



Agenda Item #: 5

Project Title: 2165 Linden Avenue - Planned Development (PD), Multi-Family Residential Building. 15th Ald. Dist.

Legistar File ID #: 69208

Members Present: Cliff Goodhart, Chair; Lois Braun-Oddo, Christian Harper, Christian Albouras, Jessica Klehr, Russell Knudson and Shane Bernau.

Prepared By: Jessica Vaughn, AICP, UDC Secretary

Summary

At its meeting of April 13, 2022, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a Planned Development (PD) for a multi-family residential building located at 2165 Linden Avenue. Registered and speaking in support were Kevin Burow, representing Knothe & Bruce Architects, LLC; Joe Krupp, and Tyler Krupp, representing Threshold Development Group. Registered in support but not wishing to speak were Edward Niles, Matt Becker and Chris Meyer. Registered and speaking in opposition were Bruce Becker, Sandy Blakeney, Terry Cohn and Linda Lehnertz. Registered in opposition but not wishing to speak were Anne Reynolds, Thomas Liebl, Michael Johns, Andrea Maxworthy O'Brien, Sarah Agard, Ana Shriver, Barbara Gerloff and Phil Biebl. Registered in opposition and available to answer questions were Barbara Becker, Rita Hockers and Mary Thompson. Registered neither in support nor opposition not wishing to speak was Alison Lindsay Mares.

Kevin Firchow, Principal Planner gave an overview of the Commission's purview and spoke to the standards of a Planned Development.

Burow reviewed the redevelopment of entire church property, noting site layout adjustments to the building massing and location of balconies. They are seeking Passive House certification which necessitates a simplified façade to maintain continuous insulation framing. Extensive landscaping is proposed, including a rain garden. The main building entry is located on the southeast corner, with a mix of studios and a common area on the first floor, and apartments on the second floor. The third floor stepback is extended to minimize view of third floor, with a green roof for stormwater management. The façade design still conveys a townhouse feel, with lap siding and masonry in varying colors. Front porches engage the street and are projecting from the building to be self-structured. Variation within the materials and colors keeps the façade at a consistent plane to create this townhome look.

Tyler Krupp spoke to the design evolution in response to input, noting coherence to the design makes it more likely to achieve Passive House certification. The team responded to neighborhood feedback, maintained a commitment to density, looked at roof heights, and went back to earlier suggestions to look at the E. Main Street side of the Marling as a design guide. In terms of the rationale for PD zoning, they were advised to do so by City staff and are trying to meet the general and specific intentions of the PD while being extremely sensitive to the neighborhood and cultural aspect of this project. This is high quality architecture in terms of building materials and Passive House design.

Bruce Becker spoke in opposition, noting the objectives listed in MGO 28.098 must be met to zone a parcel PD. Only objective A was cited in the application (green building technologies). Passive Design touches only on the limits of green design and does not satisfy Objective A. Either the building is green or it is not. No HVAC equipment is shown on the roof (dedicated to rain garden), floor plans don't show a mechanical room for that equipment, and none of renderings show any ventilation.

Sandy Blakeney spoke in opposition. The developer must meet at least one of the objectives in Subsection 1: promotion of green building technologies to encourage sustainable development. Passive House construction is a best practice but the developer makes no commitment to implement these practices. The application doesn't specify what techniques will be used, or details on rain gardens. The green roof sections are only accessible through tenant apartments. This doesn't meet subsection 2b to facilitate the goals of Comprehensive Plan and the neighborhood plan. An amendment to the neighborhood plan is needed to support a zoning change for this parcel. This contradicts the Comprehensive Plan; the project does not facilitate the goals of either plan with the transition along Atwood Avenue to the rest of the neighborhood. This development would be almost same height as the four-story building behind it and 20-25 feet higher than other buildings on Atwood Avenue, this is not a gradual transition. If approval is recommended, it should be made contingent on providing details about how the sustainable measures will be implemented, commit to those, and commit to receiving design certification for Passive House, give details on the green roof and plans for maintenance, and the developer should work to create a true transition from buildings along Atwood Avenue to the surrounding neighborhood.

