



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 1601-1617 Sherman Avenue
Application Type: Residential Building Complex
UDC is an Advisory Body
Legistar File ID #: [74227](#)
Prepared By: Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Darrin Jolas, Vermilion Development | Tenney Place Development, LLC

Project Description: The applicant is proposing the development of a Residential Building Complex consisting of two, five-story apartment buildings and three, two-story townhouse buildings to be located on both sides of a new east-west public street. The development will contain approximately 331 units between the five buildings. Parking for 364 automobiles will be provided within the buildings, with 36 off-street surface parking stalls; 365 bike parking stalls will also be provided. As part of the proposal, the applicant is proposing to rezone the project site from SE (Suburban Employment District) to TR-U2 (Traditional Residential–Urban 2 District) and demolish the existing two-story office building, the former “Filene House.”

Project Schedule:

- UDC received an Informational Presentation on October 26, 2022.
- Landmarks Commission reviewed this proposal on March 6, 2023.
- The UDC made an advisory recommendation to the Plan Commission on March 1, 2023.
- Plan Commission approved this proposal on March 13, 2023, with conditions including final review by the UDC prior to sign off.
- Common Council approved this proposal (rezoning) on March 21, 2023.

Approval Standards: Initially, the UDC was an **advisory body** on this request. [Section 33.24\(4\)\(c\)](#), MGO states that: *“The Urban Design Commission shall review the exterior design and appearance of all principal buildings or structures and the landscape plans of all proposed residential building complexes. It shall report its findings and recommendations to the Plan Commission.”*

The UDC’s initial action was an advisory recommendation to the Plan Commission for Initial Approval. That recommendation included various conditions and design related considerations, including the recommendation that the project return to UDC for final review and approval.

The Plan Commission’s approval required this project to return to UDC for final review and approval. As such, it is the UDC’s role to review the revised drawings for consistency with the Plan Commission’s conditions of approval. Staff advises that the UDC review the updated plans and confirm that the conditions of approval, as noted below, have been met.

Adopted Plans: The [2018 Comprehensive Plan](#) recommends that the subject site be developed in the Medium Residential (MR) category. The MR land use category generally allows a variety of relatively intense housing types, including rowhouses, small multi-family buildings, and large multi-family buildings at a density of 20-90 units per

acre in two- to five-story buildings. The Plan recommends that “...special attention must be paid to design within MR areas where the use adjoins less intense residential development – architectural features such as a setback may be needed to transition MR development to less intense surrounding development.”

The project site is located within the [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (the “Plan”) planning area. The Plan identifies the project site as being within Focus Area Four, the Sherman/Yahara Neighborhood Area. The Plan provides two potential conceptual redevelopment plans for the project site, both of which take into consideration the redevelopment guidelines and recommendations noted in the Plan, including the recommendation for a change in land use from employment to residential. The Plan also identifies design considerations for future redevelopment, including those that generally speak to encouraging a mix of residential land uses varying in height from two to five stories and creating a residential streetscape, utilizing classic design with some modern elements, designing parking areas to include innovative stormwater management features, preservation of wooded areas along property lines and lake views, and incorporating gateway features (public art, landscape, streetscape enhancements, etc.), enhanced pedestrian connectivity to the adjacent parklands and surrounding neighborhood, and gathering spaces into site redevelopment plans. The Plan also recommends a future street connection that would run through the project site to connect Sherman Avenue to Fordem Avenue.

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 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 enumerated below:

1. More development of the townhouses. Revisit the material choices on the smaller structures, especially Building B2, to limit the boxy appearance of the townhouses. The lap siding should be replaced with an alternate material.
2. How the Buildings A and C address the new street. The architecture of Buildings A and C shall be revised to activate the new proposed street more by whatever means appropriate.
3. Provide pedestrian connectivity throughout the site, connecting to the dog park from all of the buildings.
4. Include potential traffic calming on the new street (especially as it approaches Sherman).
5. More activation for Building A on Sherman.
6. The applicant shall submit more detail of the roof terraces.
7. The applicant shall provide rendered drawings in more detail.
8. The applicant shall provide a more detailed landscape plan, including details regarding the amenity areas, including landscape plans and plant details throughout, as well as more information about what trees have been identified as possibly being able to be saved in this process, an updated plant palette to include more flowering perennials and hardwood shade trees.

