



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 131-133 W Wilson Street
Application Type: New Mixed-Use Building in UMX Zoning
UDC is an Advisory Body
Legistar File ID #: [73562](#)
Prepared By: Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Kirk Keller, Plunkett Raysich Architects, LLP | The Moment, LLC

Project Description: The applicant is proposing the construction of a fifteen-story mixed-use building containing 263 luxury residential units, 6,887 square feet of commercial space, and approximately 251 enclosed vehicle parking spaces. Following the Urban Design Commission’s December 14, 2022 review, development plans have been revised to address the conditions noted in the Commission’s advisory recommendation to the Plan Commission.

Project Schedule:

- The UDC received and Informational Presentation on September 21, 2022.
- The UDC reviewed this proposal at their December 14, 2022 meeting. The Commission provided an advisory recommendation to the Plan Commission that included recommended conditions of approval.
- The Plan Commission conditionally approved this proposal at their January 9, 2023 meeting. As part of the Plan Commission’s approval, the Urban Design Commission’s advisory recommendation conditions were adopted as specified below (Legistar file [74542](#)), including the requirement for the proposal to return to the Urban Design Commission for Final Approval per their specified condition.

Approval Standards: The Urban Design Commission (UDC) is an **advisory** body on this request. Section [28.076\(4\)\(b\)](#) includes the related design review requirements which state that: *“All new buildings that are greater than twenty-thousand (20,000) square feet or that have more than four stories shall obtain Conditional Use approval. In addition, the UDC shall review such projects for conformity to the design standards in [Sec. 28.071\(3\)](#) and the [Downtown Urban Design Guidelines](#) and shall report its findings to the Plan Commission.”* More specifically, as it relates to the conditional use standards, the UDC should give consideration to:

Conditional Use Standard 9 states, in part, that: “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.”

As part of the Plan Commission’s approval, this project is required to return to UDC for final review and approval. In this case, the Plan Commission accepted the UDC’s advisory recommendation for Initial Approval, which specified that certain design related items needed to be addressed in order to reach Final Approval. Staff advises that the Commission review those previously-specified elements, as noted below and confirm that they are addressed.

In addition, there have been plan revisions related to the design of the building base as well as lighting that were not previously reviewed by either Plan Commission or UDC. Staff requests UDC review these items for consistency with the aforementioned criteria as well as the Downtown Urban Design Guidelines.

Design-Related Plan Recommendations: The project site is located within the [Downtown Plan](#) planning area. As such development on the project site is subject to the Downtown Urban Design Guidelines. As noted in the Downtown Plan, the maximum recommended height is up to the Capital View Preservation Limit.

Summary of Design Considerations

Review of Conditions of Approval

It is the role of the UDC to review the revised drawings for consistency with the Commission's recommended "Initial Approval" advisory recommendation, which ultimately became the Plan Commission's conditions of approval. The Commission's review of these items should be limited to whether or not the condition has been met.

Please note that as Plan Commission conditions of approval, they are required to be met. The UDC's role is to ensure these conditions are met, however they cannot waive or change these requirements. The approved conditions are numbered below:

1. Material of the underside of the balcony shall be consistent throughout, with faux wood material versus concrete.

Note: Staff does not believe this condition has been met. As noted in the application materials, the faux wood material has been removed from the underside of the balconies and the finished treatment is exposed concrete.

2. Remove random mullions on the east and west elevations and incorporate a thin metal vertical line mid building to create the vertical articulation that extends to the end of the penthouse floor deck on both sides of the furthest in balcony.
3. Revisit the metal panel inset on W Wilson, it could be reduced in size to match thickness of roof overhang.
4. Revisit the use of darker tone glass on east elevation.
5. The applicant shall provide additional details related to the louvers and how they are integrated into the overall building design and materials.

Note: Per the Plan Commission conditions *"No HVAC "wall-pack" penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall-packs on street-facing walls is not included in this approval and will require approval of an alteration to this conditional use if proposed at a later time."*

6. The applicant shall provide an updated landscape worksheet reflecting all changes. Review the previously provided plant selection related to cultivars and straight species. The Cortaderia grass needs to be replaced with a species that is heartier in this climate zone. Use an alternate climbing vine species and provide information related to vine selection.

