



Project Address: 6853 McKee Road
Application Type: Planned Development (PD) – UDC is an Advisory Body
Legistar File ID #: [73955](#)
Prepared By: Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Alex Weis, Livesey Company, LLC/Mad Grove, LLC

Project Description: The applicant is proposing the phased development of a Planned Development consisting of a mixed-use building on the eastern portion of the site, and a one to two-story commercial building on the western portion of the site.

Project Schedule:

- The original Planned Development (General Development Plan) (PD-GDP) was approved on March 2, 2010 (Legistar File ID #[17139](#)).
- A Certified Survey Map was approved on February 7, 2012 (Legistar File ID #[25217](#)).
- A Planned Development (Specific Implementation Plan) (PD-SIP) for a 100-unit senior housing facility was approved on February 5, 2014 (Legistar File ID #[32969](#)).
- The UDC received an Informational Presentation on October 12, 2022.
- The Plan Commission is scheduled to review this proposal on January 23, 2023.
- The Common Council is scheduled to review the proposed rezoning on February 7, 2023.

Approval Standards: The UDC is an **advisory body** on the Planned Development request. Once a formal application is submitted, the Urban Design Commission is required to provide a recommendation to the Plan Commission with specific findings on the design objectives listed in Zoning Code sections [28.098\(1\)](#), Statement of Purpose, and (2), Standards for Approval (PD Standards Attached).

Planned Development Zoning: The project site is located within the Maple Grove Commons General Development Plan Planned Development (est. 2010). As noted in the original General Development Plan, development of the project site was originally anticipated to be commercial in nature, with buildings ranging in height from one to two stories. The Planned Development does include general architectural guidelines for commercial buildings:

"Individual commercial buildings will be designed to be as oriented to, or more oriented to the adjacent public and private streets than to the internal parking lots through the inclusion of architectural features including but not limited to vision glass, usable entrances and fully screened utility and mechanical facilities along all street-side elevations."

The proposed General Development Plan is considered a Major Amendment to the previously approved Planned Development, which may alter the original intent of the General Development Plan, including permitted uses, building massing, site plan configuration, etc. if approved by the Common Council, following a recommendation from the Urban Design Commission and Plan Commission (MGO 28.098).

Adopted Plans: The project site is located in the [Cross Country Neighborhood Development Plan](#) (the "Plan") planning area. The Plan recommends the project site for commercial/office land use development. In addition, the City's adopted [Comprehensive Plan](#) recommends the project site for Neighborhood Mixed-Use development.

The Neighborhood Mixed-Use land use recommendation includes more prescriptive development objectives, including those related to building form and type, which in this case is 2-4 stories, and where free-standing commercial buildings would be appropriate. The Comprehensive Plan notes “*...development and design within the NMU areas should be compact and walkable, ideally adjacent to existing or planned transit. NMU areas should be well connected and integrated into neighborhoods...buildings should be oriented towards streets...off street parking placed primarily behind buildings, underground, or shielded from public streets.*” The Comprehensive plan also

Summary of Design Considerations

Planning Division staff requests that the UDC review the proposed General Development Plan Amendment and provide a recommendation to the Plan Commission based on the standards for Planned Developments and the adopted plan recommendations as noted above, including as it relates to the design considerations noted below.

As noted above, the UDC is an advisory body on this request. Staff recommends the Commission’s findings and recommendations to the Plan Commission be framed as a motion based on the applicable review criteria, including those that pertain to conditional use requests. Additionally, while the UDC utilizes the Initial/Final Approval framework in certain situations, as an advisory recommendation, staff believes it would be procedurally preferable to provide a singular motion with the Commission’s findings and recommendations.

- **Plan Consistency - Building Height.** As noted on the proposed General Development Plan, building heights are anticipated to range from 1-2 stories for the stand alone commercial building located on the west side of the GDP area, and three stories for the multi-family and mixed-use buildings located on the east. As proposed, if the stand alone commercial building proceeds as a one-story building, it would not be consistent with the Comprehensive Plan’s recommendation for 2-4 story heights.

While staff believes that a two-story building would certainly be more consistent with the aforementioned plan recommendations, consideration could be given to incorporating design elements into a future one-story building so that it “reads” as two stories. This could include the incorporation of variety features such as lofts, mezzanines, vaulted ceilings, clearstory and/or corner elements to increase the height, which staff believes would be more consistent with the intent of the plan than a purely single-story development. Ultimately, the proposed General Development Plan and building heights will be considered by the Plan Commission and Common Council as it relates to the applicable PD standards, including those that speak to coordination of “*...architectural style and building forms to achieve greater compatibility with surrounding land uses,*” and creating “*...an environmental of sustained aesthetic desirability compatible with the existing or intended character of the area.*”

Staff requests the UDC make findings and a recommendation on the anticipated building heights and any recommended conditions that could provide additional guidance that could be applied to one-story buildings with regard to the adopted plan recommendations and PD standards.

