



Project Address: 9503 Elderberry Road (formerly 354 Bear Claw Way)

Application Type: Planning Division Referral
UDC is an Advisory Body

Legistar File ID #: [80366](#)

Prepared By: Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Kevin Burow, Knothe & Bruce Architects, LLC | Ryan McMurtrie, United Financial Group

Project Description: The applicant is proposing the construction of an age-restricted senior housing development comprised of a four-story building that steps down to two stories and 162 residential units. The project site will be served by underground and surface parking, as well as amenities, including an indoor pool, fitness room, common areas, and a variety of outdoor amenity spaces.

Project Schedule:

- The UDC received an Informational Presentation on July 12, 2023.

Approval Standards: This item has been referred to the UDC at the request of the Plan Commission Secretary. Pursuant to MGO Section 33.24(4)(a), the UDC “...may provide advice and make recommendations concerning urban design problems at the request of any City department, agency, commission or division.” Section 28.183(5)(a)6 states that an applicant may choose to go to the Urban Design Commission for an advisory recommendation and comment prior to going to the Plan Commission if advised by the Plan Commission Secretary or District Alder.

Staff notes that developments of this size require conditional use approval. As part of the UDC’s evaluation of the proposed development, the Commission should also give consideration to the applicable Conditional Use Approval Standards, including:

Conditional Use Standard No. 9, which in summary states: “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...”

Staff recommends that the Commission include findings related to the applicable Conditional Use Approval Standards, especially as it relates to the design considerations noted below, in their recommendation to the Plan Commission.

Zoning Related Information: Lot 2 is zoned Traditional Residential Urban 1 (TR-U1). The TR-U1 zoning district allows for developments of up to 24 dwelling units “by-right” with larger developments requiring conditional use approval. Multi-family buildings approved as a conditional use are allowed up to five stories in height. As noted in the Zoning Code, the TR-U1 zoning district’s intent is to ensure that development is designed with a sensitivity to context, including building mass, scale, placement, height, landscaping, etc., as well as maintains compatibility between developments of varying intensities through the siting of buildings, parking and screening. For reference the complete purpose and intent statement for the TR-U1 zoning district is attached to this memo.

Staff notes that the current zoning allows for denser development than what is recommended in the adopted plans, as noted below.

Adopted Plans: The Comprehensive Plan recommends “Low-Medium Residential” development, with up to three-story buildings and a recommended density range up to 30 dwelling units per acre. The project site is also located within the Elderberry Neighborhood Development Plan (the Plan), which recommends Housing Mix 2 (8-20 du/acre) for the project site. Housing Mix 2 is defined as being predominantly single-family, however other compatible housing types could include small multi-family with building up to three stories in height. While the Plan recommends up to 8-unit buildings, larger buildings are allowed either “by-right” or as conditional uses by the Zoning Code, as noted above.

Summary of Design Considerations

Staff recommends that the UDC review the development proposal and make a recommendation and findings giving consideration to the following design-related items noted below and the aforementioned Conditional Use Approval Standards.

- **Building Mass and Scale:** The character of the area surrounding the project site is predominantly residential, with a variety of built forms, including smaller-scale multi-family residential buildings, townhome, duplex and single-family housing, however buildings remain relatively small in mass and scale. As such, one of staff’s primary questions is the scale and mass of the proposed structure in relationship to surrounding buildings.

As noted above, the existing zoning for both lots allows up to 24 units “by-right” with conditional use approval necessary for larger developments. Despite inconsistencies with plan recommendations, the established zoning allows heights up to five-stories if a conditional use is granted for a building with more than 24 units. Considering that the proposed building is significantly larger in both mass and scale than what is recommended, staff requests the UDC provide feedback and findings on the building mass and scale as it relates to Conditional Use Standard No. 9, which speaks to creating an environment of sustained aesthetic desirability and maintaining compatibility with context and identifiable character of the area.

As noted by the commission in their Information Presentation Comments, there was concern for the mass/scale of the four-story component being out of place with the neighborhood, especially with regard to consistency with the adopted plans, context, especially along Lakota Way, and the orientation of the building’s mass. Staff recommends consideration could be given to the appropriateness of the location of the perceived mass relative to the surrounding context.

- **Building Orientation:** As shown on the site plan, building connectivity to the street is limited to only common building entries. Staff has raised the need to adequately orient towards the street, with active unit entries and uses as a consideration in pre-application discussions. Staff requests the UDC provide feedback related to the building orientation and siting.
- **Site Planning Considerations – Surface Parking:** As indicated on the site plan, there are multiple surface parking areas that are surrounded by the building with residential units oriented towards them. As such, consideration should be given to the design and treatment of these parking areas, especially in terms of mitigating headlight glare and providing an adequate buffer for the residential units.

As noted by the Commission in their Informational Presentation comments, consideration should be given to minimizing the surface parking areas as much as possible at the edges of the open space areas,

incorporating healthy landscape buffers for the residential units and the outdoor amenity spaces, and providing better pedestrian connections and crossings.

