



Project: Amending Urban Design District (UDD) 8 - MGO 33.24(15)(e)12.b.

Review Type: UDD 8 Text Amendment – Common Council Referral

Legistar File ID #: [81316](#)

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Background Information

The Common Council has referred this text amendment to the Urban Design Commission (UDC) and Plan Commission (PC) for advisory recommendations. The Plan Commission is scheduled to review this item at their January 22, 2024, meeting and the Common Council is scheduled to consider this amendment at its February 13, 2024, meeting.

This amendment proposes changes to the [Urban Design District 8](#) (UDD 8) - MGO 33.24 (15) and specifically, the “Upper Level Development Standards” to clarify how stories are determined in Block 2b as shown in the map at the right.

Background on UDD 8

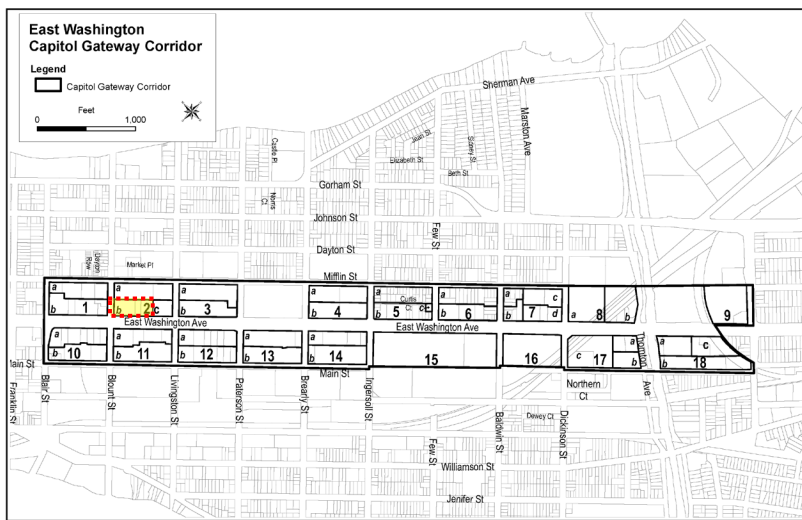
UDD 8 was adopted in 2009 upon completion of the [2008 Capitol Gateway Corridor Plan](#). It is one of the eight districts that provide additional design/development regulations in the City. This ordinance is primarily enforced through the UDC, which is an approving body for development within these districts. UDD 8 is the most prescriptive of these districts. Due to the prescriptive nature of this district, there have been instances when block specific requirements have been revised to accommodate a specific development request.

Regarding the existing ordinance, UDD 8 includes block-specific development standards for each of the 18 numbered blocks. These blocks are further broken down into lettered sub blocks that also have unique development standards. These standards include height regulations (height in feet as well as story-height measurements) which may be more restrictive than those found in the underlying Zoning districts. Among UDD 8’s other requirements are the standards for bonus stories under the “Upper Level Development” sub section.

Currently, there are no prescriptive requirements or definitions related to the measurement or determination of story-heights in UDD 8.

Summary of Proposed Amendment

This proposed amendment clarifies how stories are measured as it relates to certain structured parking designs that would have limited visibility from East Washington Avenue. The proposed amendment only impacts a portion of the UDD 8, the portion that is in District 6 (Block 2b).



UDD 8 currently includes height measurements in terms of stories and feet. It does not provide additional guidance on how parking levels or partial floors are calculated. Further, the code does not provide interpretation clarification based on how a building “reads” from the outside, how a floor level is used, or how the number of floors internal to a building translates to the exterior expression. For instance, floor-to-ceiling heights for structured parking are typically less than that of other habitable building floors because fewer building mechanical systems are needed in those spaces (i.e., ductwork, lighting, plumbing, etc.). So, while three levels of structured parking are typically shorter than three levels used for residential or office uses, both scenarios are currently considered the same number of stories under the Zoning Code. It is also possible to design a building to “read” as a certain number of stories from the outside, while a different number of stories is shown in section view or internal to the building. This could be done by fully wrapping a smaller building volume (i.e., parking floors) with a taller volume of habitable space (i.e., commercial space) to fully conceal the floors behind to create a more attractive street-facing façade. So, while the height of the building is not changing, the number of stories inside the building can be different from the number of stories being “read” on the outside. This is the basis of the proposed text amendment.

The proposed amendment clarifies the story-height measurement of a building in Block 2b if the internal structured parking is screened and not visible from East Washington Avenue. The amendment would clarify that this space would not count as a separate story for the purpose of determining compliance with the story-height regulations of UDD 8. However, from a massing standpoint, this ordinance does not change the underlying allowable height in feet.

UDD 8 currently allows for a maximum 14-story building, if findings could be made to grant the necessary bonus stories. As a result of this text amendment, while a building could appear to be a 14-story building from East Washington Avenue, and the building would be below the maximum allowable height, it could still be considered 15 stories under the different methodology utilized in the Zoning Code based on a calculation of the parking levels.

Finally, staff notes this request does not alter the maximum airport height requirements enforced by Dane County.