



Agenda Item #: 2

Project Title: Amending Sections 28.060 and 28.071 of the Madison General Ordinances to Add a Door and Window Opening Standards Exemption for Civic or Institutional Buildings in Certain Zoning Districts.

Legistar File ID #: 78688

Members Present: Cliff Goodhart, Chair; Lois Braun-Oddo, Amanda Arnold, Shane Bernau, and Christian Harper

Prepared By: Kevin Firchow, AICP, Acting UDC Secretary

Summary

At its meeting of July 12, 2023, the Urban Design Commission **RECOMMENDED APPROVAL** of an ordinance amendment to Sections 28.060 and 28.071.

Kevin Firchow gave a brief overview. The proposed changes would add an exemption to civic and institutional buildings from certain door and window openings. Both zoning districts include very prescriptive requirements that are largely reflective of residential, office and commercial building forms. This allows for uses beyond those limitations, applied only to civic and institutional buildings, while providing the UDC with more discretion for reviewing projects against the urban design guidelines. Staff does support the amendment.

Discussion by the Commission:

- I understand that civic and institutional buildings have other needs and demands. But I am a little uncomfortable with a standard not being uniform across the board for all entities.
- This is recognizing more the building form than the developer itself. Even residential buildings have different standards in terms of openings. This also provides the UDC with more latitude to consider the use and context as a form based recommendation.
- I share in that hesitation. Are there uses of a building or property that would still be defined as civic or institutional but could also incorporate offices? Are there building uses that we would normally want to apply this standard to, but because it falls under civic ownership of the property, we might not have to follow it?
- (Firchow) Standards may not apply to a mixed-use building. The St. John's proposal is an example, while there was a civic use the building form itself was mixed-use, so I don't believe this exemption would apply to that.
- This will give this body more latitude. If it was a use such as a place of worship or museum, and we saw they have a bunch of offices in there, we might say as a body "you need to articulate this façade with some openings." It's not going to give a development team the okay to just do a bunker without any windows. In some respects it's a little less predictable for the developer of a civic or institutional building because it will be more of a judgment call on our part. The one size fits all with these percentages clearly was not recognizing some of the unique programmatic needs of museums and concert halls and so forth.
- There are wonderful civic buildings with awful street frontages that might be a function of the interior program. As a pedestrian, knowing what's going on inside still doesn't make me like it any more. If this can justify poor pedestrian scale design and be used as leverage against our opinions or whoever sits on the UDC in the future, that gives me reason to pause and I'm a little hesitant. I'm keeping an open mind and glad to hear what others think.

- I would say that it would allow and require a body like this to do its job and not fall back on prescriptive formulas in the code that preclude us from taking it one way or the other. This is giving the design professionals and members of the Commission the ability to work through it together.
- (Firchow) When you get to the downtown districts there are situations where UDC is advisory and approving. If it requires conditional use approval your role is advisory to the Plan Commission. There are potentially developments that are permitted uses that might not need UDC or PC approval. Places of worship are often permitted uses in many zoning districts.
- Some of those districts don't have the prescriptive openings.
- Yes, the standards for residential districts are different.
- I assume when you do a change like this that you brainstorm the unintended consequences of a change like this? Possible scenarios that might pop up with a result you don't want to see?
- That is staff's intent to try to foresee what could happen.
- As projects like these make their way through the process staff always has a report that shares their concerns. They would express concerns if a project didn't have enough doors and windows.
- Both of those sections in the proposed amendment do have different standards for ground floor and upper levels. There are standards that address the ground floor and ones that address the upper stories, they are treated differently.

Action

On a motion by Braun-Oddo, seconded by Harper, the Urban Design Commission **RECOMMENDED APPROVAL**. The motion was passed on a unanimous vote of (4-0).