Staff notes that with regard to lighting, as noted in the March 1 staff report, 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 5.0 footcandles in driveway and pedestrian areas. 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 Discussion and Advisory Recommendation for Initial Approval

As a reference, the Commission's advisory recommendation to the Plan Commission for Initial Approval from the March 1, 2023, meeting are provided below:

- With regard to the buffer, no landscaping by the developer is proposed, will that be determined with Forestry or on hold in reserve for a future improvement?
 - They are working with the Parks Division on the details of that buffer.
- We can't ignore the public comments but they don't fall within our purview. Right now it's not designated as a landmark, we can't discuss that. Staff just listed what we need to make findings on: materials, massing, the pedestrian-scape, this is a safe solution that goes with the plan, it meets everything. The first design stood out more, it was different. This is not a bad design but it is safe, I would like it to be more dynamic, but that is subjective design critique. It checks everything off the list in terms of scale, architecture, building materials. I do have issue with the smaller townhome pieces. The lap siding on Building B is the wrong material for a modern type feel, revisit the material choices on some of the smaller buildings to enhance the architecture a little bit more. It could be better, details and design – it is boxy, blank and plain; it could be more dynamic. The site plan looks a lot better in terms of the percentage of greenspace vs. random parking that connected everything. It just does not look as hardscaped as the previous version. I do share the concerns of the residents, but our directive is to respond to the architecture and design and materials. It is a safe project that kind of works.
- This new street seems disingenuous because it is as wide as Sherman. Seems to me that it is one long parking lot for now, not a through street, though it is wide enough. I don't know if that's really what is proposed, but if it is, and it is a street, Buildings A and C do not address that street at all. If it is going to become a street, the architecture needs to address the street. There is also a missed opportunity with the townhomes being tucked away from Sherman Avenue, seems like those would be a more appropriate scale to face Sherman and have the larger building away from the main thoroughfare just because of how the neighborhood has developed – seems to be a better transition Building A does not activate Sherman Avenue at all; the stone walls is not activating the street.
- I need clarification on the dead-end street, I assumed it was going through.
- (Secretary) For now it's set up as a dead-end condition with a turn-around. Future street connection is anticipated with future redevelopment in the area and will eventually connect it through to Fordem Avenue.
- I understand the phasing but lack of immediate connectivity is of concern to me at this point from a traffic standpoint.
- There's a lot to talk about and to respond to. I would like to voice appreciation for the comments and conversations with the neighborhood tonight. We could talk at length about a lot of these comments. I'm struggling with how to understand my purview and comment based on the Commission's purview. The site plan is quite a bit better than last time. Last time I thought it was a nice site plan, but a site plan in a bubble that did not recognize the context of Tenney, the Yahara and the lake, and I think you made

some very tangible improvements. Things like orienting courtyards and terraces to those long natural views which are incredible assets. The way Buildings A and C are oriented is a great improvement; I would argue that Building A does activate Sherman with the terrace, the relief of the building courtyard and the pergola structure, that I can see something different, that feels like an activated space – more active in perception than a building that is tucked further back with a long large front yard. I would love to see more adaptive reuse projects come before us; I don't know statistics, but if you went back and looked at the adaptive reuse projects that come before UDC, they tend to pass and pass quicker, because I truly believe that's the most sustainable thing you could be doing, reusing the existing buildings. It's hard when you see the potential and see that lost in a completely new development, but I'm also not sure that's my purview. Our purview is to comment on the design that is submitted before us. Kind of a window of my own personal struggle here, that adaptive reuse could be a very approvable project in my opinion. Not to say that this one cannot be.

