

**CITY OF MADISON, WISCONSIN**

AN **AMENDED** ORDINANCE \_\_\_\_\_

PRESENTED September 1, 2009

REFERRED Urban Design Commission;  
Plan Commission

RULES SUSPENSION \_\_\_\_\_

PUBLIC HEARING \_\_\_\_\_

Creating New Section 33.24(15) and renumbering Current Section 33.24(15) to Section 33.24(16) to establish Urban Design District No. 8 and amending Section 33.24(11)(b) of the Madison General Ordinances to move properties from Urban Design District No. 4 to Urban Design District No. 8.

Drafted by: Katherine Noonan

Date: November 11, 2009

SPONSORS: Aids. Rummel, Maniaci & Rhodes-Conway

DRAFTER'S ANALYSIS: This ordinance creates an Urban Design District along the East Washington Avenue corridor, approximately from Blair Street to First Street. Some properties are removed from Urban District No. 4 and will be part of this new Urban Design District No. 8.

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The Common Council of the City of Madison do hereby ordain as follows:

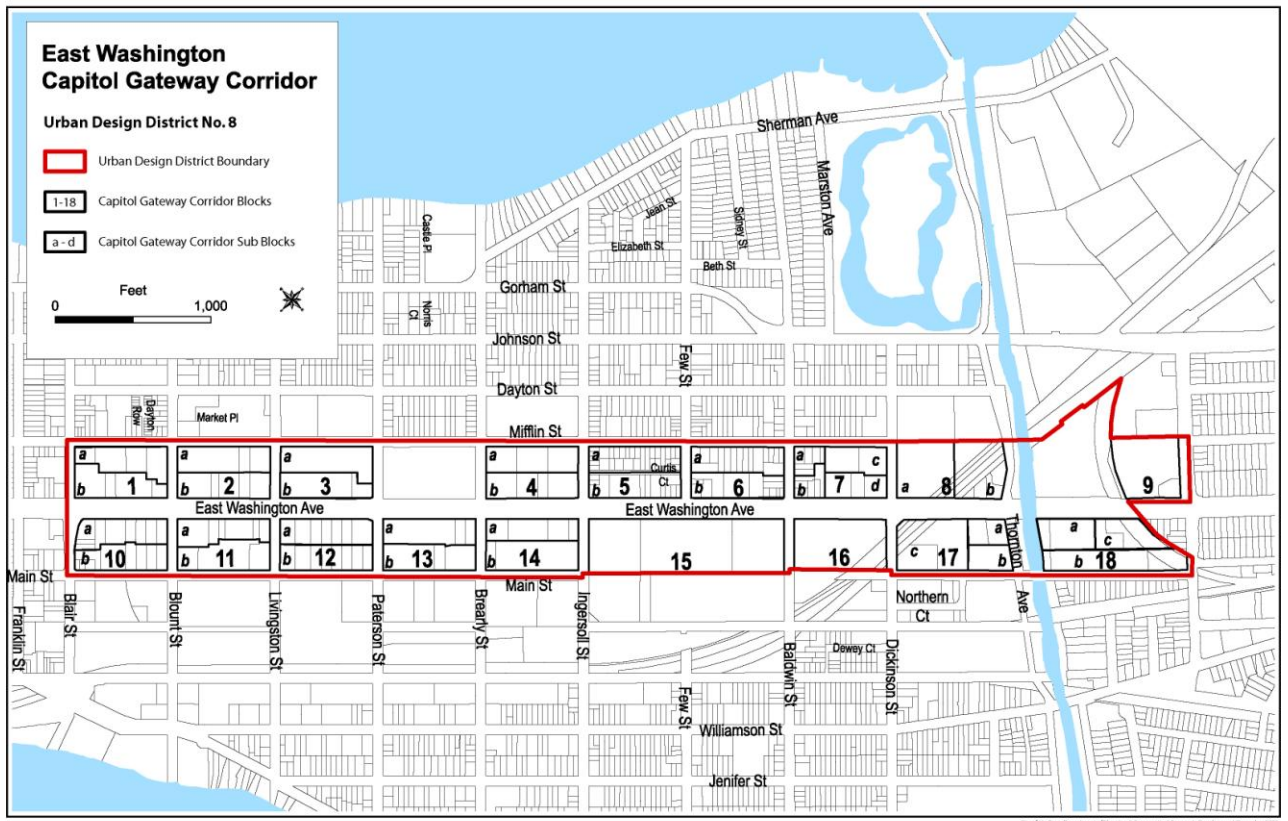
1. New Subsection (15) entitled "Urban Design District No. 8" of Section 33.24 entitled "Urban Design Commission" of the Madison General Ordinances is created to read as follows:

"(15) Urban Design District No. 8.

