



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** 428-444 State Street  
**Application Type:** New Development in the Downtown Core District  
**UDC is an Advisory Body**  
**Legistar File ID #:** [69486](#)  
**Prepared By:** Jessica Vaughn, AICP, UDC Secretary

## Background Information

**Applicant | Contact:** Kevin Burow, Knothe & Bruce Architects, LLC | Joe McCormick, JD McCormick Properties

**Project Description:** The applicant is proposing the development of a five-story mixed-use building containing approximately 23-26 dwelling units and ground floor commercial space.

### Project Schedule:

- The UDC received an Informational Presentation on February 9, 2022.
- The UDC referred this item on June 29, 2022.
- The UDC referred this item on December 14, 2022, to provide the applicant more time to resolve outstanding design related considerations related to the conditional use standards specific to development adjacent to the park ([MGO 28.139](#)).
- The UDC referred this item on March 29, 2023.
- The Plan Commission is scheduled to review this proposal on June 26, 2023.
- The Common Council is scheduled to review the proposed CSM on July 11, 2023.

**Approval Standards:** The project is located within the Downtown Core. Pursuant to Section 28.074 (c): 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. The Urban Design Commission (“UDC”) is an **advisory body** on this development request. As a new development in the Downtown Core Zoning District, the UDC shall review such projects for conformity to the design standards in [Sec. 28.071\(3\)](#), if applicable, and the [Downtown Urban Design Guidelines](#) and shall report its findings to the Plan Commission.

The proposed project site is also located adjacent to a park. Pursuant to MGO Section 28.139, “*nonresidential development immediately adjacent to the boundary of a City-owned public park shall be reviewed as a conditional use.*” The purpose of that review is to evaluate and hopefully mitigate any adverse impacts of the proposed development on the park, including but not limited to drainage, accessibility, landscape, noise, light, shadow, etc. The Parks Division has provided a letter documenting their nonstandard conditions of approval, which are intended to mitigate adverse impacts of the proposed development on the park, including those related to construction, restoration of the park property, and tree protection. As noted in the Parks Division letter, the review and approval of the improvements within the park will be reviewed and approved by the Parks Division.

As noted above, the UDC is an advisory body on this request. Staff recommends the Commission’s findings and recommendations to the Plan Commission be framed as a motion based on the applicable review criteria, including the Downtown Design Guidelines and the Zoning Code. While the UDC utilizes the Initial/Final Approval framework in certain situations, as an advisory recommendation, staff believes it would be procedurally preferable to provide a singular motion with the Commission’s findings and recommendations.

## Summary of Design Considerations

First, staff recognizes the applicant team for making design modifications to the proposed building consistent with many of the UDC's previous comments, including reducing materials and colors, refining the application of materials on the upper floors, adjusting the building footprint to incorporate windows on the park side of the building, removing the trellis feature on the roof, removing the corner feature, among others.

Staff requests that the UDC review the proposed development and make findings on the design considerations noted below based on the aforementioned standards and guidelines for development in the Downtown Core, as well as the Commission's previous comments pertaining to the items noted below.

- **Building Mass, Scale, and Height.** As noted in previous staff reports, the Downtown Plan and DC zoning district requirements include a four-story height limitation along the State Street frontage and a six-story height limitation 30 feet back from the State Street right-of-way line. While the building appears to be consistent with those maximum building height limitations as proposed, buildings over four stories require conditional use consideration from the Plan Commission. As noted in Conditional Use Standard No. 12, consideration should be given to context, impact on surrounding properties, mass, shadows, and views.

As noted by the UDC in their previous comments and motion, the loft space was recommended to be removed from the building design due to its lack of integration and appearance of heaviness. Doing so, would create a more cohesive architectural expression, and to decrease the mass at the top of the building, as well as reduce the shadow impacts on the park. As part of their advisory recommendation, staff requests the UDC provide recommendations related to the overall building mass, scale, and height (including proposed loft space) related to the surrounding context.

- **Façade Design, Composition, and Articulation.** Staff requests feedback and findings on many of the proposed façade details, including the points summarized below that were noted by the Commission in their previous review comments and motion, including:
  - Revisit the design of the three major bays along State Street, that being the rhythm and proportions of window openings, the change of materials that are in the same plane, the number of different materials, and the corner statement at the park.
  - Other areas of concern are the amount of dark metal panel on the upper floors and the change in materials that are in the same plane on the opposite side facing Gilman Street.