- A couple things on site plan and landscape, there is a bit more street facing activation needed toward that new street. You're laying the ground work for a larger vision and plan, for now it has to dead-end, it's not great or ideal, but it is what it is until the next piece falls into place. If that becomes part of the grid or urban fabric it could use a little more activation along that frontage. Right now we are more focused on Buildings A and C and how they address the public realm.
- The path along the south or parallel to the Yahara; it seems to just end at the parking lot, I wonder if it should connect somewhere rather than just ending in the parking lot.
- As far as planting and landscape, I loved the landscape plan and what you're describing. I didn't have those exhibits so it is hard to react to because you had so much more detail in what you presented tonight. The plant palette and a more generic overall landscape plan. The plant palette did not have a lot of perennials; proportionally it has a lot of nice native shrubs and trees, but very few perennials. That might make sense along Tenney and tie into O.C. Simonds' vision for Tenney Park, but for other areas we would want to see more perennials. I didn't see anything specific about the design of the green roof designs in Buildings A and C, it would be nice to see more information and the full exhibits.
- With regard to the site plan, this is an improvement versus the last iteration, with the vegetative buffer spaces between the new buildings and parking and the existing properties; the neighbors immediately around the edges have more greenspace separating them than what the previous plan showed. That was good to see. Architecturally, we're seeing an improvement here tonight.
- I've never been happier to see one story come off of something because it makes a big difference in this case to keep these at five stories instead of six and I appreciate that it was pushed back more from Sherman Avenue more than the first iteration. I am happy to see that the driveway to the south is gone now, I witnessed the traffic problems with the two driveways on this site. The solution of one driveway, now the new city street is a wise choice and giving that other one over to a pedestrian path is a good play. The two driveways next to the river with the bridge create a dicey blind spot, getting rid of the driveway on the south side will go a long way to alleviating that. The thirty-foot buffer will go a long way, I would like to have more concrete details on how that is going to happen. It sounds like the Parks Division is going to be involved in it. There is a just jungle in there now, there is all kinds of stuff that is in there that shouldn't be; invasive plants, stuff that has just seeded in. I hope that if there is going to be a thirty-foot buffer that there is going to be some good collaboration between the developer and Parks Division to do a solid ecological restoration; preserve especially the mature trees, things that fit into an ecosystem. Get rid of all the bad stuff. I am concerned and haven't heard the applicant address what other tree preservation, other than two Sugar Maples out in the front yard getting preserved, but I am curious what other mature trees, especially in the southeast corner might be preserved. I would like to hear more about that. Big thumbs up on the community gardens. I like the townhouses, they are modern and handsome looking. The front of them, facing the street, is more nicely done and detailed

than the sides and back with the lap siding, so that might be something to address. As far as the planting design, in general on the whole property it looks like they did a good job with numbers, the landscape points required and what is being provided are nice ratios. We like to see 1.8 to three times what is required. But I share the comments about there is really a lot lacking in the landscape plan, a huge chunk of that number is in the area to rack up points in the back and around the retention basins. There's lots of aspens, popple, a couple of different kinds of sumac; I am hoping they are keeping those away from any of the more manicured landscaping. Those plants spread by root and there is a reason those are not used in residential landscaping. I am concerned about the number of points that were racked up entailed in those three plants alone. There's a lack of nice, really good legacy, overstory big trees in here, I counted three Oak trees on the entire property. We should be looking at more of those and less Honey Locust and more pedestrian street trees. We want to see what is going up in these amenity areas, not just a grid that says "green roof" with no details. I would echo the comments about the perennials, one type of ornamental grass on the entire property, there's one Hosta, there's one flowering perennial (daylily), I can't wrap my head around the idea of a development like this having that few amount of flowering perennials or that restrictive of a palette. There are so many opportunities to add those. When we look at the elevations and renderings there are beautiful plantings, but there is nothing that resembles that in the plant list. We want to see those details; see a landscape plan that has close-up views of the buildings.

