



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 3100 E Washington Avenue
Application Type: New Multi-Family Building in Urban Design District (UDD) 5
UDC is an Approving Body
Legistar File ID #: [77926](#)
Prepared By: Jessica Vaughn, AICP, UDC Secretary

Background Information

Applicant | Contact: Nick Orthmann, Bear Development | LLS Enterprises, LLC

Project Description: The applicant is proposing the construction of one five-story building to be comprised of 192 apartment-style units. The project will also include 5,800 square-feet of amenity space and 142 parking stalls (55 surface stalls and 87 structured).

Project Schedule:

- The UDC granted Initial Approval with Conditions on September 20, 2023.
- The UDC received a second Informational Presentation on July 26, 2023.
- The UDC received an Information Presentation on May 31, 2023.

Approval Standards: The UDC is an **approving body** on this request as the project site is located in Urban Design District 5 (“UDD 5”). Under those standards, the Urban Design Commission shall review the proposed project using the design standards and guidelines for that district in MGO Section 33.24(9).

At the September 20, 2023, UDC meeting, the Commission granted Initial Approval of this item with conditions that generally spoke to updating the landscape and lighting plans, as well as providing a final materials board, and details related to materials and material transitions, design details of the “cube” and site circulation and turning movements. The Commission’s subsequent review and continued evaluation of this item should focus on whether those conditions have been addressed.

In addition, the following condition was adopted by the Plan Commission as part of their review and approval, which is also subject to confirmation by the UDC:

That the applicant make the following changes and additions to the northeast corner of the building near East Washington Avenue, with details to appear on the plans submitted for UDC final review and approval:

- *The space between the building and back of sidewalk shall be concrete.*
- *The vertical wall of the pedestrian ramp to the front entrance shall be a finished or colored concrete.*
- *Increase fenestration for the community lounge adjacent to the pedestrian ramp.*

Zoning Related Information: The project site is zoned Commercial Corridor-Transitional (CC-T). Within the mixed-use and commercial zoning districts there are general provisions related to building and site design that are intended to foster high-quality building and site design. Such standards are outlined in [Section 28.060](#), including those that speak to building and entrance orientation, façade articulation, door and window openings, and building materials (see attached).

Summary of Design Considerations

As noted in the applicant's submittal materials, the development plans have been modified to address the Commission's Initial Approval conditions as enumerated below. It is the role of the UDC to review the revised drawings for consistency with the conditions of approval as outlined below. Please note that as conditions of approval, they are required to be met. The UDC's role is to ensure these previously established conditions are met, however they cannot waive or change these requirements. Staff requests the UDC's final action to reflect the following:

- That the applicant make the following changes and additions to the northeast corner of the building near East Washington Avenue, with details to appear on the plans submitted for UDC final review and approval:
 - The space between the building and back of sidewalk shall be concrete.
 - The vertical wall of the pedestrian ramp to the front entrance shall be a finished or colored concrete.
 - Increase fenestration for the community lounge adjacent to the pedestrian ramp.
- Update the landscape plan notes to state that a new fence will be installed versus the existing fence material being reinstalled.
- Replanting the arborvitae along the northwest property line that is shared with adjacent residential properties.
- Updating the lighting plan shall be updated to match existing site plan and MGO 29.36.

Staff notes that with regard to lighting, the lighting plan will need to be updated to reflect light levels (maximum averages, minimums, maximums, and uniformity ratios) for the areas identified in MGO 29.36, including pedestrian, parking, and vehicle use areas versus providing light levels over the entire site as shown on the current plan. Staff recommends that the UDC address the continued review of lighting in their formal action.

- Provide a final materials board.
- Provide additional details shall be provided related to the application of materials and material transitions, including providing details that show the relief in the transitions between materials, detailing of the coping at the top of the building, etc.
- Provide perspectives and final design details for the building elevations that are interior to the site, including the "cube".
- Provide additional information regarding the site circulation in particular with regard to passenger vehicles and truck turning movements.

Summary of UDC Initial Approval Discussion and Action

As a reference, the Commission's comments from the September 20, 2023, Initial Approval discussion and action are provided below:

The Commission had the following questions for staff and the development team:

- On various plans there seem to be reference to removing and reinstalling the wooden fence that starts where the row of arborvitae ends. I'm curious of the intention there. We've been asking about these since the first informational presentation; some have disappeared from the new plans and some of them seem to be staying. I'd like to know the plans for the wooden fence, as well as the arborvitae, as discussed by the neighbor.
 - We have to regrade that so unfortunately those trees aren't going to be able to be preserved. The existing evergreens will be preserved (along Ridgeway Avenue) because the grading does not impact those. The wood fence will be removed for grading and to remove vegetation; it will be replaced at the end of the project.
- You're replacing it? There is a reference in the notes to removing and reinstalling, the implication being you would reuse the pieces, which doesn't seem feasible. Seems like a new fence should go up.
 - Our intent is to remove it and reinstall it to the greatest extent possible.
- It's in pretty rough shape. Wood fences have a finite life span. Reinstalling new materials would be the way to go. The area adjacent to the speaker's yard, I can appreciate as the work goes on that those arborvitae would have to be removed. Would you be amenable to replanting those once the grading work is done?
 - I think we would be open to that.
- There are new varieties that grow very fast, columnar and narrow. As a concession to the neighbors that would be the decent thing to do.
- Audio cut out at 5:01 p.m.

Alder Latimer Burris spoke as a resident of the neighborhood and Alder for this project. Neighbors are concerned about the ability to get in and out of Melvin Court and get around the neighborhood with limited access, and concerned about parking. There are concerns about the F35s, and the noise levels and mitigation. There is an understanding that there is a housing shortage, but housing that connects to the neighborhood should be the goal. She is willing to meet with the developers offline and work on strategies to address the neighbors' concerns. I think the neighbors are interested, but they don't want to be disrupted.

- The applicant is requesting Initial Approval? In the staff memo there are a number of design considerations, including building siting, building orientation, building design and materials, landscape and lighting. You cannot get Final Approval because materials were not submitted.
 - Yes, I apologize for confusion on submittal materials. I believe those materials were included in our Land Use Application. Did not all materials get passed on to the Commission?
 - (Secretary) The materials that were updated were the materials that were provided to the Commission. Materials that did not get passed on had not been updated to reflect the latest design changes that came late in the process, including the materials board and lighting plan. This does not preclude the Commission from moving forward with either an Initial Approval with conditions or Final Approval with conditions that are to be worked out administratively or coming back to the Commission for Final Approval.
- In looking at the staff report, how are you addressing the design considerations in the staff report, especially with regard to addressing East Washington Avenue, and pedestrian connectivity internally and externally to the site?
 - One of the issues that came up earlier were the units fronting East Washington avenue, so we stepped the building back and do not have units right on the property line. The only uses right up against East Washington Avenue are the fitness center and patio area. The siting of the building is consistent with the overlay district and CC-T zoning, so I believe we are meeting those guidelines. We have broken up the massing by adding an angle in the footprint as well as materials.
- There is a lot in the memo, and I am not sure that the development team has addressed.
- Is the entrance on East Washington Avenue near the corner, the only entrance?

- The main entrance along E Washington is near the corner. There is not parking along East Washington, so not too many residents will be coming in from that direction. However, on the back of the building, there are additional entrances. There is a full level of parking below grade, so its not just the
- (Secretary) To clarify, are there any building entrances along East Washington Avenue?
- No, there are not.
- Looking at final materials palette and details are required for Final Approval and properly labeling materials. Can we talk about the materials – siding and cement board. What materials are part of this project?
 - All along the base of the building is a masonry brick product, at the top is a white cement board panel with reveals to match the finish. The brown greyish color with the reveals as well, those are cement board. Where the lines go all the way through in the second half of the elevation - we have about five or six materials total. The blue is an accent color.
 - (Secretary) What is this material – panels between windows?
 - That is cement board.
- So the blue material – what is that metal panel?
 - The blue is painted cement board.
- There is still a portion of the building that abuts the property line on East Washington – is there a maintenance strip there.
 - Here is about eight inches there.
- What will go in there?
 - It is not big enough to support plantings, likely just a gravel strip.
- On the elevations, what is the plan on the roof detail?
 - It will be a white coping to match the white cement board. There is not a top cornice feature intended with the modern design.
- The blue painted cement board, how much articulation is there?
 - There is about six inches of reveal.
- I am struggling with the lack of information and details.
- The corner along East Washington is much better, a clear improvement. The patio entry at the crotch of the building, is that a public entry?
 - Yes.
- If someone has a unit on the far south end and they park in the parking lot, are they coming through the patio or are they coming back through the ADA parking stalls?
 - They can get in through the patio.
- There is a series of four vignettes, looks like you were studying the green space and the massing of the building on the south west end – could you please explain those?
 - What we did there is tried to see if we could get any significant gain in greenspace. And with keeping the five story limit for zoning and keeping the number of units, and not losing any more parking; in some cases we ended up where we could do it but would have a setback issue. There were other cases where we were not gaining any significant open space. The goal was to get as good of a design as possible for the courtyard open space. We ended up with a terrace area with a pergola outside of the club room, and then we have different pockets of open space. We added a dog run and turf areas, and we have the terrace space and pockets of green space, two off the terrace and one up by the cul-de-sac. Also at the end of Melvin Court, there is a pathway as well as to Ridgeway.
- Could you describe the parking layout below the building? Maybe just the number of stalls and how that relates to the number of units.
 - On the lower level there is 101 plus parking stalls. There is one-way in/out. That is due to alleviate concerns with circulation. There is a double loaded parking deck below.