Note: Staff notes that the landscape improvements shown in the right-of-way are not part of the UDC's review purview, which is limited to improvements on privately owned property. It is important to note that even if approved, right-of-way landscape cannot be counted towards satisfying the required landscape points on site. All improvements in the right-of-way would be subject to further review and approval by Real Estate, Traffic Engineering and Forestry and are subject to change based on the execution of a developer's agreement.

The UDC had recommended consideration be given to the following elements. The applicant is required to study the following elements and report its findings to the UDC. Such items are considered advisory and shall not be required:

7. The M logo seems light compared to other elements on the east façade, consideration should be given to proportions and scale of that element.
8. Consider using more of the 6" system rather than 4" system on the green roof, and include native perennials into the sedum mat.

Additional Design Related Considerations

With regard to the two items noted below, these reflect items that are a departure from what was originally reviewed and approved by both the UDC and Plan Commission. As part of the UDC's subsequent review of these items, consideration should be given to the Downtown Urban Design Guidelines, as well as the conditional use standards as noted above. Staff note that modifications determined to be inconsistent with the Plan Commission's approval are subject to the alteration standards of 28.183(6) MGO.

9. **Building Design.** Several modifications have been made to the base treatment of the John Nolen facing façade, including landscape screen, green walls/trellis features, architectural lighting, windows, and materials. Staff requests the UDC review the proposed changes for consistency with the aforementioned review criteria and the Downtown Urban Design Guidelines, including those that speak to creating visual interest and incorporating a higher level of design on street facing facades, minimizing and screening blank walls, etc.
10. **Lighting.** Staff has concerns with elements of the proposed lighting plan and request UDC's specific feedback. The lighting plan included in this application includes several modifications from what was initially reviewed and approved by the Plan Commission, as well as those previously reviewed by the UDC.

The Downtown Urban Design Guidelines specifically address lighting, including guidelines that state: "*Lighting shall not spill into the sky, encroach on neighboring properties, nor cause excessive glare,*" and "*The lighting on the top of a building should not compete with the view of the Capitol dome in views of the skyline.*" As proposed, staff does not support the proposed architectural lighting as it is not believed to be consistent with this guideline.

As noted in the staff report at the time of Initial Approval, the photometric plan, at that time had inconsistencies with the City's Outdoor Lighting requirements pursuant to Section 29.36, MGO for medium level activity areas. As currently proposed, the photometric plan continues to have inconsistencies with the City's Outdoor Lighting requirements, including light levels in excess of 10.0 footcandles in pedestrian areas and 1.5 footcandles in driveway areas, as well as light trespass concerns.

In addition to the concerns about light levels on the site, the current plan includes architectural light fixtures located around the underside of the perimeter of the roof (fixture L-3), as well as vertically and horizontally mounted light strips/fixtures on the John Nolen Drive side of the building (fixtures L-4 and L-3). Generally, staff has concerns with whether the proposed architectural lighting can be found to be consistent with the Downtown Urban Design Guidelines, which generally speak to limiting glare or visual competition with the Capitol, as well as maintaining light levels that are not excessive and impacts on adjacent residential units, all of which are largely unknown based on the information provided. Additionally, staff would not support a visible lighting feature that appeared as a strip, ring, or band across the top of the building.

With regard to fixture L-4, staff also has concerns with the architectural integration of and general impacts (glare, brightness, etc.) resulting from the fixture, which is a cabinet fixture that spans the vertical length of the building. While this feature appears to embellish two existing prominent vertical façade elements, staff has concerns that as proposed, this will be too visually dominant an element along the building's prominent lake frontage. In addition to the lighting concerns, with the thickness of the fixture, staff also has concerns regarding its non-illuminated impacts. Staff believes an approach that more subtly highlights the existing architecture versus creating new illuminated features would be more consistent with the intent of the guidelines which speak to limiting glare or visual competition with the Capitol.

Staff requests that the UDC review the proposed lighting, especially the architectural lighting for consistency with the design guidelines and make findings related to the Downtown Urban Design Guidelines.

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.