- Architecturally I like this a lot more. People have come to accept that this is the predominant style of apartment buildings being built these days, people have trouble getting excited about it. They are fairly handsome buildings. I would like to see more close-ups of some of the detailing and architectural stuff you have going on with the brick detailing – that makes a big difference in making these eye-catching and different to people. Doing a little more in and out with them. This is much improved. I share the concerns about this street connection to Fordem Avenue, I'd like to hear from someone in Traffic; a street could jog around the apartment buildings but those parking lots service those buildings, not to mention the eight-foot drop off; that's going to be an interesting engineering project. What is our assurance that this is going to happen?
- It's a vision. We know those apartment buildings may be approaching fifty years of age, it could be a redevelopment opportunity. The City is trying to get ahead of some of these things, but it could be decades. For now we need to look at this as a parking lot. It will function as a streetscape for the residents who will primarily be using that street.
- I want to go back to a previous comment about Building A not activating Sherman. Can we go to what that elevation looks like? In another file that's a blank wall.
- Building C, which is also u-shaped, looks very similar to that. You may be looking at Building C, which faces the river.
- I think it does a pretty good job of activating the street (Sherman Avenue).
- None of these renderings are in our packet. It was really difficult to get a feel of the buildings in our packet, those are more the sketch-up models. It would be nice to see more of the presentation earlier on.
- Going back to the site plan, pedestrian activation within the site and the connection. Since we do not know how long this will be to have a connection to Fordem, it would be nice to see pedestrian and maybe even bicycle connections. We heard comments that the bus is going to be reduced on Sherman. If a lot of these occupants are using mass transit, they're going to cut through to Fordem. Fordem is going to be the closest place for them to catch a bus. Rather than walking all the way down and connecting through Tenney, it would be nice because you will see pedestrians tamping down through vegetation and possibly even bike lanes on Fordem. So pedestrian connectivity through the site possibly over to some pavement to the development on Fordem. If this is going to be a thoroughfare through to

Fordem should we be seeing one or two traffic calming measures on the new street? Could be beneficial for pedestrian traffic accessing the dog park from Buildings A and C. More development of pedestrian and bike traffic on the site but also connectivity to those areas outside of the site.

- The architecture of the townhouses, I like modern and simplistic, but the B1 and B3 buildings do have more of an institutional look. Maybe it's the brick and the rhythm of the building, the windows and openings give it a very institutional look. I would encourage the designers to look at modern expressions of this scale building and bring it down a little bit so it feels less institutional.
- Those canopies over the front doors, those B1 and B3 buildings are so minimal, it might be a dentist office or something. There are a few elements without dictating style that could make them feel a little more like home.
- Is that a private road or does this have to be a dead-end at this point?
- (Secretary) They are currently parking lots with a lot of vegetation and grade change between the two sites. Redevelopment of things to the east would have to take place to make that connection successful.
- I was hoping that the connection could weave through there, I do worry about the traffic going out to Sherman and how the circulation is going to function. I'd like more information about that dead end, I would like a little more information about what that is going to look like. I'm concerned about that space.
- (Secretary) Traffic Engineering is currently reviewing the traffic impact analysis and will ultimately make a recommendation to the Plan Commission.
- One of the biggest difficulties was that the rendered images that we saw tonight were not in our submittal, there was not a whole lot of 3-D imagery presented to us. I also heard a lot a lot about the streetscape along the new city street being improved with some activation and particularly Buildings A and C maybe more effectively addressing it. No details on the rooftop amenities, a lack of big hardwood shade trees, and Building B2 being the poor relation, everything else is high quality materials and well-detailed and Building B2 just has lap siding wrapped all around it. A lot of the comments were on the development of this new streetscape, but also these other things. Not a lot of opposition to the overall aesthetics of the buildings, I am hearing that they are safe and fit in. I certainly appreciate that they don't have these bright colored corner features with hats on them, they look more timeliness. I agree with the driveway south of Building A, now everything along the river is really deep and green. So we are hearing a lot of things that the Commission likes. They are asking for a Final Approval and as staff mentioned, this will ultimately come as an advisory recommendation. If you are considering a motion, it should be structured as we advise the Plan Commission to...fill in the blank and whether or not that advisory should require the return of a certain amount of details to us.