The Downtown Urban Design Guidelines speak to building facades being oriented toward public spaces, including guidelines that encourage active uses and entries being located at the street level, maintaining sensitivity to context and rhythm by incorporating similar façade modulation, vertical and horizontal articulation patterns, and pedestrian scale design details, etc. into the overall building design. As such, consideration should be given to the following:

- Maintaining pedestrian scale and rhythm along State Street, including the mass and scale of the bays along the street, particularly as it relates to the middle bay,
- Proportion and detailing of the windows and doors, especially the roll-up doors along the street,
- Application of materials across all four facades,
- Creating a cohesive architectural expression, including the overall integration of the upper story and loft space into the building design, and
- Material transitions between upper and lower levels of the building.

## Summary of March 29, 2023 UDC Discussion and Action

Staff refers the Commission to the comments from the March 29, 2023, meeting:

- We are charged with looking at, in addition to considering the testimony we heard previously, three major themes, the mass, scale and height, façade design and composition, and finally landscaping. Those are the big points in the staff report.
- Looking at the mass, scale and height, according to staff it is consistent with the Downtown Core zoning height limits where it steps back from four to six stories. My opinion is the scale of the commercial storefront openings seem compatible with State Street in general. However when we get to the facade design composition and articulation, there's a lot going on. I'm concerned that they are confusing visual interest, which is defined as a well-designed building that adds visual interest with excess materials and details. Since this is State Street, a single cohesive design would really provide visual interest along the fabric that we see as State Street. The building in itself doesn't need a lot of ins and outs, colors, and different materials and ups and downs. A single composition that's cohesive will work better along State Street. Particularly that corner element statement, this is really not a corner building, it's a pocket park. This isn't one of the iconic triangular buildings we see along State Street. Again, I would argue for one simple cohesive architectural expression instead of trying to make it look like three of four buildings.
- Although this does fit within what's zoned, there are some three-story buildings across from here, a little bit further down, I think this works. I was concerned about the red piece on the corner, consistency in massing, and when you have three sides that are the same width it feels a little top heavy. This is in the middle of the building in the middle of the block, just take it off, it doesn't need to be there. I don't mind this being broken down into three different segments where it looks like three different row houses of building or commercial fronts, it kind of fits with the variation of structures going down State Street. It looks like three different spaces instead of one building. I do agree a simplification of materials, without that corner accent might make this more successful and in keeping with the overall feel of State Street. I don't think the massing or height is the issue, but the articulation of the materials. People like to make the top piece dark so it disappears and I don't think that's necessarily true. A little bit less going on with materials and maybe consistency with the openings will make it feel more appropriate for this location.
- The openings, especially the upper floors, I can't agree more. Those openings and mullion patterns don't say State Street at all.
- Maybe the ones in the middle, but once you get to the end no.
- The corner element really misses the mark with what the building is. We see this element on a lot of buildings, sometimes it's trying to identify the commercial part of the building, and the rest is residential; this is a miscue, it's all residential except for the first floor. The scale of it is just really out of proportion with what the building is, and also as it turns onto this pocket park I would expect it to have a little bit more of a fine detail and a more appropriate scale. I'm trying to figure out how to help you visualize what I'm thinking, but if you got rid of that whole tall, red and larger white element on the corner, and continued on with the datum of the top of the third floor around, it would be much more successful. I totally agree with the mullion window elements and how they look like a commercial building. It needs to read with what it is and not have this big element we see down on University Avenue and Washington Avenue. This is a small pedestrian road and the architecture should reflect that. Because of trying to exit out the front of the building you have a lot more blank wall facing the park, which is not necessarily a bad thing if the foreground will have nice landscaping, but there needs to be more finesse and fine detail at the pedestrian level and the building should also keep coming around the corner as the third story element. The darker forms above the third story would be more successful if they receded from the third floor. To come straight up and change materials is smoke and mirrors that

it's receding, but I don't know that it's going to fool anybody being in the same plane as the front of the building.

