



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 119-121 North Butler & 120-124 North Hancock Streets

Application Type: Initial Approval

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The applicant is before the Urban Design Commission (UDC) for initial approval. An earlier version of this request was first before the UDC for an informational presentation in February 2016. A revised version of this request was presented for initial approval and referred by the UDC in December 2016. Further information is available online ([Legislative File 41849](#)). In summary, the applicant proposes to demolish a two-family residence and four-unit apartment building to construct a new 44-unit apartment building. The building will be part of a residential building complex, which also includes two (2) existing two-family residences. In total, the proposed development includes 48 units.

Background Information

A 34-unit residential development was previously approved on the subject properties as part of a rezoning to the former Planned Unit Development (PUD) Zoning District. That development was approved in phases with the General Development Plan ([Legislative File 06572](#)) approved in 2007 and the Specific Implementation Plan ([Legislative File 10860](#)) approved in 2008. The demolition of 123 and 125 North Butler Street were also approved at that time. Those aspects of the proposal never proceeded and those approvals have expired. Alterations to the request, including the relocation of the residence at 119 North Butler Street in advance of the larger apartment development proceeding, were approved in 2009 ([Legislative File 15413](#)). As part of the 2013 Zoning Code re-write, the subject properties were zoned into the DR-1 (Downtown Residential-1) District, consistent with the rest of the block. Residential building complexes and multi-family dwelling buildings with greater than eight (8) units require conditional use approval in DR-1 Zoning.

The architect has continued to make plan modifications since the initial February 2016 presentation in response to previously-provided feedback. The building has been reduced in depth by approximately 15 feet. The applicant has revised the structure to further break up the street-facing massing. The material palette has been revised and now includes additional brick. In response to comments from City Traffic Engineering, a new driveway has been proposed along the building's south side to North Butler Street.

Summary of Adopted Plan Recommendations

The project is consistent with some, but not all aspects of adopted plans. The Planning Division has previously provided staff reports to the Urban Design Commission and a letter to the project architect prior to application submission highlighting these issues.

The [Comprehensive Plan](#) (2006) includes the subject site within the "First Settlement-Old Market Place sub district of Downtown. Recommended uses include residential development between 16-60 dwelling units per acre (du/ac) or as further defined in more detailed plans. At over 100 du/ac, this proposal exceeds that range, though as noted below, additional density is recommended in parts of the James Madison Neighborhood. The [Comprehensive Plan's](#) Land Use chapter also includes several general adopted goals, objectives, and policies related to infill development and established neighborhoods. Examples include Objectives 22 and 42:

Objective 22: Seek to reduce the demand for vacant development land on the periphery of the City by encouraging urban infill, redevelopment, and higher development densities at locations recommended in City plans as appropriate locations for more intense development.

Objective 42: Ensure that new development is compatible with the existing and planned design and development characteristics of the neighborhood and minimize land use conflicts between infill or redevelopment projects and existing neighborhood development.

Staff requests the reviewing Commissions to consider how the development relates to surroundings. While staff believes the larger development proposed in the subject block could be found consistent with plan components that promote infill development and higher development densities, consideration should be given to some of the more specific policies related to surrounding context. Staff notes that Policy 4, under Objective 22 recommends that redevelopment scale and density is reasonably compatible with established neighborhood character. Policy 1 under Objective 42 states that a redevelopment incorporate or improves upon existing positive qualities such as building proportion, shape, and pattern of buildings and yards.

More detailed recommendations are included in the [Downtown Plan](#) (2012). The subject site is within the James Madison Park Neighborhood, which is intended to accommodate a mix of dwelling units, renovation of existing houses coupled with selective redevelopment that reflects the scale and rhythm of existing structures. Objective 4.11 and supporting recommendations 101-106 pertain specifically to the subject area. An excerpt from that Plan is attached. These statements and other recommendations state that redevelopment should reflect the scale and rhythm of surrounding structures, promote larger family-supportive and work-force housing in new developments, and provide ample on-site open space. The plan also recommends “relatively higher-density development” that conforms to the maximum building heights map along the subject site.

Approval Standards

The Urban Design Commission shall review the exterior design and appearance of all principal buildings or structures and the landscape plans of all proposed residential building complexes. It shall report its findings and recommendations to the City Plan Commission. [MGO. §33.24(4)(c)]

After UDC consideration, the Plan Commission will review this request against the approval standards for Demolition Permits and Conditional Uses. As noted in previous reports, the Planning Division has raised questions on whether Conditional Use Standards 4 and 9 could be found met.

Conditional Use Standard 4: The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Conditional Use Standard 9: When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district¹. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation.