A motion was made by Braun-Oddo, to recommend to the Plan Commission to not accept the development in the state that it is in currently and that we would like to see:

- More development of the townhouses. Revisit the material choices on the smaller structures, especially Building B2, to limit the boxy appearance of the townhouses. The lap siding should be replaced with an alternate material.
- How Buildings A and C address the new city street. The architecture of Buildings A and C shall be revised to activate the new proposed street more by whatever means appropriate.
- Provide pedestrian connectivity throughout the site, connecting to the dog park from all of the buildings.
- Include potential traffic calming on the City Street (especially as it approaches Sherman).
- More activation for Building A on Sherman.

- The applicant shall submit more detail of the roof terraces.
- The applicant shall provide rendered drawings in more detail in our packets next time.

The motion was seconded by Arnold.

Clarification on the motion:

- So this could conceivably be an Initial Approval then. Is that right, or not?
- I am not sure; Initial kind of accepts all of the basic plan, right?
- Yes. Basically building placements and height, but the details would be what is coming back.
- I am not sure that is possible considering...I think there is enough that I do not want to make a motion for Initial Approval. We need to see a lot more. We need to see more of the rooftop open spaces, more of the views on the city street. No, I would not like to make a motion for Initial Approval.
- The motion is for referral back to the Urban Design Commission.
- (Secretary) To clarify, there are two different ways to make a motion for referral. One is for the motion just for the referral and not to make a recommendation to Plan Commission. The other way to do it is for the Commission to recommend to the Plan Commission to refer the item back to the UDC. So you would like to recommend for the Plan Commission to refer the item back to the UDC?
- Yes.
- (Secretary) Typically, it would akin to an Initial Approval. You are fundamentally ok with the project, but if the Plan Commission chooses, they could send it back for a final review prior to final sign off and the issuance of permits. In that case, it is up to the Plan commission to decide if it needs to come back. Again, UDC needs to be advisory and the Plan Commission cannot act until he UDC makes their recommendation. If you wanted to see this before you make a final recommendation that would be a recommendation for referral and you could list the points you wanted to have addressed. Otherwise, it is fundamentally ok with telling the PC recommending approval, but that these set elements should be reviewed for UDC, but then the PC would make a determination if they would like to send it back to UDC for final sign-off.
- I think it definitely needs to come back to the UDC.
- Therefore a motion for referral would not advance the application. So that would be your motion.
- Yes, motion for referral.

Discussion on the motion:

- Is there any reason why the Plan Commission wouldn't be able to take into account our recommendation if we just moved this along? What if the developer were to make changes before going to Plan Commission instead of lengthening the process and having it come back to us?
- (Secretary) If a different motion was forwarded to approve subject to these different items, the Plan Commission could consider that and take up some, all or none. We would hesitate to make significant changes to the project at this point, City agencies are reviewing the application as submitted and we don't want to see changes that would impact other agencies prior to Plan Commission review. The ordinance says UDC needs to make a recommendation on those points that UDC must make.
- Even if we were to recommend to return to UDC, that doesn't mean the Plan Commission will send it back, right?
- (Secretary) Correct, it's been the practice that it would come back, but because Plan Commission is the approving body on the conditional use they would have to make that call.

- I just want to clarify the conditions in the motion related to orientation of the buildings because we were not talking about turning buildings.
- (Secretary) The condition was more about providing active unit entries towards the new proposed street.
- I think its activation, it was not about changing floor plans. I'd like to see an activated street at a pedestrian scale, but not necessarily changing the project.
- So, to activate the new proposed street by whatever appropriate means.
- We're not precluding them from making changes, but we're not requiring it either.
- To clarify landscaping concerns: more details on the landscaping; the plans as presented to us were very hard to read. They used the same icons interchangeably with four or five different plants, making it impossible to see the array of trees along this new city street and exactly what species those were. So, just in general a more detailed landscape plan, more details about the amenity areas, and since they've contracted with an arborist to oversee this site, I would like to see more information about what trees have been identified as possibly being able to be saved in this process. We'd like to see more flowering perennials.
- (Secretary) Is that a friendly amendment to the motion?
- Yes.
- Does a referral or our motion at all impact this project going before the Landmarks Commission?
- (Secretary) Not at this time. The Landmarks Commission is scheduled to review the application on Monday, March 6. A referral by UDC will not impact that schedule.
- A friendly amendment to the motion, precede the motion or start it by saying that the Commission found numerous areas with lack of detail and information in the presentation that was not provided in our review materials, that goes a long way to the reason why we're asking for this to return to us before we forward an advisory recommendation to the Plan Commission.
- I don't think it should be referred. Initial approval is a thing with conditions, and they come back to us. It keeps things moving.