Terry Cohn spoke in opposition, noting the developer has given no commitment to the green/sustainability features, and no specific documentation.

Linda Lehnertz spoke in opposition, noting that this is not bad looking building, but it doesn't fit this location. Context is important here. The PD should coordinate building forms to achieve better cohesiveness. This building form is only compatible with 15% of the surrounding parcels. They are also required to demonstrate no other base zoning district can be used to achieve a similar development. TSS zoning with a conditional use for additional units and perhaps height, and side yard transition could work. TSS would be appropriate based on the building form and siting, as well as the requested zoning text. The application only talked about Objective A with no commitment to that; only aiming to achieve that or just having good intentions is not what the ordinance requires. The setback of the third story is only 9-feet, that doesn't do a lot to reduce the level of mass on the building. There is very little usable open space on the ground, about 700 square feet with landscaping.

The Commission discussed the following:

- This is a good example of what design by committee looks like. Pretty soon you have the façade of a movie set, trying to look like something where there's no transition in materials, just applique, a lot of extra detail, windows that don't have sills and some do. The scale at the pedestrian level seems large, in a neighborhood like this you want finesse and pedestrian scale at the entry that is less urban. Attention to detail is missing. I'm disappointed with the flattening of this, is this the cheapest way for performance or the only way? I'm not familiar with standard you're referring to. This needs a lot of work, there's a lot of materials, and it's pushed against the sidewalk without any acknowledgment of that.
- One of the things that Kevin mentioned in a finding we have to make is with regard to building scale, massing, setbacks and modulation. There is the requirement that buildings shall coordinate architectural styles, you're speaking to an uncoordinated façade. Building forms is important to speak to, the forms in the neighborhood do still have pretty significant setbacks, and this proposal further encroaches with the balconies and covered porches. Our motion needs to refer to building scale, massing, setback.
- I feel for the developers and architects making changes based on all the input, to me this went backwards. The first one presented so much nicer. Even those adamantly opposed to this project want to see separate units, i.e. townhouse style and part of that is having different materials and colors, but something went awry here. I don't like what we ended up with. As far as massing, this presents as two stories. I don't find the overall mass of the entire development to be anything that should be as controversial as it seems to be, though I do feel for the house at 253 Division Street. Across the street from this whole side of the block are peoples' side yards and garages.
- I credit the team for trying to do the right thing with various green aspects but I share some of the neighbors' concerns and had the same questions. The green roof component seems like an afterthought with no details

whatsoever. What type and how will they be integrated into the architecture, no access other than through people's units. Even if they are low maintenance, they do need some upkeep and care. Will the tenants take care of that, or will you come through their unit? Where is the rain garden on that northwest corner? Other than that the plantings are exceptional, love most of the layout of plantings, there is room for few more trees. Let's see the solar panels in more detail. The neighbors' questions about what is the level of this commitment to Passive House, I believe the developers want to go that route, but there's legitimate questions as to whether this is just talk. Does certification happen before it's built or analyzed later? A lot of questions.