Summary of UDC Initial Recommendation Discussion and Comments

As a reference, the Commission's comments and Advisory Recommendation from the December 14, 2022, meeting are provided below:

- What is the material of the underside of the protruding balconies?
 - The top two levels keep the wood look, at the street level the wood is kept and it's concrete in between.
- I'm wondering if that's going to be noticeable, if it makes sense.
- Early in your presentation you mentioned a timelessness, it's a nice looking, elegant glass structure, I like how you've defined the top. The one thing that throws me is where you have it stepped back as nicely framed glass, the nice vertical line, the random protruding mullions are going to look dated. Could you do the same clean line as on the corner to mirror that nice, elegant spine rather than these random mullions? It would add to the elegance of what you've already accomplished here.
- I'm questioning that vertical dark metal panel element between the coffee shop the "The Moment" going all the way through the building, what that purpose is and I would argue it looks out of place.
 - It's purposely there for breaking up the mass of the glass wall along that façade and to bring it down to the street as a continuous form.
- It's distracting, you have more organic moves going with the vertical white fins, the mullions and the glazing. That strikes me as a rather wide and overpowering vertical element not only in color but width and location, maybe that could be revisited. It also seems thick compared to the thickness of the roof overhang at the top.
- That tower closest to the lake seems really open, light and airy, but in the middle it seems darker. What is happening there?
 - It is a darker tone of glass.
- To break it up?
 - Exactly right.
- I would debate with you on that, maybe revisit. There's a lightness to the rest of the building and it appears a little out of place.
- The 'M' logo doesn't seem strong enough to include and seems pretty light.
- Are we seeing any mechanical louvers at all?

- The bottom two floors and top two floors have internal furnaces, residential scale condensers on the roof that aren't seen. The screening for the mechanicals will be worked into the darker metal panel for the intermediate floors.
- There's no big cooling tower on the top of the building?
 - Correct.
- Each unit essentially has its own means to move energy in and out, so there's some louvers happening that I missed. This being such an important addition to a highly trafficked place in our City, we did get some public comment about neighborhood engagement. Can you speak to and clarify how that's been going?
 - The major concern we've heard is the cycle track, and could there be any component for moderate level income in the project. There was good feedback on the general massing.
 - We met with neighborhood four or five times, a lot of the comments have been on the design on Wilson Street and the future cycle track, how the building will interact with the future street design. The neighborhood is excited about the design, they are looking for a few things (energy efficiency, solar panels). We will keep them informed as the project moves forward.
- All of the glass we see, is it transparent or are there any cavity wall conditions?
 - That vertical line is a combination of spandrel and vision for the mechanicals. Aside from that it's all vision glass, it's meant to be the glass building on the lake.
- You've achieved a nice, sharp, contemporary building. I would encourage the team to consider a best of both worlds approach: some consideration of opaque glass elements to still provide that appearance but gives you some performance considerations. There's clearly an intent here being expressed, a general solar system on the roof, with the southern facing transparent vision glass performance issues could be considered. It wouldn't interrupt the nighttime experience of this building.
- Zooming into the south elevation I see what I think might be louvers in the buff metal panel. Or is it different metal panel texturing?
 - I'll have to get back to you on that. We're trying to avoid any oil canning, we've gone with a heavy gauge in set sizes. We'll develop the details and submit those.
- You had one listed as ACM but the other three were not given a gauge. We'd want to see the heaviness of that gauge to avoid oil canning.
 - 22 gauge, the panels range from 7-12 inches in thickness and a maximum length of 8-9 feet.
- I like that you've addressed some of our previous plinth comments, how you've integrated the vine supports and some of the taller narrow plant material and selection to help anchor the building. It would be nice to see what the species selection would be, but in general you're on the right track.
- I would love to see the green roof be the six-inch system instead of the four-inch system. It will have much less dependence on irrigation, you could potentially get a handful of native perennials in that system that would give you a little more in terms of diversity, ecological benefits and pollinator benefits. I would like you to consider that.
- Along Wilson Street it looks like an attractive streetscape but a lot of dependence on what's happening in the City right-of-way, to have a lot of those elements in the right-of-way doesn't always happen. Is there a maintenance agreement?
 - The City has not signed off on that yet.
 - There has to be a full maintenance package and we have to agree to remove it if the City requests that.
- It sounds like that will get ironed out and we could see more detail soon.
 - Our hope is that this is overflow from the terrace. As you get to the west there aren't very many buildings that create pedestrian space. This creates that opportunity, with the retail space and future cycle track, we want that interior/exterior flow. This is totally driven by the design the City had for the cycle track.