Restated Motion:

A motion was made by Braun-Oddo, to refer the application. The Commission found numerous areas with lack of detail and information in the presentation that was not provided in our review materials, that goes a long way to the reason why we're asking for this to return to us before we forward an advisory recommendation to the Plan Commission. The Urban Design Commission would like to see the following:

- More development of the townhouses. Revisit the material choices on the smaller structures, especially Building B2, to limit the boxy appearance of the townhouses. The lap siding should be replaced with an alternate material.
- How the Buildings A and C address the new city street. The architecture of Buildings A and C shall be revised to activate the new proposed street more by whatever means appropriate.
- Provide pedestrian connectivity throughout the site, connecting to the dog park from all of the buildings.
- Include potential traffic calming on the City Street (especially as it approaches Sherman).
- More activation for Building A on Sherman.
- The applicant shall submit more detail of the roof terraces.
- The applicant shall provide rendered drawings in more detail in our packets next time.

- The applicant shall provide more detailed landscape plan, details regarding the amenity areas, including landscape plans and plant details throughout, as well as more information about what trees have been identified as possibly being able to be saved in this process, an updated plant palette to include more flowering perennials and hardwood shade trees.

The motion failed on a vote of (4-3-1) with Braun-Oddo, Arnold, Harper and Klehr voting yes; Bernau, Bennett and Asad voting no; and Goodhart non-voting.

- I didn't support the motion because I don't think it should be referred. I think Initial Approval is a thing with conditions and that is come back to us. Initial Approval keeps things moving.
- I believe that is how staff laid it out.
- (Secretary) That is correct, the Commission would make a motion for a recommendation for Initial Approval, but include in your motion that you would request that the application return to the UDC for Final Approval with the conditions outlined. Basically it is the exact same thing Lois said, but not referring it first. I would make a motion for Initial Approval with all of those conditions so that is moves on, but we see those details come back to us before anything is finalized.

UDC Advisory Recommendation Action

On a motion by Asad, seconded by Bernau, the Urban Design Commission made an **ADVISORY RECOMMENDATION** to the Plan Commission to grant Initial Approval with conditions as outlined below so that the application moves forward, but that the application return to Urban Design Commission for Final Approval. The motion was passed on a vote of (5-2-1) with Asad, Bernau, Bennett, Harper and Arnold voting yes; Braun-Oddo and Klehr voting no; and Goodhart non-voting.

The motion included the following conditions:

- More development of the townhouses. Revisit the material choices on the smaller structures, especially Building B2, to limit the boxy appearance of the townhouses. The lap siding should be replaced with an alternate material.
- How Buildings A and C address the new City street. The architecture of Buildings A and C shall be revised to activate the new proposed street more by whatever means appropriate.
- Provide pedestrian connectivity throughout the site, connecting to the dog park from all of the buildings.
- Include potential traffic calming on the City street (especially as it approaches Sherman Avenue).
- More activation for Building A on Sherman Avenue.
- The applicant shall submit more detail of the roof terraces.
- The applicant shall provide rendered drawings in more detail in our packets next time.
- The applicant shall provide a more detailed landscape plan, details regarding the amenity areas, including landscape plans and plant details throughout, as well as more information about what trees have been identified as possibly being able to be saved in this process, an updated plant palette to include more flowering perennials and hardwood shade trees.