

PLANNING DIVISION STAFF REPORT

November 8, 2021



PREPARED FOR THE PLAN COMMISSION

Project Address: 30 Ash Street and 2300-2436 Regent Street
Application Type: Conditional Use Alteration
Legistar File ID # [67964](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner &
Heather Stouder, AICP, Planning Division Director

On August 9, 2021, the Plan Commission approved multiple requests related to proposed improvements at West High School. This included a demolition permit request to raze a retail building at 2436 Regent Street, and three conditional use requests – 1) for additions to an existing building that exceed 4,000 square feet in floor area in the Campus-Institutional (CI) District without a campus master plan; 2) for the establishment, improvement, or modification of a secondary use occurring outside of an enclosed building in the CI District without a campus master plan; and 3) for development greater than 3 stories/68 feet in the CI District. (Legistar File ID [65850](#)).

Prior to Plan Commission's review, the Urban Design Commission (UDC) reviewed and granted final approval of the improvements at their July 28, 2021 meeting. (Legistar File # [66046](#)) The UDC was an approving body on the proposed building additions. Regarding the site and landscape considerations, the UDC action included an advisory recommendation that the existing landscape limestone be utilized and that an existing masonry wall be retained.

Based on the action of the UDC, the Plan Commission approved the conditional use request subject to the following condition:

Based on the advisory site design/landscape comments from the Urban Design Commission, it is recommended that the applicant reuse existing landscape limestone into grading modifications and that the existing masonry wall be retained.

After the Plan Commission's approval, staff from the City Engineering Division notified the applicant that they had received reports that the retaining wall located along Highland Avenue had potential structural issues. City Engineering staff also conveyed that there were potential concerns regarding future impacts the wall could have on adjacent storm sewer and sidewalk facilities. Planning Division staff understands that this information was provided as a courtesy to the property owner, but was not issued as a formal notice to repair. (The applicant's submitted materials include photographs showing examples of the wall in its current condition.)

While the applicant's original plans had anticipated that the northern retaining wall (along Van Hise Avenue and wrapping the Highland Avenue corner) would need to be reconstructed to accommodate both the building addition and the expanded athletic fields, the need to replace/rebuild the entire wall along Highland Avenue had not been included in those plans. After visiting the site to more closely inspect the condition of the retaining wall, the applicant contacted Planning staff to discuss the structural concerns and their ability to meet the aforementioned condition.

Given the need to either reconstruct or replace this portion of the wall, the applicant has indicated to staff that multiple options have been considered. The applicant's team has estimated that rebuilding the wall with the existing stone would cost an additional roughly \$1.2M. Supporting application materials include comments from representative from Findorff Construction noting concerns in disassembling and reassembling the limestone wall and achieving the same result, including concerns on the age and conditions of those materials. Please see the applicant's materials for further information.

The applicant's preferred and proposed option is to remove the wall and install a new system of engineered precast modular blocks (*Redi-Rock Ledgestone*). (Please refer to the submitted materials for renderings and more information on this product) Replacing the entire retaining wall with this system would add an additional roughly \$380,000 to the budget. In their submitted materials, the applicant notes that the "*pattern and color* [of this modular system) *will reference the historic aesthetic of the current wall.*" Furthermore, they note that some of the existing stone will be salvaged and repurposed as a landscape feature on the West High School site as well as at the new Southside Elementary School at 501 E Badger Road.

Staff indicated that since this wall had been the subject of a specific approval condition, its removal and replacement would need to be reviewed by the Plan Commission, rather than being approved administratively through the minor alteration process.

This revised request was reviewed by the Urban Design Commission at their October 27, 2021 meeting (Legistar File ID [68057](#)). While the UDC is an approving body for public buildings, they are not an approving body related to site and landscape issues. As such, the UDC's review was advisory to the Plan Commission. The UDC's discussion acknowledged the structural issues with the existing wall, and members discussed and questioned the feasibility of rebuilding the wall. Discussion also included comments regarding the aesthetics of the proposed replacement wall system, with some members sharing concerns about the potential for a strong horizontal patterning created by the block wall. However, as a body, the UDC did not have adequate votes to pass a motion for this advisory recommendation. A motion advising denial of the proposal failed on a 4-3 votes (Note, while 4 votes were in favor of the motion, 5 votes needed to pass the motion.) A second motion, indicating support for the concept but asking that the design team to consider a different material for the wall that would be equitably priced for the district but be less suburban looking and more appropriate for a city school, failed on a 1-5 vote. No other action was taken by the UDC. A copy of those draft meeting notes are attached in Legistar.

The Plan Commission is advised to review this request and make its findings related to the Conditional Use Standards of Section 28.183(6). On balance, the Planning Division believes that this alteration could be found to meet the Conditional Use Standards, including standard 9 related to project aesthetics. Staff notes that while the UDC discussed the proposal in great detail, the body itself did not pass a formal recommendation. Finally, staff notes that there is email correspondence in support of this request from the District Alderperson.

Recommendation

Subject to input at the public hearing, the Planning Division believes the Plan Commission can find that the conditional use standards are met and approve this conditional use alteration. This recommendation includes the REMOVAL of the following condition from the August 9, 2021 staff report. No other changes to the approval conditions are recommended.

Planning Division (Contact Chris Wells, 608-261-9135)

1. Based on the advisory site design/landscape comments from the Urban Design Commission, it is recommended that the applicant reuse existing landscape limestone into grading modifications and that the existing masonry wall be retained.