- I like the covered overhangs and voids along that first floor with activation inside of them. If the streetscape stuff went away I would almost want to see something layered into that plinth, but I like how it's activated.
- There was a reference in the staff memo about the first floor not being at the minimum height required by Zoning, and a member of the public wrote about the height of the garage door into underground parking and whether it will actually accommodate trucks. Seems like those two issues are related.
 - The main entrance garage door is sized at over nine feet tall to accommodate a U-Haul for one-bedroom apartments, pull right in and not be in the roadway. There is a separate garage door for trash containers to be wheeled out to trucks while vehicles can still use the entrance. We're in the fifty foot range setback where twenty is required.
 - We're controlled by the maximum height we can make the two-story space inside, we're working with the seven-foot drop and the previous comments about the wall being in front of the coffee shop, and an ADA access point. All those pieces had to fit together pretty tightly. The minimum height I believe is met.
- We're not seeing anything so far in terms of a landscape point requirement worksheet, which I think we'll want to see eventually. On a project like this there are limited places for plants; the staff notes indicate the front sidewalk areas might not count. It looks like you're committed to using lots of containers, an abundant properly planted amount of them can be a real asset. On the pool deck area you'd be better off with bigger containers with seasonal plants. What you have indicated on there right now seems undeveloped.
- As far as the foundation plantings, I'm glad to see what you're considering along there. There needs to be some rethinking about the plant selection, the Cortaderia is not remotely hardy and won't survive here in this climate. I like the supports with flowering climbing vines, but Trumpet vine is not your best choice; other flowering vines might work better. You have listed straight species rather than selective cultivars, I sense a lack of effort on that so far and hope to see more developed better plant selections the next time we see this. Aesthetically for the main part of the building I like the changes from the first iteration. The underside of the balconies that have the fake wood look a lot better than the cast concrete, I would encourage that to be on all the balconies.
- (Secretary) The zoning issue is one of story heights; it's a misnomer in Zoning Code that is frequently missed because it's buried in the supplemental general regulations. Overall the average height above grade (above the sidewalk for the first floor) cannot be higher than eighteen inches above the sidewalk, which is causing the problem along W Wilson Street. Zoning will be publishing formal comments but overall that first floor will have to come down a little bit to meet that code requirement, which will also probably change your first floor height, which is 11 feet at the coffee shop and 12 is the minimum.
- They've got some things to work on, we can't give them any relief on the Zoning Code.
- If you do have some agreement with the City, I would suggest you flip the proportions of hardscape and planter area, it won't be an attractive place to hang out that close to the road, I'd encourage you to flip that ratio and make more greenspace.
 - That's a restricted loading zone area so we can't put any plantings in that area.
- Even outside of the loading zone on either side of the apron, grass would be better than hardscape.
- Anybody who has driven up W Johnson Street in front of Domain, after a year of people walking their dogs that grass is completely dead. Certain things won't grow with a concentration of dogs that has to be considered, certainly just regular sod isn't going to make it.
- I don't think we can give it Initial Approval because of the first floor height issue.
- In this case since this is an advisory it could be phrased that we recommend the Plan Commission approve the project, the Plan Commission will deal with the height and Capital Preservation View and zoning. You could say we recommend approval with the following items coming back to us regarding the façade, balconies, materials, etc.

