



PREPARED FOR THE URBAN DESIGN COMMISSION

Project: Amending Urban Design District (UDD) 8 - MGO 33.24(15)(e)12
Review Type: UDD 8 Text Amendment – Common Council Referral
Legistar File ID #: [79845](#)
Prepared By: Kevin Firchow, AICP, Principal Planner

Background Information

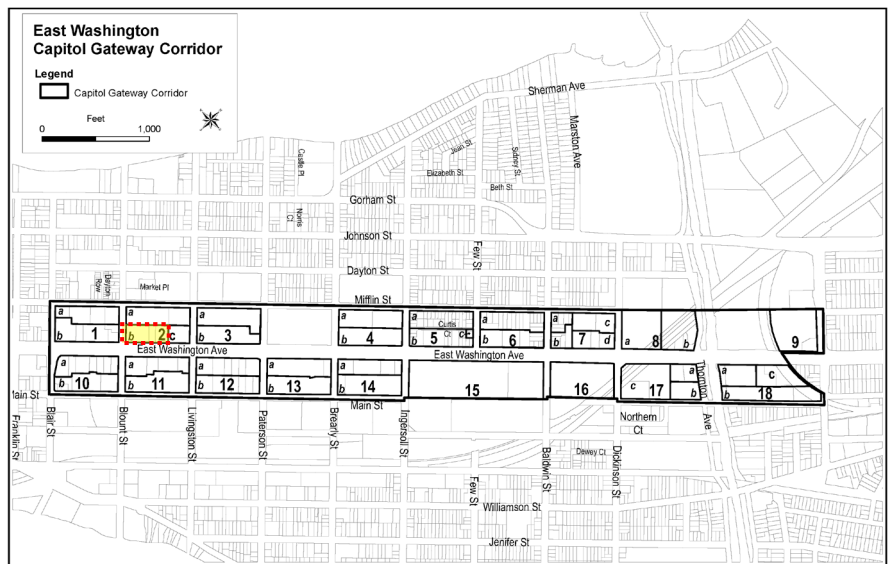
The Common Council has referred this text amendment to the Urban Design Commission for an advisory recommendation. This ordinance is then scheduled to be considered by the Plan Commission on October 2, 2023, with the Common Council scheduled to make a decision on this amendment on October 17, 2023.

This amendment proposes changes to the “Upper Level Development” requirements of Urban Design District (UDD) 8. The amendments would be necessary to facilitate the development of a project within the 700 block of East Washington Avenue, and more specifically, “Block 2b” of UDD 8. The development itself is not before the UDC at this meeting and has not been submitted for review. As a reference, the UDC received an informational presentation on that development on August 16, 2023, under Legislative File [79239](#).

The proposed text amendment has two primary components.

The first component is to change the allowable heights for Block 2b, which is comprised of the western portion of the East Washington Avenue frontage, as highlighted to the right. Staff notes that UDD 8 includes block-specific height standards for each of the designated blocks.

Currently, Block 2b has a base height of eight (8) stories with the opportunity to obtain two (2) bonus stories, totaling 10 stories.



The proposed amendment keeps the block’s base height at eight (8) stories and establishes a methodology to obtain up to either a four (4) or six (6) story height bonus. To achieve a four (4) story bonus, the UDC would utilize the existing methodology in which the Commission can grant a bonus if it finds that a proposal provides “sufficient public benefit” by providing one of the features/amenities listed in category “i” or a “combination” of smaller features/amenities listed in Category “ii.” Under this proposal, to achieve a full six (6) story bonus, the applicant would need to demonstrate that an item includes one feature/amenity from Category “i” and a minimum of three features/amenities from category “ii.” This amendment does not specify what features/amenities are utilized.

The second component of this text amendment adds a new affordability consideration element to the Category “ii” list, expanding the options that can be considered in granting a bonus. To take advantage of this option, the applicant would choose to enter into an agreement with the City to provide that a minimum of 5% of the total units would be set aside as affordable units with a minimum affordability range of 60-80% of the County Median

Income. As a note, developers of other blocks could also utilize this element to achieve a bonus stories in combination with providing other listed features/amenities.

In regards to this text amendment, Planning staff notes that UDD 8 has been previously been modified multiple times to accommodate specific development proposals. This includes amendments for the abutting “Constellation” and nearby “Galaxie” (with Festival Foods) buildings. While there is precedent to consider a block-specific amendments, staff notes that if a building were to be approved with the six bonus stories, it is believed to be the largest bonus story awarded within UDD 8.

In considering height within the surrounding context, staff notes that the surrounding blocks were initially recommended for eight (8) stories, with the provision for up to two (2) bonus stories in the 2008 Capitol Gateway Corridor Plan. Previous code amendments and related development approvals have since allowed for greater height. The aforementioned Constellation building, immediately to the east in Block 2c, was approved as a 10-story building with a two bonus stories for a total of 12 stories and a measured height of approximately 147 feet (not including the taller mechanical penthouses). In the following block, the Galaxie building was approved with a partial 14th floor (representing 15% of the block) and had a measured height of approximately 158 feet. With the larger bonus provision, staff estimates that a building within the subject block could be approximately the same height as the tallest point of the nearby Galaxie building and roughly 10-12 feet taller than the adjacent Constellation, not considering the rooftop mechanicals.

Finally, staff notes that this change does not alter other provisions related to height. Conditional Use approval for height exceeding five stories will still be required by the Plan Commission. Additionally, this request does not alter the maximum airport height requirements enforced by Dane County.