



PREPARED FOR THE PLAN COMMISSION

Project Address: 126 Langdon Street (District 2 – Ald. Heck)

Application Type: Conditional Use

Legistar File ID # [58786](#)

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On May 18, 2020, meeting in regular session, the Plan Commission reviewed requests for a demolition permit and the following conditional uses:

- 1) A multi-family dwelling with more than eight (8) dwelling units;
- 2) Outdoor Recreation (rooftop hot tub and amenity space); and
- 3) Two additional stories in Area F of the “Additional Heights Area Map” in MGO §28.071(b), all to allow construction of a seven-story, 107-unit apartment building in the Downtown Residential – 2 (DR-2) Zoning District.

At that meeting, the Plan Commission made the following motion and referral to the Urban Design Commission (UDC):

On a motion by Cantrell, seconded by Lemmer, the Plan Commission recommended referral of the conditional uses, to no specific date, pending review by the Urban Design Commission. In making their motion, the Plan Commission stated that Standard #14 can be found met and specifically requested that the Urban Design Commission review the front building facade to provide a massing and rhythm that is more compatible with the front facades of buildings within the area. The Plan Commission also requested that the Urban Design Commission review the site circulation to accommodate all the ways people will use the proposed building, specifically in regards to the loading zone, moped parking, and how delivery and ride share vehicles will use and access the site.

Based on the motion, staff understood that the Plan Commission sought additional comment on the design, massing, and rhythm of the building’s front façade, questioning whether the proposed design was complementary with the other buildings along Langdon Street. Staff further understood there to be concerns regarding rideshare and delivery vehicles and if additional loading areas and moped parking could be incorporated into the site plan.

At the July 1, 2020 UDC meeting, the applicant presented revised building elevations, with the most notable changes on the front façade compared to those presented to the Plan Commission. The applicant also incorporated a walkway on the western side of the proposed building and added additional space for underground moped parking.

At that UDC meeting, on a unanimous vote, the UDC recommended that the Plan Commission not approve the revised façade iteration, but noted that the front façade iteration presented at the February 12, 2020 meeting was approvable. There was consensus that the previous design had acceptable rhythm and massing. See Figure 1.



FIGURE 1 – 2/12/20 Facade Design that was Supported by UDC on 7/1/2020

Furthermore, the UDC recommended that the Plan Commission not approve the site circulation as proposed and requested that the applicant provide better guest and resident bicycle, moped, and vehicle parking, as well as a better design to accommodate their pick-up and drop-off (delivery vehicles). In their discussion on the motion, the UDC noted that the applicant did not have enough information to justify why the proposed site layout works to accommodate all types of users.

Since the July 1, 2020 UDC meeting, the applicant resubmitted plans for the Plan Commission. The July 27, 2020 submittal package includes a summary of the submitted design iterations and contains lower level and ground level site circulation information (p. 19-21). In regards to the front façade question, Staff believes that UDC has provided a definitive recommendation related to the façade design, and the current submittal reflects that recommendation. In regards to circulation, the revised circulation plans show additional guest moped parking on the western side of the proposed building, and now specifically depicts circulation patterns on site.

Considering loading and deliveries, staff notes that there are no loading requirements for this proposal per the Zoning Code. However, the applicant is providing what Zoning considers to be a driveway, where short-term parking is permitted. The Zoning Administrator determined that the driveway depicted on the plans is not considered a “loading zone” and therefore must comply with the Zoning Code requirements for driveways. This includes a requirement that driveways must lead to a legal parking area outside of the front yard. Based on discussions with Zoning, Planning staff anticipate that the design, as proposed, would not meet this requirement and would need to be narrowed. The impact of this change would be that the driveway could only accommodate one vehicle, compared that the two that are shown, unless other modifications are made. Zoning has provided the following condition of approval:

1. Revise the plans to reflect that the area marked as “loading” on the plans is actually a driveway leading to a legal parking area outside the front yard. Short-term parking is permitted within a driveway.

The ground level site circulation plan also includes a potential dedicated neighborhood car share/drop-off and pick-up/delivery area on Langdon Street, which would replace the existing on-street parking. The Planning Division notes that converting these spaces into a loading area is a separate approval process to which the Plan Commission is not the deciding body and is not before the Plan Commission as part of this conditional use request.

On the morning of July 24, a circulation plan was provided. At the time of report writing, Planning, Zoning, and Traffic Engineering staff had not reviewed this document.

Finally, staff understands that some of the comments provided to the Plan Commission request that a circular drive be added to the front yard as part of a circulation plan. As the site has a 25 foot front yard setback, a loading zone or parking stall would not be permitted in this front yard area. A driveway could be allowed, but as described above, it would need to lead to a legal parking space outside the front setback.

Staff believes that the loading, delivery and circulation questions relate most closely to Approval Standard #5, which states: "Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided" to be found met.

In conclusion, Staff notes that the applicant has not substantially altered the proposed building and site circulation since the last Plan Commission meeting and believes that the May 18, 2020 staff report is still applicable (with two additional conditions of approval from Zoning below). Therefore, on balance, staff believes that it may be possible for this proposal to meet the applicable approval standards. Should the Commission find the standards met, staff's recommendation is to approve the requests subject to the recommended conditions included in the May 18, 2020 report. In the event that the Commission is not able to find that the standards are met, the Plan Commission shall specify its findings of fact and list the specific requests and the associated standard(s) that have not been met and the reasons such standard(s) were not met. Please note, recent changes to state law require that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Zoning Administrator Additional Conditions of Approval:

1. Revise the plans to reflect that the area marked as "loading" on the plans is actually a driveway leading to a legal parking area outside the front yard. Short-term parking is permitted within a driveway.
2. Bicycle parking is not permitted within the front yard setback. Submit revised plans showing bicycle parking outside of the required front yard setback.