PLANNING DIVISION STAFF REPORT

January 11, 2023

PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: **6604 Odana Road**

Application Type: Planned Multi-Use Site – UDC is an Advisory Body

Legistar File ID #: 74229

Prepared By: Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Randy Christianson, Walter Wayne Development, LLC | Marc Ott, JLA Architects | Market Square Associates

Project Description: The applicant is proposing the construction of a six-story mixed-use building containing 2,200 square feet of commercial space and 87 residential units. The proposal includes a rezoning request from Commercial Center (CC) to Commercial Corridor – Transitional (CC-T).

Project Schedule:

- The UDC referred this item on December 14, 2022, with the intent of providing the applicant time to make refinements addressing the Commission's concerns.
- The UDC referred this item on November 30, 2022, to the December 14, 2022, meeting.
- The Plan Commission is scheduled to review this proposal on January 23, 2023.
- The Common Council is scheduled to review the associated rezoning request on February 7, 2023.

Approval Standards: The UDC is an **advisory body** on requests pertaining to Planned Multi-Use Sites. Pursuant to section 28.137, MGO, which states that a Planned Multi-Use Site containing more than forty thousand (40,000) square feet of floor area and where twenty-five thousand (25,000) square feet of floor area is designed or intended for retail use or for hotel or motel use, shall require a conditional use approval following a recommendation on the design of any specific proposal by the Urban Design Commission.

As part of the Commission's action, the Commission is requested to provide a recommendation to the Plan Commission related to the applicable Conditional Use review and approval criteria pursuant to Section 28.183, MGO, more specifically subsection 28.183(6)(a)(9) and (12), which state:

> Conditional Use Standard #9: "*When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation.*"
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> Conditional Use Standard #12: *"When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits."*

Adopted Plans: The Comprehensive Plan recommends Community Mixed Use (CMU) land uses for the project site. The CMU land use category includes an intensive mix of residential, commercial and civic uses. CMU areas are intended to include buildings two to six stories in height, and development should create a walkable, well-connected environment that is transit oriented with buildings located close to the sidewalk and where parking is screened from view.

The project site is also within the boundaries of the recently adopted the Odana Road Area Plan (2021), which contains the most current and detailed recommendation for the subject property. The project site is recommended for CMU land uses, consistent with the Comprehensive Plan. The Plan also notes that the site is within a larger area targeted for future City Park development. This recommendation covers a relatively broad target geography and is not limited to this specific site. It therefore, does not preclude UDC from making a recommendation on this proposal.

The Odana Road Area Plan also provides guiding design principles that are intended to be viewed as goals for redevelopment within the planning area. Such principles include, encouraging connectivity and walkability, orienting buildings to front on public streets, focusing density along planned transit corridors, allowing for a range in building scales, providing diversity in housing options, maintaining mixed-use cores, incorporating urban open spaces an orienting feature for both residential and nonresidential uses. The Odana Road Area Plan recommends a maximum building height of five floors.

Finally, the project site is also located within the older Southwest Neighborhood Plan (2008) planning area. While specific design guidelines for new development are not included in this neighborhood plan, it does include land use principles for the northern portion of the southwest study area, which generally speak to incorporating traditional neighborhood design principles, including mixed-use with higher densities, shared parking, orienting buildings towards the street, and incorporating pedestrian and bicycle amenities into site design.

Zoning District: As noted in the application materials, a rezoning request from the existing CC zoning district to CC-T is proposed. Within the mixed-use and commercial zoning districts there are general provisions intended to foster high-quality building and site design focused on enhanced pedestrian and bicycle transit, as well as automobile circulation. Such standards are outlined in Section 28.060, including those that speak to building and entrance orientation, façade articulation, door and window openings, and building materials.

Summary of Design Considerations

Staff notes that this item was referred at the December 14, 2022, meeting. The applicant has provided updated information intended to address the Commission's comments related to building design and materials, site design and landscaping. Recognizing that there are development limitations influencing the building placement on the site, staff commends the applicant for incorporating positive design changes into the site and building design, many of which also address the Commission's comments, including:

- Eliminating the parking along S Yellowstone Drive and in front of the commercial space,
- Shifting the building placement on the site to incorporate additional green space and layered planting beds along the north side of the building and additional green space on the south,
- Incorporating additional windows on the ground floor north elevation and refining fenestration patterns and types to be more cohesive,
- Simplifying the building materials and composition, and
- Refining the landscape planting palette to include a wider variety of plant materials.

As this item has already been referred twice by the UDC, staff advises that the UDC should make their final advisory recommendation based on the revised drawings so this item can continue on to the Plan Commission and Common Council, who are the approving bodies on this request.

Staff requests the UDC review the proposed development based on the conditional use review and approval standards related to the items noted below.