- **Building Orientation and Siting.** As noted in the Comprehensive Plan land use recommendation, development is intended to be well connected and integrated into the surrounding neighborhood with buildings being oriented towards the street. Consistent with the intended character of the area, more recent development within the corridor reflects newer buildings being oriented towards McKee Road with active unit entries. As shown on the GDP Site Plan, the proposed buildings are primarily oriented internally to the site, with end walls and an open space located along McKee Road frontage and raised balconies versus at grade building entries. Given the visibility of the project site and the site’s location having multiple public and private street frontages, consideration should be given to creating a more prominent relationship to the surrounding public and private streets and parking areas.

While detailed building elevations were not provided, staff has concerns that having the narrow ends of the residential buildings along McKee Road limits the physical and visual orientation of that building towards that street frontage. Potential design considerations for the future larger building could include more of an “L-shape” or building configuration or utilizing an alternate building footprint shape, which could help better frame corners and open spaces. Staff requests the UDC make findings and a recommendation related to the general building orientation and siting, especially as it relates to the PD standards that speak to ... *“creating an environment of sustained aesthetic desirability”* and *“building forms achieving greater compatibility with surrounding lands uses.”*

- **Open Spaces.** The General Development Plan indicates one common at-grade open space located along McKee Road. Consideration should be given providing a variety of open spaces that encourage both active and passive recreation opportunities, including yard spaces, seating areas, etc. Staff requests the UDC make findings and a recommendation to the Plan Commission related to the location and size of the proposed open space specifically as it relates to the PD standard, which states that the *“...PD district shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors...”*
- **Surface Parking.** While the General Development Plan includes ample parking, both surface and underground, consideration should be given to reducing the overall amount of surface parking, the type of stalls proposed (angled or compact stalls), and/or the possibility of shared parking facilities. Doing so, could provide additional opportunities for landscape and open space. Staff requests the Commission make findings and a recommendation on the proposed surface parking as it relates to the PD standard that speaks to providing adequate parking facilities, as well as consistency with adopted plan recommendations related to the intended character of the area, and the location and screening of off-street parking.

Summary of UDC Informational Presentation Comments

As a reference, the Commission’s comments from the October 12, 2022, Informational Presentation comments are provided below:

- Does the commercial building have a drive-thru component?
 - It certainly could, it’s left flexible at this point.
- You would want the GDP to permit a drive-thru?
 - That is yet to be determined.
- Since you are restricted on access to the site, you have no capability to bring vehicular access to the commercial building off of Golden Copper Lane?
 - I think we could, it’s physically possible. The grade change there isn’t as great as it is on Maple Grove Drive, it depends on what the ultimate use ends up being. Parcel B is much more undefined at this point than Parcel A.
- The staff report talked about maintaining an edge, the apartment buildings to the west are also oriented to McKee Road. Personally your plan could do it if the space between A1 and A2 had some kind of an edge, a garden wall, something that tied the two buildings together and helped enclose that outdoor space to make it appear as one building from McKee. The residents would want to be screened somehow from the noise of McKee anyway, and you could still have pedestrian access. The corner and edge could be held if the two buildings were at least on the first floor designed to appear as one nice edge to holds that corner of the building all the way down to the commercial by Mader Drive, one nice urban edge there.
 - We agree, perhaps landscape walls, an open air pergola structure, something that doesn’t take away from the outdoor space but still creates that edge and connects the two buildings.