- We don't want to design a building for you but Lois hit the nail on the head. If you mirror what you're doing on the other half of the building on that corner, it would be much more successful. The middle and right side, if you just continue that on the left side would be much more appropriate for this location and simplify the black with the red and the vertical pieces, it will be a lot more successful just keeping that consistency across that façade and turning it around that corner.
- I agree and I also agree about changing the materials between the third and fourth floor, it doesn't fool anybody, it's coplanar and in reality it's not going to look less massive than it is. Again, simplification and continuing the third to the fourth and continuing the middle bay and the right bay onto the left bay, it's all simplifying it and giving it one more simple cohesive architectural statement.
- There's a lot to look at facing the park as well because there is a lot of that dark metal panel facing the park. It's a very heavy top to a squished down base. If it's all in one plane it could be lighter if the material color was lighter and the openings were a little more delicate.
- I like the little balconies here (front façade). The part that works the best is the middle section for me. It's simple, kind of looks like something that maybe had been there awhile. I'm not averse to the color change on either side of it, but as you go to the corner, it turns into a completely different building. Overall I'm happy that basically a whole floor has been shaved off if I'm not mistaken. But this corner thing, I want to see something dynamic on this corner. The fact that it has a built in opening there with the park, it really sticks out, to me it begs for something out of the ordinary, not crazy architectural tweaks or anything, but it needs to have something on that corner and obviously that's what the development team is going for here with this added on red framing device. I agree with the others that it looks weird for what are probably going to be student apartments. It gets your attention and it's making a statement but I don't think it's the right statement. There must be something simple yet elegant that can make that a really attractive corner and play nice with the other segments of it. It suddenly goes from first floor stores with some small quaint apartments above it to a small office building at the end of the complex, it just doesn't flow. The upper level I agree, I get the whole dark colors recede. I'm not in general a fan of the really dark black and dark grays we're starting to see pop up all over the place. In this case with those panels running vertically rather than horizontally, it seems strange to me and doesn't seem to work. That could be revisited too to tie in with the lower floors.
- The back of the building facing the park, I don't have a whole lot of issues with that. They have a nice selection of plantings, it's going to be dark on that side of the building and they wisely picked woodland wildflower plants to run along that end of the building, which was the right choice. Some good stuff on the beds closer to State Street too.
- I'm not sure the green roof elements are going to support that plant palette. The square footage and depth is not going to support that palette. The planters along the edge are misguided with a single row of interesting plants but you never want to plant a single row of hardly any kind of plant along an edge there, it's a recipe for failure. We're working in the right direction here, but the corner thing is a misfire and I'd like to see the rest of the building flow into that part of it in a more elegant manner.
- Can we go to page 6 of 14, it's the northwest rendering. First, my commendations to the design team, a pretty heroic effort on a complex project. I liked a lot of the previous comments on design and the street frontage, so I won't go there. I keep coming back to this rendering and a previous comment about a floor being removed. I don't believe that's the case, it was a five-story building before and it continues to be a five-story proposed building. To me I think this dark mass projecting above the building is problematic for a lot of reasons. This will be very much an experienced part of the building from across the street and I really appreciate the rendering being provided. I see this fourth and fifth floor dark mass as a representation of the heavily shaded Peace Park that's happening behind the building. Last time we all talked about how important that park is and how iconic that park is. It's really unfortunate that we're still seeing this tall of a building. I resonated with some of the comments about stepping back that fourth floor mass. I would recommend, given the shadow study that was asked for and provided and the impact on the park, I really recommend that we see a four-story building and not more. Perhaps if

there's a way to bring that fifth story forward some in a way that doesn't shade as much? I really appreciate the design team listening to some of the comments about bringing some verticality and segmenting to keep with the rhythm of State Street, but these top floors continue to bother me.

- From this angle you can see gain on the bay closest to us, where the materials change to dark metal panel above the third story, it would probably be more successful if you look at the bay right next to the red where the three above the just commercial go straight up. Maybe you leave the middle bay a little bit darker. There is something to say about using all your materials in a similar color, if you change the materials but keep some of the color the same you'd be having a lot less visual confusion and maybe a little bit more, something to unify it, be it a color or material. We're all in agreement there's a lot going on here.
- This is a really important street, this is an important project; it is a small project but its right up there with the most important projects we see. The design team has been before us a number of times, but we have an obligation to scrutinize this one very closely. They are asking for approval tonight so we will have to make a motion and take action on this.

A motion was made by Braun-Oddo for referral, seconded by Harper.

- (Secretary) Is this a motion for referral, not a motion to recommend the Plan Commission refer? A recommendation for the Plan Commission to refer would be forwarding this to Plan Commission to have them send it back to you before they take any action. Or the Commission just refers this item to address the comments that have been expressed and we should outline those comments. So, one option is it to keep it with UDC and see a revised plan, after that you would send it to the Plan Commission. The other option is to send it to the Plan Commission with a recommendation that they refer it back to UDC.
- What takes the least amount of time for the developer?
- (Secretary) It's possible to send it to the Plan Commission with a recommendation that they refer it back to you and outline the items you want to see addressed, and maybe the Plan Commission would agree. But that doesn't guarantee it would come back to UDC; ultimately if the Commission is passionate about seeing some of these things before moving it forward, it would be better to keep it with the UDC.
- It's a referral to keep it with the UDC.
- (Secretary) So it's just a motion for referral.
- Correct.