- Big thank you for the community for writing in and commenting. I hear a common theme of questioning the commitment to the sustainability features language in the PD. I'd like to ask the applicant to address that.
 - I left another career to learn development with the understanding we'd pursue green development. We identified Passive House as the next step, as the certification we want to pursue. We are committed in various ways, Joe is committing resources to consultants, we've already spent \$25,000 to a Passive House consultant. We have engaged the best Passive House designer and have a contract agreeing to advise us on this project and work out all the mechanicals for us. Without any guarantees of approval we're that far into this commitment. There's a lot of misinformation about what Passive House is, it really integrates a lot of the LEED components. That tentative commitment is the responsible way to do this. The goal is to obtain that certification, whether you get it or not don't let that be an obstacle to the project. If there were that requirement to approve if we only have Passive House that would scare away any developer, it's not an easy standard to obtain, it's all or nothing. We're training our architect, contractor, doing the work to make Passive House certification possible in Madison. I would discourage you from conditioning the project on the Passive House certification.
- Is there any thought to how energy utility costs are going to be transferred to your tenants.
 - That's one reason a lot of details aren't shown, they emerge as the development goes forward. We have to have discussions about what's possible. We're not sure what will be possible in Madison with MG&E but will explore one meter for the whole building and no utility bills.
- The details provided here only give us enough information to support an Initial Approval at best. Understanding more about fenestration on this building, are these sliding glass doors on the balconies? What are the windows and how do they operate?
 - We haven't finalized the exact manufacturer on windows that is contingent on Passive House. We have sliding doors on the second story but swing doors on first floor level. We were advised to incorporate swing doors wherever possible because of being able to seal the exterior envelope more efficiently. Thermal bridging is a key piece to Passive House, very few vinyl windows could qualify for that.
- This project will ultimately have some needs to exhaust air from restrooms, how is fenestration being thought of as supporting code required ventilation?
 - It is incorporated as part of our mechanical design. We are Learning as we go, it could be a central system.
- The roof plans are a bit sparse, and it was mentioned in public testimony. Usually with Final Approval we'd like to see more detail on the roof plan, I'd like to see more on that. You're showing me there's a lot of thoughtfulness going into this commitment for sustainability features, and you've demonstrated that here with various details in your responses. I'd like to see more reflection of that on the plan details. Not necessarily saying we should sacrifice all concessions or preferences, but we have an opportunity to really consider a preference or more ambitious approach on sustainability features with Passive House certification. It is a challenge and a very appropriate and ambitious way to solve the climate challenges before us. This is the type of strategy needed to reduce fossil fuel use at a very significant level.
- Careful in approving what can be responsibility reviewed by the Plan Commission. We can see solar panels on the roof, we can certainly see green roofs and the Commission can evaluate some of those qualities and the impacts they can have on stormwater management. We can see passive solar energy design elements on buildings, there are certainly things that we can see and approve and make sure are part of the building design before it receives its permit, but I caution the Commission on approving a project on things that may or may not be able to be achieved after the project has been approved for construction.

- They're really hinging this on green technologies to get the PD zoning.
- If the neighborhood plan amendment allows this to work, does that meet the statement of purpose? Is it an end run to get this development approved?
- (Firchow) The development is very specific in terms of the recommendation. What the recommendation is in terms of building form, building height of not more than three stories and no more than 70 units per acre. There are some other strategies to reduce impacts on surrounding properties: incorporating stepbacks, providing landscape buffers, fencing for backyard privacy, side and rear yard setbacks. The UDC could provide specific findings on any of the objectives.
- Are we making a motion to accept the PD and plan recommendation?
- We're advisory to the Plan Commission, a motion would say we advise the Plan Commission that the UDC feels that the PD conditions have been met or not been met for the following reasons. We could use the staff report as a framework item by item.
- I was going to make a motion for referral. Listening to some of the comments about the building massing being an issue but not the height of the building, I think of massing as part of that articulation modulation. The height of the building isn't as much of a concern, but the massing, the setbacks, the modulation, the materials, I feel like it is not cohesive and I can't make a motion for Initial Approval based on that. I do applaud the developer in the sustainability goals, but as far as our purview we have to look at all these other things, so that can't trump all the other things I'm seeing.

A motion was made by Braun-Oddo, seconded by Bernau, to refer this item. The motion failed on a vote of (2-4-1) with Braun-Oddo and Bernau voting yes; Knudson, Klehr, Harper and Albouras voting no; and Goodhart non-voting.