Design-Related Comments

While several improvements have been made, the Planning Division continues to have concerns on aspects of this proposal, as noted in earlier reports. Staff requests the UDC address the following design-related issues in their advisory recommendation to the Plan Commission:

- **Depth of the structure.** This structure, located within the middle of the block, is now proposed to have a depth of 113 feet. While reduced in size, the proposed building continues to extend deep into the site’s existing rear yard and is not believed to be consistent with the surrounding development pattern,

where most existing structures are between 50-70 feet in depth. This would be the first through-lot development within the subject block. While the structure meets the Zoning Code-required space between buildings on a through-lot development, this space is not centered upon the rear lot line as is found elsewhere in the subject block.

- **Open Space and Balconies.** The applicant has added individual unit balconies along the building sides, providing an amenity that wasn't present in earlier versions of this concept. However, the Planning Division has concern on the design and desirability of these. They largely project outward from the façade, being recessed approximately 8 inches from the outer-most walls. The Planning Division recommends that consideration be given to better incorporate these into the façade in concert with ways to add modulation to the long building sides.

In regards to public comment, staff notes that comments from a neighborhood steering committee are attached for UDC's consideration.

¹ ZONING CODE EXCERPT- **28.077 DOWNTOWN RESIDENTIAL DISTRICTS.**

(1) Statement of Purpose.

These districts are intended to recognize historic Downtown neighborhoods comprised of predominantly residential uses with some non-residential uses. The districts are also intended to:

- (a) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.
- (b) Promote the preservation and conservation of historic buildings and districts while allowing selective infill and redevelopment based on the recommendations of adopted City plans.
- (c) Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of scale and rhythm, building placement, facade width, height and proportions, garage and driveway placement, landscaping and similar design features.

James Madison Park Recommendations

Objective 4.11: *The James Madison Park neighborhood should accommodate a mix of dwelling units, some of which are suitable for families with children. The renovation of existing houses coupled with selective redevelopment that generally reflects the scale and rhythm of the existing structures should help reinvigorate the area, provide a variety of housing options (including workforce housing), and strengthen linkages to the adjacent Tenney-Lapham neighborhood.*

Recommendation 101: *Promote the construction and rehabilitation of family-supportive housing and consider adopting an ordinance with standards for such development.*

Recommendation 102: *Require that new development provide ample on-site open space and play areas for use by young children, and do not waive usable open space requirements in the James Madison Park District.*

Recommendation 103: *Encourage family-supportive workforce housing design in new multi-family developments, including more modern, larger units (2-3 bedrooms) and true usable on-site open space.*

Recommendation 104: *Allow relatively higher-density development that conforms to the Maximum Building Heights Map along North Hamilton, Butler and Gorham Streets.*

Recommendation 105: *Allow infill and redevelopment along Hancock, Franklin and Blair Streets generally compatible in scale and design with the predominantly “house like” neighborhood character.*

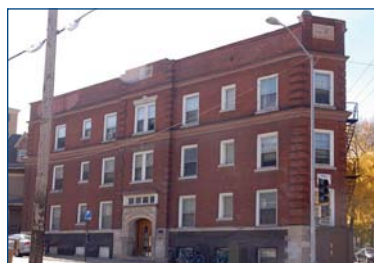
Recommendation 106: *Consider establishing a Neighborhood Conservation District as identified in the Downtown Historic Preservation Plan.*

■ James Madison Park

The James Madison Park neighborhood is characterized by fairly intact blocks of two- to three-story houses. Many of these houses have been long time rental properties and include larger units that would accommodate families with children.

The renovation of existing structures, coupled with selective redevelopment that reflects the scale and rhythm of the existing structures, will help ensure the future vibrancy of the area, provide a variety of housing options, and strengthen linkages to the adjacent Tenney-Lapham and Mansion Hill neighborhoods. During the planning process, many participants expressed a desire to create Downtown neighborhoods that were inviting to families with children. With its proximity to Lapham Elementary School, presence of houses that could accommodate such families,

and a large park (James Madison Park), this neighborhood provides the best opportunity to foster this type of environment. The *Downtown Historic Preservation Plan* (1998) recommends that a neighborhood conservation area be created, “wherein the existing residential character of the core of the neighborhood would be preserved and encroachment by incompatible uses will be prevented.” A neighborhood conservation district is a tool provided in the Zoning Ordinance to help ensure that important, unique, and consistent development patterns and design features (such as setbacks, roof forms, or the presence of large front porches) within the neighborhood are conserved. The first step in implementing this recommendation would be a study to articulate the specific characteristics of the neighborhood to be preserved. The Fourth Lake Ridge National Register Historic District runs along portions of East Gorham Street.



Scenes from James Madison Park