(a) Statement of Purpose. Urban Design District No. 8 is hereby established to improve the appearance and function of the District. It is intended to be the key implementation mechanism to further the four Core Development Principles set out in the adopted East Washington Avenue Capitol Gateway Corridor Plan. These principles are 1) to protect the iconic view of the Capitol, 2) to respect and strengthen existing neighborhoods, 3) to establish a transit-oriented employment corridor, and 4) to create a vibrant boulevard along East Washington Avenue. The Capitol Gateway Corridor is the major gateway corridor to Madison's Downtown, and is a critical street for the vitality of adjoining neighborhoods. The purpose of these design requirements and guidelines is to provide clear direction for how property owners can make improvements to their properties to collectively improve the visual character and safety of the the District. When applied, they will ensure against fragmented or incompatible development and will help prevent the negative visual and functional effects of uncoordinated design decisions. These requirements and guidelines are intended to preserve and enhance the property values in the District, and avoid substantial depreciation of the property values and help to ensure long-term economic vitality. The goal is not to create a uniform "style" or character for the street, but rather to allow the Capitol Gateway Corridor to evolve as a distinctive place that builds on the strengths of its culturally diverse businesses and neighborhoods. This ordinance and the Plan will guide all new development and redevelopment in the District.

**Approved as to form:**

- (b) Property Included in the District. The District shall include all properties shown in (c). If any portion of a zoning lot is in the District, the entire lot is within the District. A map of the District is available from the Department of Planning and Community and Economic Development.
- (c) Map of the District.



- (d) Design Review Required. All development in the District (including, but not limited to, new buildings or structures, additions to existing buildings or structures, major exterior alterations of existing buildings or structures, street graphics, and new parking facilities or alterations to existing parking facilities), except residential buildings containing four (4) or fewer dwelling units, shall require approval of the Urban Design Commission and shall be designed, erected, and maintained in compliance with this ordinance, all applicable federal and other state laws, and the Building Code, Zoning Ordinance and other applicable codes of the City of Madison not in conflict with this ordinance. The Director of the Department of Planning and Community and Economic Development may approve minor alterations to existing and/or approved buildings or structures and site pursuant to Sec. 33.24(4)(g). The Director of the Department of Planning and Community and Economic Development may also approve the design of street graphics that are permissible under the Sign Ordinance. Approval of the Urban Design Commission under this subsection shall not be required for an awning unless it is part of other development requiring approval under this subsection. The applicable regulations of other codes shall continue to apply with full force and effect to all properties in the District. If this ordinance conflicts with other City regulations, however, the regulations which are more restrictive or which impose higher standards or requirements shall govern.