Discussion on the motion was as follows:

- With any indication of a green roof, we need to see the plant palette. All I saw was a narrow strip of extensive green roof which in my opinion doesn't do much. It doesn't contribute to the design or the sustainability as much as it could. I would also point out from the previous version to now, the setback on the north side is really minimized, you have patios right against the sidewalk. Previously we had a bit more language and play with the landscape and building, pockets for ornamental trees which has been minimized. I suspect it's related to Passive House and keeping that thermal envelope simple. It's a tricky spot, Passive House sets an extremely high bar, that's an admirable goal of the project. One of the major concerns previously was that elevated presence of the building up to the street, and now because the patios and steps are all pulled out you have less landscape and it feels larger, with less transition to the pedestrian realm. It does do better job of layering on the ends.
- We're not precluding the Passive House design. It may come down to the reduction of some units to give the building more relief off of the street, but we do have these PD standards that we need to make a finding on and provide to the applicant. Comments on scale, massing and modulation, and the district needs to coordinate building forms and architecture. A patio and balcony right up to the sidewalk is maybe not as well coordinated with the pattern of development as it could be.
- What does a referral mean here? Specifically I'd like to understand what a referral would do in terms of this project's approval timeline.
- It means the project cannot advance to the Plan Commission. It is not denied, it can come back at a future meeting with changes to the design.
- This project has an opportunity to address a number of the concerns if we are willing to make some concessions here. The overall massing, the overall scale, modulation, we'd have to recognize that to achieve some of these sustainability goals it would have to be a simpler building. There are opportunities for this design team to do some further work on the overall exterior expression.
- Granting Initial Approval would mean we're pretty much OK with the box, where it is in relation to the street, all the open space, the height, relationship of the balconies, patios, steps along the sidewalk, etc. Right now the motion before us does not recommend that. No matter what action we take we do need to point by point try to respond to the design considerations in the staff report.

- The massing needing to be this in order to meet sustainability goals doesn't seem to be true. I see some with great articulation. We're not saying you can't have a Passive House because we don't like the square boxes. There are square boxes that are beautifully articulated, but this one isn't it.
- It may be a change in the program of the building a little bit.
- (Ald. Foster) This is a great conversation. There is tension between the townhouse ask of the neighborhood, looking for more coherence and that bumping against the Passive House, and the goal to have a plane on the building envelope. It would be helpful to know if there are any thoughts around the importance of keeping what's a townhouse aesthetic among your considerations, is that something that's more optional, where does that stack in the priorities you've been discussing? How critical is the townhouse piece in play with the neighborhood?
- This isn't anything in opposition to the townhouse aesthetic, but more a concern about the lack of materials and colors. There are some really beautiful townhouses that have a nice repetitive series of elements, especially on smaller blocks like this. The Bedford Street apartments are a fine example of the townhouse aesthetic that has a lot more continuity and calmness as you walk along the building. It gets back to coordination of architectural styles.
- I would agree, I think of townhouses as that repetitive form of each individual unit having its own entryway and stoop. There's a detailing of that. The devil is in the details. I don't know if it can achieve a townhouse look without a little bit of modulation.
- Confirmation procedurally, if the motion to refer is approved, can you clarify what the schedule would be? What would that referral motion mean?
- The zoning map amendment could not be heard by the Plan Commission. It wouldn't impact the neighborhood plan amendment as that is tracking separately.
- We should specify some of the elements of additional details as part of a revised submittal for the applicant tea.
- Building scale, massing and modulation, appropriateness of setbacks. 15-foot is required, this is closer to eight. Agreement that we find that the massing is too close to the street?
- Massing, setback and lack of modulation.
- The overall height didn't seem to be of great concern.
- There's the question of the exposed lower level. I didn't hear a whole lot of discussion on that, it's most pronounced along the west side of the building (Division Street). It has a bit more relief from the property line. With the terracing and landscaping we could make a finding that that could be resolved through design.
- The façade composition of materials was talked about it a lot, the mish mash of colors, historic references and colors.
- Having sustainable features that this Commission could digest, we're not really sure we could approve a project on the hope that a certification could be met.
- The adequacy of usable open space, we didn't touch on this very much. The neighbors commented on it.
- There's not much there. I was a little more concerned with the layering of landscaping, acknowledging there's access to nature and fresh air via balconies, but sometimes the green roof will serve this and I don't see that as the case on this project. There's a neighborhood park not too far away, a bike path, but it's related to the available space for landscaping and stormwater management.
- It could be that the usable space, given that perhaps each unit has a generous balcony, a finding could be made that because it's not a high-rise and there are parks in the neighborhood, that generous balconies would adequately furnish the usable open space in this particular application.
- I hope we as a Commission can send a clear message that we are very supportive of sustainable design. One of the main goals from my understanding was to make sustainable design so common that we weren't really talking about it anymore, it was simply the way to build. Passive House is pushing that envelope even further, the building envelope is a key part of that. I hope we can be behind progressive thought on sustainable design and Passive House, I'm extremely excited that someone as a developer is even bringing that standard to the City. That doesn't excuse all design concerns, but I hope that the applicant hears from us that we're supportive of pursuing Passive House and that it can happen. To that extent, I feel for the architect and client because they're trying to answer to a million concerns. They're trying to answer an awful lot of questions with this project and I