- **Building Height.** Both the existing and proposed zoning have a base height limit of five stories, however additional height can be approved by the Plan Commission, with conditional use approval. As noted above, Comprehensive Plan recommendation includes heights up to six stories and the Odana Road Area Plan recommends a maximum building height of five stories. Staff requests that UDC provide a recommendation of the proposed height with regard to Conditional Use Standard No. 12, which generally speak to overall building mass and scale, surrounding context, as well as the relationship of the building to adjacent streets and drives.

- **Building Orientation and Street Activation.** As noted in the adopted plans, maintaining a strong building orientation to the street with pedestrian-scale design elements is desired, however as noted on the plans, there is a 30-foot wide mutual access easement that is approximately 30 feet into the site, resulting in a significant building setback. While the city is not a party to that agreement, staff understands from the development team that other parties have not agreed to any modifications that would allow for the building to be sited closer to S Yellowstone Drive.

  While the access drive remains as previously shown, the applicant has made plan modifications, including the removal of parking and an expanded greenspace. Consideration should be given to the design of the building related to the access drive, and the design and amenitization of the landscape area along S Yellowstone Drive as it relates to creating an active streetscape, as well as an at-grade open space area serving the proposed development.

  Staff requests the Commission make findings and provide a recommendation on the overall building orientation along the "street" facing elevations.

- **Pedestrian Connectivity.** As noted in the adopted plans, encouraging enhanced connectivity and walkability is desired. Pedestrian circulation is provided around the proposed building, which could ultimately connect to a variety of future redevelopment patterns on the balance of this site, if and when it is redeveloped. At this time, the development team has indicated to staff that future redevelopment plans are not known. While staff understands that such plans are not available to inform this design, staff notes the plans do not show a direct connection to S Yellowstone Drive from the building. Staff requests the UDC provide feedback and make a recommendation regarding the overall internal and external pedestrian connectivity giving consideration to Conditional Use Standard No. 5, which states, "*Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided.*"

- **Building Materials.** The material palette is comprised of three different types of composite panel siding and a masonry veneer. Staff requests that the UDC make findings and provide a recommendation related to the material palette as it relates to Conditional Use Standard No. 9, which speaks to "…*creating an environment of sustained aesthetic desirability compatible with the existing or intended character of the area*."

- **Landscape and Open Spaces.** As shown on the site and landscape plans, landscape and open spaces are limited primarily comprised of landscape beds and stormwater facilities at grade and raised rooftop terraces. Consideration should be given to the overall landscape design and plant schedule, and amenities/programming in these areas with regard to screening blank walls, providing year-round interest, color and texture, as well as softening hardscape areas.

- **Lighting.** The photometric plan appears to have inconsistencies with the City's Outdoor Lighting requirements (Section 29.36, MGO) for low level activity areas, including light levels in excess of 4.0 footcandles in pedestrian areas and 1.5 footcandles in driveways, as well as uniformity ratios that are in excess of 5:1. As a potential code compliance issue, the applicant is advised that an updated photometric plan and fixture cutsheets, consistent with MGO Section 29.36, will be required to be submitted for review and approval prior to permitting.

- **Signage.** As shown on the proposed building elevations, potential future sign areas are shown, including logos and addressing signage. Staff notes that one wall sign per tenant is permitted per street facing or parking lot facing elevation. As a potential code compliance issue, the applicant is advised that a Comprehensive Design Review would be required for the proposed signage as shown on the elevations.

Summary of Referral Comments

As a reference, the Commission's comments from the December 14, 2022 referral are below:

- The extra story necessitates the conditional use, not necessarily the height in feet.
- As an advisory body we should think about the impact on surrounding properties, as well as compatibility with the existing or intending use with Market Square as a whole.
- The future of the whole area, all land uses are on a spectrum of time, there's going to be some impact on the adjacent apartment building, but I also feel that the current auto-oriented use is not a good use. The market is going to demand height. The whole environment is likely to change, I personally feel some impact, but we have to acknowledge that in a small matter of years this environment is going to be completely different and this building may not be so big.
- This is reacting to an available site in the middle of what may be developed in a decade or so. Right now the existing apartment building is new and is there, and it should relate to that a bit more than it does. Right now it's an island with all this vehicular traffic around it.
- It could relate much better if the massing also related to the apartment building rather than the most efficient shape to get as much building on the site as possible. It needs to have more forward thinking of what is the future of the development and responding to that vs. the shape of the building in front of it.
- Is there any retail facing the new development in the existing development?
    - Those are exit doors. Extending it out to the street doesn't work because of the cross access easement for Normandy square. That is why the building is where it is and not out to the street, there is no opportunity for another curb cut.
- It's really unfortunate. That forward thinking to the future development, it's really hard to imagine this being a nice place to live completely encircled in a commercial parking lot.
- That doesn't mean it has to have a row of parking in front, it could just be the drive and more greenspace in front of the building.
- I feel like the building has a lot going on and could be simplified. The material changes, different kinds of balconies, the overhang on part and the roof stops at others, there is no cohesiveness or elegance. In fact it accentuates that this is a big box with no cohesiveness to the design. All the different unrelated languages there, it needs some definite refinement.

