



Project Address: 802-826 Regent Street & 9 N Park Street

Application Type: New 10-Story Residential Building in Urban Mixed-Use (UMX) Zoning
Initial/Final Approval is Requested

Legistar File ID # [70450](#)

Prepared By: Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Alison Mills, CRG Acquisition, LLC | Alan Barker, The Lamar Johnson Collaborative | Russell Kahn

Project Description: The applicant is seeking Initial/Final Approval for the proposed development of a 10-story residential building in the Urban Mixed Use (UMX) zoning district.

Project Schedule:

- UDC Received and Informational Presentation on March 30, 2022.
- The Plan Commission is scheduled to review the proposal on July 25, 2022.

Approval Standards: As the proposed development is in excess of four stories, the UDC is an **advisory** body on this request. Section 28.076(4)(c) states that: *"All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission 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."*

Adopted Plan: The project site is located with the [Regent Street-South Campus Plan](#) (the "Plan") planning area. The Plan identifies the project site, along the Regent Street frontage being within the Regent Street Business District and the Park Street Corridor Special Design Guideline Districts. The Special Design Guideline Districts were created with the intent of providing unique opportunities for targeted development within the neighborhood. Generally, this area is intended to create a higher intensity, urban transition zone between lower density residential to the west and the more urban scale and character of Park and Regent Streets. The Plan outlines specific design buildings and development parameters, including those related to building corners, street activation, glazing, entrances, the location of service and parking areas, as well as height, setbacks, and stepbacks, which are outlined below.

The Plan's recommended maximum base height is eight stories, or 116 feet, whichever is less. However, up to two bonus stories, resulting in a maximum height of ten stories (144 feet), would also be consistent with the plan with LEED Silver Certification. While the plan considers the ninth and tenth floors bonus stories, the property's zoning has a maximum allowable base height of 10 stories, and therefore, there is not a formal conditional use request for bonus stories.

In addition, the Plan also notes design guidelines for stepback and setback requirements. Within the Regent Street Business District, a 10-foot building stepback at both the fourth and eighth floors is recommended, as well as an eight-foot building setback from the street for buildings over eight stories in height. As noted in the plan, these requirements are applicable to all of the properties fronting on Regent Street, as well as the corner property at N Park Street.

A minimum setback of eight to ten feet from the street is recommended in this portion of the Park Street Corridor. This requirement only applies to the 9 N Park Street property. (Note, the base setback on Park Street is recommended at ten-feet, but a note in the plan references this corner property should match setbacks and stepbacks on Regent, which is recommended to have an eight foot setback.)

As currently proposed, the development plan is **not** consistent with the Plan setbacks and stepbacks along N Park Street.

Summary of Design Considerations

Planning Division staff requests that the UDC review the development proposal and make findings based on the aforementioned standards and guidelines for development in the Urban Mixed Use (UMX) zoning district. As part of the Commission's review design considerations are identified below.

- **Plan Consistency – Setbacks and Stepbacks.** As proposed, while the building appears consistent with recommendations related to the Regent Street recommendations, it is **not** consistent with the setback and stepback requirements along N Park Street as noted Regent Street-South Campus Plan (the "Plan").

Along Park Street, the plan recommends a minimum setback of eight to ten feet, with additional eight-foot stepbacks at both the fourth and eighth floors. The stated purpose of the setbacks and stepbacks is to create an enclosed urban environment that is necessary to promote the enhanced pedestrian amenity zone and active street life that is envisioned to include uses that are appropriate for both commercial and residential development, as well as those that contribute to creating a vibrant urban environment, i.e. merchandise display area, outdoor dining, vestibules, seating, bike parking, landscape, etc.

As proposed, the setback along N Park Street is roughly three feet, as measured from the property line to the closest face of the building at the second floor. The first floor is recessed approximately 15 feet and separated by steps, columns, and a planter instead of one larger at grade pedestrian zone. In addition, building stepbacks have not been incorporated into the building design along this frontage, which includes a relatively consistent building mass between the second and tenth floors.

Staff acknowledge that these specific setbacks and stepbacks are not required by zoning, but are not in conflict with those regulations. And while not reflected in the development immediately across Park Street, they have been carefully considered and followed elsewhere in the corridor since adoption of the plan.