wish we had a little more purview to say no, you don't need to articulate so much and make it more of a conversation in the City so it's not a novelty anymore. Sounds like they're going to come back with this but I'm hoping the message from UDC is supportive of this striving for Passive House.

- Why are we still trying to make the building look like it was somehow designed as individual units in the 20th Century? Perhaps it's time to get the progressive design aesthetic in line with progressive design technology.
- I'd like to offer an opportunity for the applicant to speak to the modulation in the last round of what you presented, there was a depth to some of the bays where residential windows were located. Is there really not a way to get back a level of depth?
 - We are walking a very fine line with this project. We have expert consultants working with us with a substantial investment. The examples cited are a much simpler box unfortunately. This project has to be feasible or it won't get built, it has to achieve the goals of everyone involved, we are getting pulled in many directions, so the modulation and articulation has changed. Having exposed balconies causes many breaks in the thermal barrier, having projected bays creates multiple corners and conditions, causing thermal bridges and breaks. We're struggling for a cohesive design that meets the intent while still achieving the Passive House certification. But we have to realize this is potentially not approvable in the neighborhood given the underlying zoning. The concessions made to get to this point were multiple meetings with the neighborhood, constituents and the alder, to make this neighborhood friendly while meeting those Passive House goals. We can try and modify the design as best we can but it will be a challenge and unfortunately if this gets extended out much further, or if we have to reduce the scale we'll have to walk away. The investment cannot continue forever. Having specific design guidelines are very helpful, we can study in more detail and determine the best solution.

Action

On a motion by Knudson, seconded by Klehr, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a vote of (4-2-1) with Knudson, Klehr, Harper and Albouras voting yes; Braun-Oddo and Bernau voting no; and Goodhart non-voting.

Discussion on the motion was as follows:

- Can our recommendation be neither an approval nor denial, can it be a finding that the PD conditions could be met but aren't there yet?
- There's not a requirement that the Commission has to use the Initial/Final paradigm that it usually does, it could be phrased differently. I can comment on a motion if I believe it meets the threshold to have this move on to the next step.
- The motion for Initial Approval is mostly anchored by the proposed achievements for the sustainability features related to building scale, massing, setback, and modulation. The modulation piece I recognize is a difficult one to accept. I agree with a lot of the comments wanting more dynamism, but to think about bigger priorities, there are commitments that seem to hold up under some scrutiny, and further scrutiny on their next visit with us. This Initial Approval would give them that concession on the north side being closer to the sidewalk than we would normally like to see. That mass coming to the street is our ability to show a preference for urban infill for much needed housing, recognizing that these urban developments aren't always going to be as cohesive with their neighboring buildings. My hope would be there could be healthy planting of the terrace that could be cohesive with and support added mature greenery. This generally approves the exposed lower level, generally approves the proposed usable open space. I would hope there's a strong focus on details, particular refinement of the façade composition and materials for the next round of seeing this project.
- If we give Initial Approval we are approving the box on the site in the proximity to the sidewalk, all of the massing and all we're asking for is an envelope without reimagining of the program or modulation? We've approved a box and we're going to ask for a different cladding on it? We all do very much appreciate any green sustainability goals and getting that needle pushed as far as it can go, but I do want to recognize this body's

responsibility for urban design. There's this shiny object of sustainability and we're ignoring everything else. I feel like we're painting ourselves into a pretty tight corner giving it Initial Approval. Verify we are approving massing, everything for this to sit on the site where it is presently located?