- The stand-alone commercial building could be taller, it is being dwarfed by the other buildings around it. Give it some presence, make it an L-shaped building and give it more street presence.
- I second that and reiterate that it would be nice to see an alternative site plan where some of these buildings are oriented more east-west and facing McKee Road, L-shaped or however. It does seem a little odd, understanding the constraints, to have this linear building-parking-lot configuration. I would think you'd want some of that solar exposure of an east-west orientation on A2 and the commercial building as well.
- Could the commercial parking be minimized for more landscaping?
 - That would really depend on what that use ends up being. We will look to the code to meet what that demand has to be per Zoning and per the market.
- This being a PD you're writing your own zoning.
- The report says no minimum is parking required.
 - But it's not looked at in a vacuum. Underlying zoning or similar zoning requirements for similar uses are used as reference when PDs are evaluated. Sometimes market demands trump everything.
- Is all your drainage going to the southwest corner?
 - Yes, there's more of a regional stormwater management plan for this as well, going off-site to the parcel across Golden Copper Lane.
- Is the plan for the underground parking just one entrance and one exit?
 - Correct.
- You could drive all the way through to find no spot and turn around and come back out just one entrance?
 - Theoretically yes.
- That seems like a long distance to find that maybe there isn't a spot, just curious about that and if you might consider a second entrance.
- You could assign parking.
- The commercial building feels like it wants to be in the northwest corner of the lot and turned ninety-degrees so it's facing McKee, similar to the building right across Golden Copper Lane. Is it oriented and pushed away for a reason?
 - Not necessarily, that could be done.
- If it were aligned with the setback on McKee, that would simplify your parking too. I also agree that you may have exceeded the amount of parking you need so more greenspace would be nice.
- Stormwater management will be important to understand since it is such a steep site with so much parking. Also how you treat the base of A1 and A2 because it seems there will be a lot of exposed foundation wall because of the drop.
- You have nice wide landscape strips, unify those with some kind of landscaping scheme or concept that runs around or through the site. It's a great opportunity to use those extra landscape islands to your advantage as a real amenity for a really nice, soft space where big trees can be planted and differentiate it from a lot of single story commercial developments with a parking lot.

ATTACHMENT
PD Zoning Statement of Purpose and Standards

28.098 (1) Statement of Purpose.

The Planned Development (PD) District is established to provide a voluntary regulatory framework as a means to facilitate the unique development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations, and that features high-quality architecture and building materials. In addition, the Planned Development District is intended to achieve one or more of the following objectives:

- (a) Promotion of green building technologies, low-impact development techniques for stormwater management, and other innovative measures that encourage sustainable development.
- (b) Promotion of integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas, with enhanced pedestrian, bicycle and transit connections and amenities.
- (c) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.
- (d) Preservation of historic buildings, structures, or landscape features through adaptive reuse of public or private preservation of land.
- (e) Provision of more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques.
- (f) Facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.

28.098(2) Approval Standards for Project

The standards for approval of a zoning map amendment to the PD District, or any major alteration to an approved General Development Plan, are as follows:

- (a) The applicant shall demonstrate that no other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the objectives of (1) above. Conditions under which planned development may be appropriate include:
 1. Site conditions such as steep topography or other unusual physical features; or
 2. Redevelopment of an existing area or use of an infill site that could not be reasonably developed under base zoning district requirements.
- (b) The PD District plan shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.
- (c) The PD District plan shall not adversely affect the economic health of the City or the area of the City where the development is proposed. The City shall be able to provide municipal services to the property where the planned development is proposed without a significant increase of the cost of providing those services or economic impact on municipal utilities serving that area.
- (d) The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. A traffic demand management plan may be required as a way

to resolve traffic and parking concerns. The Plan shall include measurable goals, strategies, and actions to encourage travelers to use alternatives to driving alone, especially at congested times of day. Strategies and actions may include, but are not limited to, carpools and vanpools; public and private transit; promotion of bicycling, walking and other non-motorized travel; flexible work schedules and parking management programs to substantially reduce automobile trips.

- (e) The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District.
- (f) The PD District plan shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors. Areas for stormwater management, parking, or in the public right of way shall not be used to satisfy this requirement.
- (g) The PD district shall include suitable assurances that each phase could be completed in a manner that would not result in an adverse effect upon the community as a result of termination at that point.
- (h) 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 28.071(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.
 - 3. The scale, massing and design of new buildings complement and positively contribute to the setting of any landmark buildings within or adjacent to the project and create a pleasing visual relationship with them.
 - 4. For projects proposed in priority viewsheds and other views and vistas identified on the Views and Vistas Map in the City of Madison Downtown Plan, there are no negative impacts on the viewshed as demonstrated by viewshed studies prepared by the applicant.
- (i) When applying the above standards to an application to reduce or eliminate stepbacks required by Section 28.071(2)(c) Downtown Stepback Map, the Plan Commission shall consider the recommendations in adopted plans, including the downtown plan. No application to reduce or eliminate stepbacks may be granted unless it finds that all of the following conditions are present:
 - 1. The lot is a corner parcel.
 - 2. The lot is not part of a larger assemblage of properties.
 - 3. The entire lot is vacant or improved with only a surface parking lot.
 - 4. No principal buildings on the lot have been demolished or removed since the effective date of this ordinance.