Ultimately, the proposed setback and stepback requests will be considered by the Plan Commission as it relates to the applicable conditional use standards, including those that speak to creating "*...an environment of sustained aesthetic desirability compatible with the existing and intended character of the area...*" Staff has concerns regarding the proposed three-foot setback along N Park Street with regard to plan consistency, especially as it pertains to the streetscape design.

The plans that were previously discussed with staff and presented to the UDC at the Informational Presentation included a 10 foot Park Street setback, though it did not have the recommended stepbacks.

- **Building Composition.** The overall building material palette is relatively simple, comprised primarily of masonry and metal components. As part of the Commission's Informational Presentation comments, the Commission noted concerns with regard to the overall expanse of the dark masonry materials, not only as it relates to the larger cityscape, but also to the overall mass and scale of the building and its elements.

The Commission provided design considerations, including utilizing a lighter color brick or potentially incorporating the warmth of the wood elements or metal panels on upper floors.

In addition, the Commission requested more details regarding the materials composition and transitions along the ground floor, especially around the storefront window systems, as well as the cantilevered elements on the east and west elevations. Staff requests the Commission's feedback and recommendation on the overall building composition, especially as it relates to the dark masonry and ground floor details.

- **Access Drive Activation.** Current development patterns lend themselves to a mid-block connection between Park Street and East Campus Mall. As proposed and previously noted, the site circulation affords the connection to be maintained, either onsite or in conjunction with the adjacent properties. Both the Downtown Urban Design Guidelines and Regent Street-South Campus Plan speak to orienting building facades toward public spaces, including guidelines that encourage active uses and pedestrian-scale architectural features being located along the street/pathways. As noted in the Commission's Informational Presentation comments, consideration should be given to maintaining the connection, as well as the design of the access drive, not only as it relates to safely accommodating vehicular traffic, but also pedestrians, and cyclists. Staff requests the Commission revisit the treatment of the building and design of the access drive.
- **Landscape Plan.** While raised planters are shown along Regent Street and N Park Street within City right-of-way, additional coordination is required with City staff regarding the details of the planters, height, plantings, etc. Right-of-way improvements are not under the UDC or Plan Commission's jurisdiction. As part of the Commission's consideration, it is important to recognize that the proposed raised planters and landscape may not be possible along either street frontage. Staff requests the Commission's feedback and recommendations as it relates to on-site improvements in the event that the raised planters are not possible.

In addition, staff requests the Commission's feedback and recommendations the on proposed landscape plan with regard to providing an adequate screen for ground mounted utilities and surface parking areas, and relative to adding interest and softening rooftop amenity spaces.

- **Sign Areas and Types.** As shown on the building elevations, a number of sign areas and types are indicated, including wall signs and canopy, both above-canopy and fascia mounted signage. While a sign location is noted for the ground floor commercial space, it does not appear to be well integrated with the architecture of the building. Staff requests the Commission's feedback and recommendations in identifying clear sign locations, especially for the ground floor commercial space on the west elevation, as well as preferred sign types. In addition, staff requests the Commission's feedback and recommendations related to the proposed wall signage mounted above the second story.
- **Site Lighting.** The photometric plan appears to have inconsistencies with the City's Outdoor Lighting requirements (Section 10.085, MGO) for medium level activity areas, including light levels in excess of 2.5 footcandles along pedestrian pathways. As a potential code compliance issue, the applicant is advised that an updated photometric plan, consistent with MGO Section 10.085, will be required to be submitted for review and approval prior to permitting.