Staff requests the UDC provide feedback related to the proposed surface parking areas, especially as it relates to providing sufficient screening from the street, and adequate buffers/transitions between vehicle and residential uses, as well as incorporating other design elements or alternative parking configurations that could promote pedestrian connectivity.

- **Building Composition and Materials:** As noted in the application materials, the material palette is primarily comprised of masonry and composite siding. Staff notes that while the overall material palette is relatively simple and consistent with surrounding context, consideration should be given to the materials and detailing, especially as it relates to breaking down the four-story mass and overall scale of the building.

As noted by the Commission in their Informational Presentation comments, consideration should be given to utilizing more of a “townhouse” form to create more of residentially scaled building rather than a big sprawling building. In addition, the Commission noted that consideration should be given to the overall simplification in the design details and use of materials, including the stone, window patterns and mullions, and the arched forms, etc.

Staff requests the UDC provide feedback and make findings related to the exterior building materials, especially as it relates to the Conditional Use Approval Standards.

Summary of Informational Presentation Comments

As a reference, the Commission’s comments from the July 12, 2023 Informational Presentation are provided below.

- The staff report notes concerns with the aesthetic compatibility with the stated plans.
- What is the parking ratio?
 - 1.3 ratio, achieving 1:1 underground while trying to keep the surface parking to a minimum.
- The scale of the buildings. The Comp Plan talked about low to medium residential up to three stories and 8 units, this is so much larger. The four-story building is still troubling to me along Lakota Way. With the scale of the buildings, I wonder if it would be better to orient Building 31 toward Spirit Street versus Elderberry, I’m thinking of the apartments facing the street, that it might be a more peaceful setting out your front window to face a residential street rather than a roundabout.
 - We’ve laid this out as such for the outdoor gathering space on the southern side wherever possible, and trying to help anchor this corner (it is not a traditional street corner) by providing a contiguous building form along Elderberry, breaking down to a smaller scale along Spirit Street where we transition to smaller scale single-family residential.
- The question for the Commission other than the design of the buildings will be that aesthetic compatibility with the neighborhood, among other things.

The Commission discussed the following:

- Regarding the site plan view and renderings of the park space to the east: I like the network of trails and space as an amenity, but it has such a long boundary on two sides by vehicular circulation. That edge of the park itself along the parking lot really feels like it needs a healthy landscape buffer so you can feel comfortable and get good use out of that space, more separation from the cars. In general I feel like the parking ratio is a little high for the use, and that would certainly help your site planning and outdoor

amenity spaces if you had less surface parking. It doesn't need to be a drastic shift, even losing some here and there for better pedestrian connections and crossings, more generous open space seems like something you could afford to do within your overall numbers. Otherwise there's some nice outdoor amenities and it seems like pretty good connectivity between sidewalks and those amenities. Focus on a better balance between the parking and open space, the edges of the amenity spaces.

- I'm struggling with how much is going on. I appreciate the restraint of the materials. There's a lot of roof pitches, this could be improved by simplifying some things; the roofline could be one form. The datum for the stone elements comes and goes, if you use the stone element on one full geometric element rather than try to stop and start it in a horizontal way, it might be beneficial. Same with some of the window forms, the size of the penetrations and the mullion patterning. If you could simplify it I think it would benefit without changing your plan at all or changing the feel of the whole development. It's a little chaotic and random for where things start and stop. The bumped out prowed areas with a heavy cap, if you look at where that interacts, that tension, the edge of the cap wants to hit the roof form coming around (downspout), those are the things that start making it look not purposeful. Clear all that away and start to layer things in a more purposeful manner to give the forms more stability. The arched forms look foreign, maybe if they were squared off, they're starting to look a little institutional, like in a church or campus building.
- Of all these elevations, that four-story component is really out of place with the neighborhood, especially on Lakota Street, considering with what we know is across the street. I'm thinking that if you could take those gabled prowed elements, they would be the masonry units and the recessed portion is where you use some of your residential lap siding so these really start to express themselves as tenant occupied elements, with a form of being more like townhouses rather than a big sprawling building. You could do that to some degree around the entire project. It's not meant to be a one-size-fits-all design solution but to express those units more like a townhouse unit like you might see throughout the rest of the neighborhood. With regard to the site plan, for that Building #3, I agree with Shane's comments but want to be sure the berming of that park along Spirit Street isn't creating an isolated zone that is separated from the neighborhood. One of my biggest concerns is that four-story element along Lakota, and screening as much of that parking lot of Building #3 from Spirit Street, which is much more of a residential street. That's a good corner to try and anchor.

Appendix

Additional Zoning Information

The referenced statement of Purpose for the **TR-U (Traditional Residential Urban Districts)** states:

The TR-U Districts are established to stabilize and protect and encourage the essential characteristics of high-density residential areas and to accommodate a full range of life-cycle housing. The districts are also intended to:

- (a) Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.
- (b) Promote the preservation of historic buildings and districts within or close to concentrations of high-density housing.
- (c) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.
- (d) Encourage restoration of single-family dwellings previously converted to multi-family units back to single- or two-family dwellings.
- (e) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.
- (f) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.