- (e) Basis for Design Review. In reviewing plans for development in the District, the Urban Design Commission shall apply the following requirements and guidelines as may be appropriate in order to implement the Core Development Principles of the East Washington Avenue Capitol Gateway Corridor Plan. The development shall meet the requirements and conform as much as possible to the guidelines. Both the requirements and guidelines apply to new buildings or structures, additions to existing buildings or structures, major exterior alterations of existing buildings or structures, street graphics, and new parking facilities or alterations to existing parking facilities unless stated otherwise for a specific item. The overall design of each development shall be of high quality.
1. Building Height.
    - a. Requirements.
      - i. The height of new buildings shall be as shown in 3. below.
      - ii. New buildings shall incorporate a front facade stepback as shown in 3. below.
      - iii. Any non-habitable space from architectural features shall not be included in the height calculation.
    - b. Guidelines.
      - i. The Urban Design Commission may, on a case-by-case basis, reduce the minimum building height requirement provided the buildings incorporate elements such as extended parapet or tower features to convey the appearance of a taller building. Such elements shall be substantially integrated into the design of the building so they do not read as false facades.
      - ii. Additions to existing buildings are expected to comply with the applicable minimum height requirements unless the applicant can demonstrate that the site, function, use, or layout of the new addition would pose structural or operational hardships due to its relationship with the existing building, in which case the Urban Design Commission may waive said requirements.
  2. Building Location and Orientation.
    - a. Requirements.
      - i. The setback for new buildings shall be as shown in 3. below. The Urban Design Commission, however, may allow greater setbacks to allow for the development of additional usable public open spaces, such as pedestrian plazas, as long as design elements are included to maintain a uniform character in the District.
    - b. Guidelines.
      - i. The building location should be designed to provide for amenities that will enhance the visual and pedestrian character of the street.
      - ii. In areas with sidewalk/terrace width of nine (9) feet or less, the setback should include additional pavement to expand the sidewalk/terrace to a width of at least nine (9) feet.
      - iii. Walkways should be provided to connect the building entrance to the public sidewalk.
      - iv. The front facade of the building and the primary entrance should face the primary street. If the public entrance is allowed on the side of the building, it should be positioned close to the primary street and preferably as a corner feature of the building.
      - v. Additions to existing buildings should help bring the building closer to the street and minimize any "gap" in the street wall.

3. Building Height, Location (Distance from Property Line) and Stepback

| Block | Maximum Bldg. Height <sup>1</sup> (stories) | Minimum & Maximum Street Level Facade Height (stories) | Minimum Stepback East-West Streets (feet or angle) <sup>2</sup> | Minimum Stepback North-South Streets (feet) | Minimum & Maximum Setback East-West Streets (feet) <sup>3</sup> | Minimum & Maximum Setback North-South Streets (feet) <sup>4</sup> |
|-------|---|--|---|---|---|---|
| 1.a.  | 3 + 30*                                     | 2-3  | 30°   | 15  | 5-20  | 5-10  |
| 1.b.  | 8   | 3-5  | 15  | 15  | 15  | 5-10  |
| 2.a.  | 3 + 30*                                     | 2-3  | 30°   | 15  | 5-20  | 5-10  |
| 2.b.  | 8**   | 3-5  | 15  | 15  | 15  | 5-10  |
| 3.a.  | 3 + 30*                                     | 2-3  | 30°   | 15  | 5-20  | 5-10  |
| 3.b.  | 8**   | 3-5  | 15  | 15  | 15  | 5-10  |
| 4.a.  | 3 + 30*                                     | 2-3  | 30°   | 15  | 5-20  | 5-10  |
| 4.b.  | 8**   | 3-5  | 15  | 15  | 15  | 5-10  |
| 5.a.  | 3   | 2-3  | -   | -   | 5-20  | 5-10  |
| 5.b.  | 3   | 2-3  | -   | -   | 15  | 5-10  |
| 6.a.  | 3   | 2-3  | -   | -   | 5-20  | 5-10  |
| 6.b.  | 3   | 2-3  | -   | -   | 15  | 5-10  |
| 7.a.  | 3   | 2-3  | -   | -   | 5-20  | 5-10  |
| 7.b.  | 8   | 3-5  | 15  | 15  | 15  | 5-10  |
| 7.c.  | 3   | 2-3  | -   | -   | 5-20  | 5-10  |
| 7.d.  | 8   | 3-5  | 15  | 15  | 15  | 5-10  |
| 8.a.  | 8   | 3-5  | 45°   | 15  | 15  | 5-10  |
| 8.b.  | 4   | 2-3  | 15  | 15  | 15  | 5-10  |
| 9     | 8   | 3-5  | 15  | 15  | 15  | 5-10  |
| 10.a. | 12**  | 3-5  | 15  | 15  | 15  | 0-10  |
| 10.b. | 12**  | 3-5  | 15  | 15  | 15  | 0-10  |
| 11.a. | 12**  | 3-5  | 15  | 15  | 15  | 0-10  |
| 11.b. | 12**  | 3-5  | 15  | 15  | 15  | 0-10  |
| 12.a. | 12**  | 3-5  | 15  | 15  | 15  | 0-10  |
| 12.b. | 8**   | 3-5  | 15  | 15  | 15  | 0-10  |
| 13.a. | 12**  | 3-5  | 15  | 15  | 15  | 0-10  |
| 13.b. | 8**   | 3-5  | 15  | 15  | 15  | 0-10  |
| 14.a. | 8**   | 3-5  | 15  | 15  | 15  | 0-10  |
| 14.b. | 6**   | 3-5  | 15  | 15  | 15  | 0-10  |
| 15    | 8**   | 3-5  | 15  | 15  | 15  | 0-10  |
| 16    | 8**   | 3-5  | 15  | 15  | 15  | 0-10  |
| 17.a. | 4   | 3-4  | -   | -   | 15  | 0-10  |
| 17.b. | 4   | 2-4  | -   | -   | 15  | 0-10  |
| 17.c. | 6**   | 3-5  | 15  | 15  | 15  | 0-10  |
| 18.a. | 4   | 2-4  |   |   | 15  | 0-10  |
| 18.b. | 4   | 2-3  |   |   | 15  | 0-10  |
| 18.c. | 6**   | 3-5  | 15  | -   | 15  | 0-10  |