ACTION:

On a motion by Braun-Oddo, seconded by Bernau, the Urban Design Commission made an **ADVISORY RECOMMENDATION to the Plan Commission to approve** the project, with the expectation that the design will come back to UDC for Final Approval with the following conditions being met:

11. Material of the underside of the balcony shall be consistent throughout, with faux wood material versus concrete.
12. Remove random mullions on the east and west elevations and incorporate a thin metal vertical line mid building to create the vertical articulation that extends to the end of the penthouse floor deck on both sides of the furthest in balcony.
13. Revisit the metal panel inset on W Wilson, it could be reduced in size to match thickness of roof overhang.
14. Revisit the use of darker tone glass on east elevation.
15. The M logo seems light compared to other elements on the east façade, consideration should be given to proportions and scale of that element.
16. The applicant shall provide additional details related to the louvers and how they are integrated into the overall building design and materials.
17. Provide additional information related to vine selection.
18. Consider using more of the 6" system rather than 4" system on the green roof, and include native perennials into the sedum mat.
19. The applicant shall provide a landscape worksheet.
20. The Cortaderia grass needs to be replaced with a species that is heartier in this climate zone.
21. Use an alternate climbing vine species.
22. Take another look at the plant selection related to cultivars and straight species.

The motion was passed on a unanimous vote of (7-0).

**ATTACHMENT:
28.071 (3) DESIGN STANDARDS FROM ZONING CODE**

(3) Design Standards.

The following standards are applicable to all new buildings and additions, within any ten- (10) year period, exceeding fifty percent (50%) of existing building's floor area for non-residential buildings, mixed-use buildings, lodging houses, and residential buildings with 8 or more dwelling units.

(a) Parking.

1. Parking shall be located in parking structures, underground, or in surface parking lots behind principal buildings. Parking structures shall be designed with liner buildings or with ground floor office or retail uses along all street-facing facades.
2. For corner lots or through lots, rear yard surface parking areas abutting any street frontage are limited to fifty percent (50%) of that frontage, and shall be located a minimum of ten (10) feet from the street property line.
3. Parking garage openings visible from the sidewalk shall have a clear maximum height of sixteen (16) feet and a maximum width of twenty-two (22) feet. Garage doors or gates shall be located a minimum of ten (10) feet from the front property line. Doors to freight loading bays are exempt from this requirement.
4. No doors or building openings providing motor vehicle access to structured parking or loading facilities shall face State Street, King Street, or the Capitol Square.

(b) Entrance Orientation.

1. Primary building entrances on all new buildings shall be oriented to the primary abutting public street and have a functional door.
2. Additional secondary entrances may be oriented to a secondary street or parking area.
3. Entries shall be clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.
4. Within ten (10) feet of a block corner, the facade may be set back to form a corner entry.

(c) Facade Articulation.

1. The facades of new buildings more than forty (40) feet in width shall be divided into smaller vertical intervals through techniques including but not limited to the following:
 - a. Facade modulation, step backs, or extending forward of a portion of the facade.
 - b. Vertical divisions using different textures, materials, or colors of materials.
 - c. Division into multiple storefronts, with separate display windows and entrances.
 - d. Variation in roof lines to reinforce the modulation or vertical intervals.
 - e. Arcades, awnings, window bays, arched windows, and balconies to reinforce the vertical intervals.

(d) Story Heights and Treatment.

1. For all buildings, the maximum ground story height is eighteen (18) feet, measured from the sidewalk to the second story floor. An atrium that exceeds eighteen (18) feet will be considered more than one (1) story.
2. Upper stories shall not exceed fourteen (14) feet floor to floor.
3. For all buildings, the minimum ground story height is twelve (12) feet, measured from the sidewalk to the second story floor.

4. For non-residential uses, the average ground story floor elevation shall not be lower than the front sidewalk elevation nor higher than eighteen (18) inches above the sidewalk elevation.
5. For ground-story residential uses, landscaping, steps, porches, grade changes, and low ornamental fences or walls or similar treatments shall be located between the sidewalk and the front door to create a private yard area.

(e) Door and Window Openings.

1. For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of fifty percent (50%) of the facade area.
2. For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of fifteen percent (15%) of the facade area.
3. For all buildings, upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story.
4. Garage doors and opaque service doors shall not count toward the above requirements.
5. Glass on all windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass may be used on service areas on the building.

(f) Building Materials.

1. Buildings shall be constructed of durable, high-quality materials. Table 28 E-1 below lists allowable building materials.
2. All building facades visible from a public street or public walkway shall use materials and design features similar to or complementary to those of the front facade.