- Yes, unless we specifically say this does not include the design of the freestanding balconies or the projected balconies or any other specific elements. The massing of the box on that site is a function of the program, the amount of units they want to put on this site, not a function of whether the envelope can or cannot be sustainable, and that's our primary mission as one of urban design. Site placement, building massing, modulation and all the other items with the exception of sustainability, does that meet the standards? There are other commissions and neighborhood groups who will continue to have an opinion on this. But even with sustainability, there are things we could actually touch and feel for lack of a better term vs. HVAC systems and envelope design, passive solar design, green roof systems and photovoltaics that we could say yes, they're here. They're not even there yet. The motion has to be very clear as to what is approved and what is still lacking.
- I'm having trouble separating our feelings about whether this should be referred, initial vs. the underlying question about whether we feel the standards for changing the zoning have been met. Are they one and the same or are they two separate things we're dealing with? If all the conditions for a PD aren't met is the rest of this a moot point? The legalese is so disassociated from the elements of aesthetics and design we're supposedly dealing with here.
- For this specific project, the code says this body is advisory on the rezoning and shall evaluate and make specific findings on the design objectives in the zoning code and staff report. The PD zoning is for the development that's before you, unlike other rezonings for unspecified projects.
- Willingly and transparently acknowledging we have an opportunity to give concessions for this developer to achieve this ambitious and unusual building performance goal. The setback piece of this is not as important to me, could you speak to any opportunities to get a greater setback on that 10-foot side of the building? Program tweaks to bring that overall mass back away from the street?
 - The size of the building needs to be 60' wide in order to accommodate underground parking. The placement of the building is still the same but because of the lack of modulation in the façade it is presenting itself to be closer to the street than in the past. Unfortunately it's dictated by the volume, we can't push to the south because of shared access driveway.
- Are there opportunities to reduce parking?
 - We are achieving more parking based on negotiating with the neighborhood. We are installing a stacked parking mechanism to provide 42 stalls for 32 units.
- Can you reduce the parking to minimize the concerns about the setback?
 - We can look at it, if we push the front façade back the basement would become partially exposed, we can see what that means and how it translates against the front balconies and porches.
- Initial Approval really does say the building on the site and basic massing is approvable. Then we look for non-disruptive tweaks when we grant Final Approval.

The Commission noted the following items for the applicant's consideration in making design refinements, including:

- The approval recommendation is primarily anchored by the proposed achievements for the sustainability features.
- The UDC recommendation supports the proposed building scale, massing, setback and modulation. Considering building modulation, the UDC acknowledges concerns regarding the lack of modulation/articulation and wanting more dynamism, but believes that bigger priorities, including sustainability should be considered. UDC supports the commitments to sustainability, which will be further scrutinized under a review for Final Approval.
- Initial Approval supports the proposed north side (Linden Avenue) setback which may be closer to the street than what the UDC typically likes to see. The recommendation noted that this shows a preference for urban infill for much needed housing, recognizing that these urban developments aren't always going to be as cohesive with their neighboring buildings and support the setback for this project.

- Note a desire, if possible, to provide a healthy planting of the terrace that could be cohesive with and support added mature greenery.*
- The recommended approval generally supports the proposed exposed lower level.
- The recommended approval generally supports the proposed usable open space.
- Want to see a strong focus on details and particular refinement of the façade composition and materials for the next round of seeing this project.

*Staff note, terrace plantings are not under the jurisdiction of the UDC. The applicant will need to work with City Forestry to confirm a planting plan.

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