Summary of UDC Informational Presentation Comments

Planning staff refers the Commission to their comments from the March 30, 2022, Informational Presentation:

- I like the massing, very successful. Like the inset balconies, some of the tectonic push and pull. The metal panel coming down throws me off with the brick, the way two different colors work together. I don't know that that second, third and fourth floor piece wants to be black. Something is off with the brick. The rest of it is very successful. I like some of those wood grain details, the glazing on the ends and the outdoor rooms, the way you did the canopy. Overall it's good we just need to look at how the dark brick interacts/flows in/connects to the orange brick.
- I like the yin and yang of this building. The massing, I totally get how you did the carving and stepping; maybe it needs a little bit more following the yin and yang in the area where it comes down at the entrance. It may be more successful if you were to leave that as a slot or gap in the lighter brick but I think you're doing this overlapping of brick, maybe just leave that as a horizontal overlay. Try to keep all of the fenestrations more regular. Simplify the fenestrations and try to make them more regular, and get rid of that middle coming down. As a pedestrian or even in a vehicle you won't read that. Everything above that isn't going to help queue this as the entrance. I do like the way they slip past each other.
- Pay particular attention to how pedestrians will use that alley safely and how it will be lit. It will be highly used, even for pedestrians, it should be safe not just for vehicles, but also lighting levels.
- Safety in that alleyway. How close is this with the apartments facing parking? Looking into a parking garage, will there be competition of headlights facing these residential windows.
 - We should look at that more closely, good comment.
 - We can definitely look at that. The apartments are on average 35-feet away from that building.
- The way the base is handled here, the ledge before the glazing is a really nice touch. Gives it enough detail to make walking past there a little more interesting, I really appreciate that detail. With so much brick I struggle with the type of windows shown. The way you're treating the brick so far is pretty flat, that clean style window with just a nice clean trim is competing with the scale and detail of what a brick can do. Consider metal panel instead of brick, or maybe the windows...it's just competing. The brick façades you shared have much more detail, will you have more detail on your brick?
 - We definitely plan to add more detail specifically at the base. We did intentionally keep the windows simple so the windows and massing could speak for itself and wasn't too busy. As we develop this we'll continue to add more fenestration and detail and balance with business and simplicity.
- The view looking northeast along Regent Street, how that brick ends when it is cantilevered over the entry space below. The detail along the base of the building is so nice and then that overhang, for brick particularly at that corner seems contradictory to what brick is. Maybe a detail that shows a lintel or something similar to how you cap that bottom piece, it makes the brick look paper thin when the massing is not paper thin.
- I really appreciate the setback along Regent Street compared to where we are today. Commend the quality of materials, the cohesive organization and the restraint in color. We're really looking at a subtle difference in textures, it's really nice. Hope you take some of those images and details and apply them to the openings, corners, material transitions, that's what's going to make this building be appreciated as we drive and walk by it time and time again. The more I look at it the more I really like it, I would hesitate to add lintels and other things. Running bond brick does not indicate it's a load bearing material, it's a skin. I hope you use your details in a way that does not add fussiness but just brings to life the long façade. Nice project in a number of ways.
- I really like the 15-foot setback on Regent Street. The two corner treatments, opening those up, creating an overhang makes those so much more inviting. Always a fan of inboard balconies. Like the break of rhythm between the punched windows and two-story vertical band. Still struggling with the amount of

dark brick, I go back to the James building and the ominousness of big dark buildings. It makes the building somewhat heavy, I would suggest showing us what your studies look like with other colored bricks or materials that might lighten some of that very dark expanse.

- You mentioned dark glazing, why?
 - It's as clear as we can get it, but during the day glazing shows as dark. That's going to work well in our opinion with the dark metal panel on the upper story.
- This east view really grabbed me. I too thought this was too much dark brick, but this treatment at the end with that square cut-out, the wood or faux wood material makes all the difference in the world. I find those insets totally lightens it up. You have to be judicious about the use of that but it totally works on this end of the building. Possibly some modest element of that could be utilized on the second tier of floors 5, 6, 7 and 8 to take away the ominous monolithic effect from that much black massing in one place. Handsome building overall, love the street level treatment with the planters, encourage your landscape architects to avail themselves of the increasing nice variety of columnar trees to use in those planters that will get nice height. The entrance on Regent Street, I guarantee where you have that entry with the canopy that people will be stopping there to do pick-up and drop-off and causing traffic havoc.
- There was a letter sent to the Commission that had some wise things to say about the nature of these types of developments, the University's population keeps growing but they're not necessarily building the housing to accommodate all these students. Higher density projects like this for people who don't want to rely on cars and want to walk to the University or the Hospital, good points that are well-taken.