- I echo the site plan comments. I don't see the height as out of context, I like this higher density infill of a rather suburban model. Because the Comprehensive Plan does allow that sixth story through the conditional use, it seems fine. I don't think the proximity to its neighboring building is so close to be an issue, the shadow study reveals the lack of shadows cast on other buildings. I don't like how it's a building surrounded by parking, reducing that along Yellowstone is a good suggestion. The Stella D'oro daylily is overused and could be swapped out with Coneflower or a nice native perennial.
- It's not in our purview but what I see being offered is a relatively small retail space in terms of what's useful to neighbors. Otherwise it's a majority of living units. There's an added element of imposing height with some of these projections that might be complicating the issue further. What consideration has there been to step back elements of this massing, a rooftop amenity space that can reduce mass but perhaps be open to the public?
    - The roof is difficult in terms of getting up there, the City would consider a penthouse to be a seventh story, the exiting out of there, we didn't choose to go up there. It will be solar ready and explored during the bidding phase. We have two areas on the 2nd and 6th floors for amenity spaces. The development team wanted to provide covered balconies. It was a conscious choice of the programming, trying to differentiate themselves in the market. Stepbacks get expensive to construct.
- To some extent the questions of density and housing infill might be better answered by another commission other than ourselves. We have a question of whether this additional story is architecturally significant from a design perspective, and I'm not seeing it, not seeing what the extra story does that gives more meaning to the design. It just shows a larger contrast from the neighboring structures.
- I have sympathy for the Normandy residents and the distress the possibility of this is causing. There's no guarantee of either your access to sunlight or your view codified here in Madison. These happen all over the place. We've asked and seen a lot of shadow studies; almost always they show morning, midday and evening, I couldn't help but notice that the midday shadows were omitted, but you can clearly draw an arc from the morning to the late day one and see where the shadows are in the middle of the day. I think one of the reasons they were left out is because it showed it as throwing considerable shade on the Normandy building. My gut feeling is to deny the extra floor, but at the same time I'm not sure it would change anything, maybe the amount of sunlight and the view in only a moderate way given the actual distance in linear feet from the Normandy. It is fairly rare we see a building plunked down in the middle of asphalt and I don't know that this is making the best, strongest use of its location, or what would need to happen to make it seem like a better fit. Otherwise it's a fairly handsome building, Madison in general is the most over-balconied place I've ever been and this certainly seems to be all in on balconies. I'm not sure every single unit here needs to have a balcony, but I basically like other elements of the structure and materials.
- As far as landscaping, the western side shows just a single row of single species. 21 junipers along there, that is just the laziest, most boring way to treat a foundation planting. Mix it up, use golden junipers, change the color every third one and toss a couple of uprights in there. Your various renderings are a little tough to read because they show the exact same side of the building but are rendered differently. But there are huge expanses of blank wall at the base of the building that are crying out for some foundation plantings and something with a little imagination for varying heights and color. On the north side of the building there are trees with Annabelle Hydrangeas, those are nice but you want shade tolerant plants, and the Molinia Skyracer will get no sun whatsoever so close to the building, that's a misguided choice. A little more attention to the landscaping can make a huge difference.
- At minimum there needs to be more greenspace around the building, in addition to maybe eliminating the parking and keeping the access drive in front of Yellowstone. Why doesn't the drive aisle for this building give that extra space to the building landscaping? That may allow for 7-8 additional feet for trees in front of the building. Maybe some masonry raised beds along the blank walls and plants at grade to give it a three dimensional lush quality.

- The 2,000 square feet of retail is hurting this, make it an asset, make it connected to the rest of the building, make it more of a building that relates to the Normandy than something in between. We do have to make a recommendation as to whether that additional floor is warranted. I'm not convinced having a taller building in this sea of asphalt is a better thing. Having a hard time seeing the compelling case for that extra floor.
- This side slopes down that it almost looks like seven stories from this side. It's also a really hard façade for anyone walking here if you consider the area around will get developed. It makes even a stronger argument of not going up to six stories.
- Are those windows into the parking garage?
    - Yes, it ramps down.
- That's a consideration, how many stories by which side your address faces.
- That corner with the logo, there are four different types of outdoor spaces in materials and details. It's a lot for what this building is trying to do and doesn't make a lot of sense right now.
- I don't think the massing is acceptable, it doesn't have enough design significance to warrant the extra floor, it's not situated right on the site.
- A referral means that it does not advance to the Plan Commission.