- There's no 3-bedrooms but you're applying for affordable housing, which says kids. Is there any programmed outdoor space besides a dog run?
 - All of the units are affordable, and they are all one and two-bedroom units. In those types of units there are fewer children which influences some of the site design. The unit mix was intentional based on what we think works in the market. Site amenities for children include the greenspace, and the park is down the street, so we are hopeful given the limited number of children given the unit types and the proximity of the site to other amenities.
- There's some improvements, particularly where the ground floor units are setback and raised off the street. Staff has concerns about blank walls, but considering this ramps down to a cloverleaf insulating the residents from the traffic is just as important as pedestrian activity on that portion of East Washington Avenue. What concerns me the most: not being clear about the façade articulation and some of the details to make sure this isn't just a super flat cement panel building, which could be resolved with more detailing received by you. We asked last time about our concern with that cube that sticks out and it still looks like it's the full height element; we talked about bringing that down to two stories so that we could get more light and openness in the courtyard area, but we don't see any views other than flat on elevations of that part of the building. The other concern is the site plan, thinking about people hunting for a parking space and having to back out with nowhere else to go if the lots are full. One if you could reassure if you could provide information on the detailing and two, if you could talk about what improvements you have made to the inner courtyard, to the cube and then the parking.
 - We did shorten the cube from what we had previously, but we didn't take it down to two stories from the five in terms of maintaining units, that was impossible here.
 - In terms of the parking a lot of times it's assigned parking, except for the guest parking. With assigned parking it makes for less concern about full lots and backing out.
 - The concern with the cube, 192 units is really important to the program; if we took that down we'd have to add units elsewhere, which may not work as great, so we just shortened it a little bit.
 - As far as parking, I don't anticipate surface parking being assigned, it might be first come first served. With regard to circulation, we can study the turn-around for a solution. We have the existing arborvitae in that location that we're trying to protect.
- I would be more convinced if there were 3D drawings to the level of the street side of the building showing what the final design looks like on the inner part of the building; that would help with the cube as well as some of the materials and articulation concerns we were talking about.

The Commission discussed the following:

- I could support a motion for Initial Approval. Generally, the goal is to get your project approved, so you want to present it in a way so that there are not 3,000 questions. There's improvements but some were glossed over. If the Commission has to fight to get that information we miss a lot of things. If you are requesting Final Approval make sure that your presentation is thorough to where there is no question. A lot of good things that have happened since the Informational Presentation, but there's a lot of holes in the submission: material boards, lighting plan, underground parking, detailing and fenestration on the building. So there are a lot of good things done, but that aren't resented or captured.
- I concur. I got excited with the nice East Washington side renderings, they are well done. Then I was disappointed when it didn't show the other side of the building, which had as many concerns. The elevations were awkward last time and tough to get a grip on. This project has gotten so much better, most of what I had disliked has disappeared. A good project in a really tough location, this is not a great intersection for multi-unit housing. We'd like to see a better representation of what it will look like.

Alder Latimer Burriss spoke as a resident of the neighborhood and Alder for this project. I think this is great; we do need housing, but this will not be appropriate for family housing because it's simply not safe. East Washington is very busy and there is lots of speeding and you take a risk crossing the street. I would like to, if

there's a space for us to get together, to get up to speed with staff, and to engage the neighborhood with these designs, because it is easier to engage upfront instead of afterwards. Parking and traffic is not something you can totally control, but it is going to be an issue that needs to be addressed. To comment on the design, it's a mix of people in the neighborhood, a lot of people have been there forever, there's hipsters and empty nesters. I don't think it needs to be three bedrooms, because it is a nice mix. But that the Housing Task Force might help the developers do the right thing.

Action

On a motion by Asad, seconded by Von Below, the Urban Design Commission **GRANTED INITIAL APPROVAL** with the following conditions:

- Update the landscape plan notes to state that a new fence will be installed versus the existing fence material being reinstalled.
- Replanting the arborvitae along the northwest property line that is shared with adjacent residential properties.
- Updating the lighting plan shall be updated to match existing site plan and MGO 29.36.
- Provide a final materials board.
- Provide additional details shall be provided related to the application of materials and material transitions, including providing details that show the relief in the transitions between materials, detailing of the coping at the top of the building, etc.
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