<sup>1</sup> Height is based on an average story height of 9-12' (11-15' for the ground floor). Buildings with greater floor heights shall have fewer stories accordingly.

“\*” – represents the required stepback angle

“\*\*” – represents the maximum height in stories allowed without any bonus stories . Bonus stories require the provision of elements in (e)12.

<sup>2</sup> The angle is measured at a point at the top of the face of the street level facade wall between a horizontal line (0°) and a line (stepback height line) that is extended until the maximum permitted building height on the block is reached. Between the street level facade wall and the point at which the maximum building height is reached, buildings may be built up to the stepback height of the 30° line but may not exceed it.

<sup>3</sup> Fifteen (15) feet on East Washington Ave.; Between five (5) and twenty (20) feet on other frontages.

<sup>4</sup> Includes the eastern and western boundaries of the Yahara River Parkway and Burr Jones Field.

4. Parking and Service Areas.
  - a. Requirements.
    - i. Off-street parking facilities for new buildings shall be located behind or on the sides of the building and the distance from the property line shall be the same as for buildings, as shown in 3. Additional access points off of East Washington shall not be permitted.
    - ii. At least one (1) tree island, sized and landscaped pursuant to the Zoning Code, shall be provided for each twelve (12) parking spaces. This requirement is in addition to any other landscaping requirements of the Zoning Code.
    - iii. All trash areas shall be screened from public view.
  - b. Guidelines.
    - i. For existing properties, parking in the front should be relocated, if possible, to the side and/or rear of the building. When not possible, walkways, landscaping, architectural features, and lighting should be provided to make these areas more attractive and inviting. Decorative fences, walls and/or landscaped edges should screen front parking areas from the public sidewalk. Screening should not exceed three and one-half (3 1/2) feet in height.
    - ii. All parking areas should be well landscaped and appropriately lighted.
    - iii. All parking areas should include walkways to allow safe pedestrian access to the building entrance.
    - iv. Shared parking areas are encouraged. Whenever possible, adjoining parking lots should be linked to provide internal traffic circulation.
    - v. Driveways along the District should be minimized to improve traffic flow and reduce pedestrian conflicts.
    - vi. Pedestrian areas and customer parking areas should be separated from loading service, and drive-through areas.
    - vii. If possible, trash areas should be located inside buildings.
    - viii. Any new parking ramps fronting on East Washington Avenue should include ground-floor commercial uses with attractive commercial facade design. The facade design for the upper stories should obscure the parking ramp and present an attractive building face for the District. The design of parking ramps should also complement the quality and design of the buildings they serve.
    - ix. Entryways to parking ramps should be accessed from side streets whenever possible. Entryways/exits onto East Mifflin Street and East Main Street shall not be permitted unless no other option exists.
    - x. Bicycle parking should be distributed throughout a development site. Some short-term visitor bicycle parking should be located near the building entrance.
5. Landscaping and Open Space.
  - a. Requirements.
    - i. Landscaping within the East Washington Avenue setbacks and terraces **and medians** shall follow the approved palette and design concept.
    - ii. **The street face shall be dominated by canopy trees in both the building setback and the public right of way.**
    - iii. **The type, number, and location of canopy trees in the building setback shall be coordinated with the type, number, and location of canopy trees in the public right of way.**
    - iv. **When planted, canopy trees shall have a caliper and height relationship consistent with the provisions of Table 1 in Section 1.2.1 of the American Standard for Nursery Stock (ANSI 2 60.1-2004).**
    - v. **Terraces shall have a minimum width of ten (1) feet to accommodate growth of canopy trees.**

