

Some thoughts on the downtown zoning code

28.071 (2)(a)

Height is defined 28.134 of the current code as the average measurement of all facades from grade to the highest point of the structure. The Downtown Plan height map uses stories not feet to define height and uses the highest point on the front lot line as the location to determine the number of stories. When the map is inserted will this definition be inserted as well?

28.071 (3)(a)2

Is the intent to limit rear yard parking to 50% of the rear yard (less the 10') setback? If parking is set back 20' does it still abut the frontage? Could an L shaped parking area cover more than 50% of a rear yard?

28.071 (3)(a)4

How does this restriction on no vehicular doors affect a building design like the Inn on Park or the Concourse with vehicular access but no door. Perhaps change the word door to entry.

Table 28E-1 This is a table of acceptable "high quality building materials" (28.071 (3)(f)1). To my mind smooth faced or split faced block does not fit the criteria of high quality. This is especially true for the core downtown. Concrete block is still concrete block no matter how you try to pretty it up.

28.071 (3)(g)1

If plant material is used for screening it should be a type that is effective year around.

28.071 (3)(h)2

Equipment screens which are truly incorporated into the architectural design of a building and meet applicable height restrictions (i.e., the mechanical penthouse is not above the building height limitation) should not be subject to this type of setback provision. See attached photo.

28.075(3), 28.076(3), 28.078(2) & 28.079(2) note b

Would uses other than parking which are typically associated with underground parking garages such as mechanical rooms or trash storage be allowed in the rear yard setback under this provision?

28.075(3), 28.076(3), 28.078(2) & 28.079(2) note c

Green roof is a relatively poorly defined concept. Can a tray type vegetated roof which is not accessible to occupants qualify as 'usable open space'? Is it useable open space if there is a roof deck from which to view the green roof? If there is no roof deck is it usable open space?

28.077 (1)

"These districts are intended to recognize historic Downtown neighborhoods ... " In what sense is 'historic' used? This doesn't seem to be referring to historic districts or historic buildings. Is the intent to 'recognize downtown areas that have historically been residential neighborhoods'?

28.078(2) & 28.079(2)

The useable open space requirements are reduced considerably from current zoning types, yet the rear yard setbacks are significantly more than typically found with recent PUD's downtown. If the rear yard setbacks hold as the norm that would be good, but why the reduction in usable open space while actually starting with more?

28.078(4)(a)

How does the maximum building width apply at a corner lot?

28.078(4)(b)

For through lot developments the minimum separation between rear facades is set at 60'. This could lead to very flat uninteresting buildings. Perhaps using an average separation of 60' might also achieve the objective. Bedford Court and 4<sup>th</sup> Ward Lofts are both examples where portions of the rear facades are closer than 60' and other portions are over 60'.

28.079

Are there Building Standards for the DR2 district similar to those for DR1?

For the residential districts the statement of purpose includes a statement that new buildings should be designed to be compatible with their surroundings. Similar language referring to the other three types of districts has been dropped. Admittedly this can be a difficult standard to define and apply. A specific aspect of the downtown plan is to try to replace a set of buildings that are clearly out of context with their surroundings. Would it not be prudent to keep some language on contextual sensitivity for all downtown districts to avoid creating new structures of the type we now want to eliminate?