Discussion on the motion:

- While I am learning from others, the simplicity of that motion, I personally think this project deserves some reasons. I'm feeling like the motion should have some objectives, some things we would like to see.
- Yes, certainly we owe it to them to summarize the main points and the areas of concern.
- A motion to send it to Plan Commission would okay them to sign off on the four-stories with step-back and the five plus the lofts? It looks like we're okay with the bulk of the building if we send it to the Plan Commission. Are there larger considerations for the Plan Commission to get over before the project is redesigned from a skin level?
  - (Secretary) Then we're in the realm of recommending an Initial Approval, then you're okay with the overall mass and bulk, and location of the building on the project site. Then we would just want to outline what you want to see on the outside of the building. If that is the case we are looking at a different motion than referral. The risk you run with recommending moving things forward to the Plan Commission, if you recommend to refer back to UDC to address design related comments, the Plan Commission may or may not take that up. They may be ready to act on it and be okay with the way it's designed and they may not refer it back to UDC. If the UDC is

passionate about the design elements in the discussion, then the referral to keep it with the Commission, which is the direction of the current motion, would be where I would stay.

- The concern is if the Plan Commission does something with the mass and bulk or height and then we need to look at it again anyway.
- For the staff notes, the big themes that the Commission has concern over are the number of materials and design of the three major bays along State Street, that being the rhythm and proportions of window openings, the change of materials that are in the same plane, the number of different materials, and the corner statement at the park. Other areas of concern are the amount of dark metal panel, and again, the change in materials that are in the same plane on the opposite side facing Gilman Street.
- I'm wondering if we want to give feedback on the height of the building and make it clear in our motion. I don't believe we addressed that in what you just described.
- This is in compliance with Downtown Core zoning with regard to height limits.
- (Secretary) Correct. There are a couple of things working that are not fully aligned; the Downtown Height Map and the Downtown Plan. The Plan recommends buildings keep in that range of 2-4 stories. Even as shown here it is consistent with the downtown height map, but not always consistent with context or intended character. Just because it is so doesn't mean it should be so.
- I think the height is fine.
- Is there also a corresponding number of feet that go along with the stories along State Street?
  - (Secretary) There is not, but there are related to the stepback, the fifth floor has to be 32-feet from the center of State Street, so it cannot be brought forward.
- We're certainly not in favor of a project that exceeds or is looking for an exception to the height limits, but this is not.
- I think the character of the building is definitely influenced by the height, no doubt about it. This particular image (page 6 of the presentation) reveals just how awkward the fifth floor is. Given the context around it and park next to it, I'd offer a friendly amendment to offer adding language on our position that a four-story building makes more sense here than a five-story building.
- I'm fine with the amendment, but if Zoning is okay, how successful have we ever been on any project to reduce stories?
- It's a motion for referral, were just providing constructive feedback here.
- I think you're right, this particular view does look odd; in particular that trellis thing is something we should talk about. I think the location of this with the park next to it, I think that should be a consideration especially considering the shadow studies.
- For me it's that loft, it's basically a sixth floor for basically two bedrooms. That's where that trellis and where that bump up is. If I was going to insist anything gets lopped off, it's those two bedrooms. It makes a big difference on the other side of the building, even this side where you see that extra loft space bumping up, it's not much gained for all that additional mass.
- I was going to say this perspective is not necessarily true, most people don't walk looking up like that. But the problem is exactly what you said, that extra piece on top; it's not the fifth-story it's the bump up for those lofts with the trellis that just adds more busyness to the massing. Once the materials are appropriately placed it will look a lot less obtrusive. It's so dark. It looks obnoxious against a white massing model but that's not how it's going to be viewed. I think the stories are appropriate, the perspective you want to see is from the park. Even on that side I think something lighter is probably going to be a little bit better. If that bottom just went all the way up - that cream just went all the way up it would look a lot less...it's two over three over one which is a little odd in and of itself. It wouldn't be as noticeable.
- The loft again, with the two bedrooms on that very upper floor, bringing that down and just losing two bedrooms would be my biggest recommendation on this elevation.
- It seems like the gain of just those loft apartments to add that extra height is a bad trade off, it would really be helpful as far as sunlight issues and stuff, which I think are important in a park like this. That extra is basically a sixth floor, it just doesn't seem worth it for what it's getting. The only benefit would

be to the people who live there, loft apartments are cool. That would be something more amenable to a lot of us going forward to lop those off and work with what's below that.

## UDC Action

On a motion by Braun-Oddo, seconded by Harper, the Urban Design Commission **REFERRED** consideration of this item. The motion was passed on a unanimous vote of (5-0). The motion provided for address of the following concerns:

- Revisit the design of the three major bays along State Street, that being the rhythm and proportions of window openings, the change of materials that are in the same plane, the number of different materials, and the corner statement at the park.
- Other areas of concern are the amount of dark metal panel on the upper floors and the change in materials that are in the same plane on the opposite side facing Gilman Street.
- Removing the loft space and trellis feature.