



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 425 West Washington Avenue
Application Type: Applicant Request for Advisory Opinion
Prepared By: Kevin Firchow, AICP, Planning Division

The applicant requests approval of multiple alterations to a completed mixed-use building at 425 West Washington Avenue. This request is subject to the approval standards for Conditional Uses [MGO Section 28.183] and the Downtown Design Standards of 28.07(3) and should also be reviewed against the advisory Downtown Urban Design Guidelines which apply to UMX (Urban Mixed Use) zoned properties.

Background and Project History

The project, "Washington Plaza," was approved as a demolition permit, conditional use and zoning map amendment in September 2013. (Legistar Files [30899](#), [30974](#) and [29495](#)). The project is a five-story mixed-use building with 50 apartment units and approximately 7,700 square feet of commercial space. Commercial space includes a vision clinic and a fitness center. The project was originally reviewed by the Urban Design Commission, Plan Commission, and Common Council. The approved conditional use allowed for the development of an additional story beyond the "base height maximums" established in the Zoning Code [M.G.O. Section 28.071(2)]. One required finding for such an approval is that "The excess height allows for a demonstrated higher quality building than could be achieved without the additional stories."

After the Common Council approval, staff worked closely with the applicant and is of the opinion that extensive coordinating efforts were provided to complete the sign-off process. Several modifications were discussed and approved as minor alterations, not including those requested with this application. Coordinating efforts also included multiple applicant meetings and other discussions with the District Alder and Neighborhood Association representatives. Among those that worked closely with the applicant was the Zoning Administrator who believes that it was clearly communicated to the applicant that plans be constructed in accordance to approved plans.

In April 2015, the applicant made a formal request for the Plan Commission to approve the as-built modifications. This request was placed on file without prejudice at their June 8, 2015 meeting. In making this motion the Plan Commission specified that the intent of this motion was to allow the applicant to work with staff on compliance issues and that "minor items" could be brought back to the Plan Commission after working with staff. These minor items included all specified alterations in the application with the exception of the relocated HVAC wall vents, the at-grade wooden privacy fence, and the roof-top fencing details.

The current application is a follow up and includes the same "minor items" that had been discussed over several meetings with staff from the Planning Division and Building Inspection. This application also includes revised versions of the at-grade wooden privacy fence and the roof-top fencing details, which have also been discussed. Prior to making an application, staff recommended that this request receive an advisory opinion from the Urban Design Commission prior to Plan Commission consideration. Note, the relocated HVAC wall vents are not included in this request and part of ongoing legal proceedings.

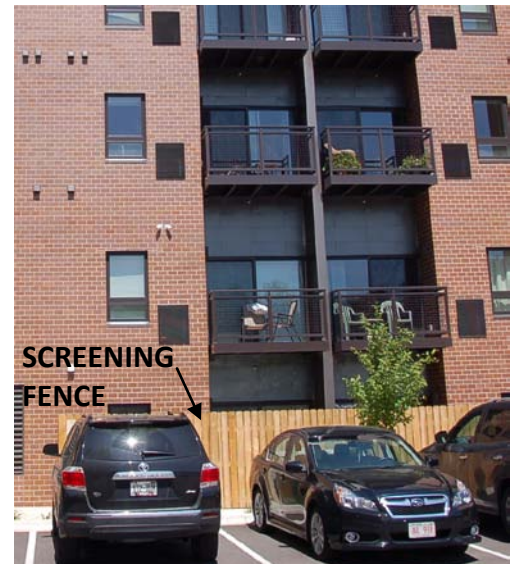
Alterations

The proposed alterations are summarized and labeled as elements 1A-4A. One other alteration, the rooftop fence is not labeled in the plans, but is called out in a supplemental detail sheet.

While the Planning Division remains very concerned that multiple items were not constructed in accordance to approved plans, a majority of the proposed alterations (including revised retaining walls, front landscaping changes, and other code-required improvements) would be considered “minor” and after multiple discussions between the applicant, Building Inspection, and Planning Division, believe could be approved.

The Planning Division requests the Urban Design Commission provides specific feedback on two proposed alterations. This includes alteration 3A (Ground Level Screening Fence) and the unnumbered alteration regarding the wooden rooftop fence.

Below are images of how these improvements were installed. The installation of the wooden privacy fence is believed to be more of a suburban residential character and less appropriate in character for this site. The Planning Division had similar concerns on the appearance of the wooden roof-top fence, which is visible from West Washington Avenue.



While the applicant previously requested that these be approved in their as-built condition, the current plans propose some modifications. The Planning Division has concerns on these elements and requests the UDC provide feedback on any of the alterations and specifically provide input on the following:

- **Revised Rooftop Fence.** As approved, this fence was intended to consist of dark-bronze metal fencing, which remains preferable to staff. As opposed to installing metal fencing consistent with the original approval, the applicant hopes to modify the installed feature by lowering the height of the wooden lattice work, painting it dark bronze and capping it with a 1.5 inch pipe rail, painted dark bronze. The Planning Division has some concerns with this approach, noting that it appears while shortened, some of the wooden lattice work will remain visible from the street and the overall height increased. Staff had the understanding that alterations were to either replace this feature or not make it visible. Staff also has concerns on how integrated these two materials will ultimately appear and how other details, such as how the pipe will “turn corners” will occur.
- **Ground Level Screening Fence.** While not clearly labeled, the applicant has confirmed that the lower four feet of the fence will remain wood and a two-foot section of metal lattice, matching the balcony lattice will be added. They will be painted dark bronze to match similar balcony details on the building. Staff continues to have some questions on how those elements fastened together and how integrated these two materials will ultimately appear.