / plan shape. These elements WON'T show up, unless they're in the ordinances here.

Al M – If you don't put them here, that's one more thing for you to reference.

SH – This contains site-specific context, that won't show up elsewhere. You'd only have to reference one document, and if you don't have it in front of you.

RK – Fill out your continuation forms, due January 3.

RK – Schedule one last meeting.

MO – Haven't really had a chance to talk about the Land Use Plan.

C Brink agrees, there's a lot in there.

RK – January meeting, 18th? 25th? MO – 19th, 26th? 12th?

Decision: Next meeting will be **5-8 pm on January 12th**, Archery Building 945 E. Washington Avenue.

Decision: **Meeting adjourned 8:15 pm.**