- vi. **If a public sidewalk is within six (6) feet of the public street, canopy trees shall be planted on the building side of the sidewalk.**
  - vii. **Unless existing infrastructure interferes, canopy trees shall be planted at a spacing of no greater than forty (40) feet on center.**
  - viii. **Unless existing infrastructure interferes, canopy trees planted along street faces, in parking lots, and parking lot islands shall have a mature height of at least sixty (60) feet.**
  - ix. Screen fences and/or landscaped buffers shall be provided at property edges. Where a commercial property adjoins residential properties, this separation shall be provided pursuant to the Zoning Code.
- b. Guidelines.
- i. Property owners are encouraged to provide well-designed landscaped outdoor spaces for the use and enjoyment of employees and customers.
  - ii. Landscaping and fencing should be designed to complement the character of the building and provide a pleasing relationship with adjoining properties and the public sidewalk.
  - iii. The use of attractive landscaping is encouraged to establish continuity between buildings and to define the block face where there are no buildings.
  - iv. The use of rain gardens and bio-retention basins to collect runoff and filter pollutants is encouraged, where practical.
  - v. Landscape islands, open spaces, and porous pavements should be provided, where practical, for additional stormwater infiltration.
  - vi. **Canopy trees should be located in all terraces and medians.**
  - vii. **When space permits, canopy trees should be located on both sides of the public sidewalk.**
6. Site Lighting and Furnishings.
- a. Requirements.
- i. Cut-off light fixtures shall be used to illuminate the site.
- b. Guidelines.
- i. Pedestrian use areas should be adequately, but not excessively lit. Low-level building and landscape accent lighting is encouraged, where appropriate.
  - ii. Lighting and site furnishings (benches, trash receptacles, bicycle racks, etc.) should be designed to complement the character of the building and provide a pleasing relationship with adjoining properties and the public sidewalk.
7. Building Massing and Articulation.
- a. Requirements.
- i. All visible sides of the building shall be designed with details that complement the front facade. Side facades that are visible from the primary street shall receive complementary design attention.
  - ii. Blank building walls with little detail or variety along primary facades shall be avoided. Improvements to these buildings shall include details at the street level to create a more comfortable pedestrian scale and character.
  - iii. Architectural details at the ground floor shall be provided to enhance the pedestrian character of the street. Details shall include window and door trim, recessed entries, awnings, and/or other features.
  - iv. Mechanical equipment shall be screened from view by using screen designs that are architecturally integrated with the building design.
- b. Guidelines.
- i. "Green" building design that promotes energy efficiency is encouraged.
  - ii. Building facades should be designed to create a visual distinction between the upper and lower floors of the building.
  - iii. A positive visual termination at the top of the building with decorative cornices or parapets should be provided.

- iv. Buildings should be designed as products of their own time. Copying historic appearance and details is discouraged.
  - v. Franchise businesses are encouraged to modify their corporate designs, **if necessary**, to fit the District's character.
  - vi. Where possible, existing one-story buildings should be renovated with extended facades and parapets to increase building height and provide a more pleasing scale for the District.
  - vii. New buildings and additions should complement the character of adjoining buildings in the blockface.
  - viii. Creative architectural designs and details are encouraged so long as designs do not conflict or draw attention away from other buildings in the block.
  - ix. New corner buildings should be located near the sidewalk edge and should define the street intersection with distinctive architectural features such as towers, rounded walls, recessed entries or other design features.
8. Materials and Colors.
- a. Requirements.
    - i. Exterior materials shall be durable, high-quality materials and appropriate for external use.
  - b. Guidelines.
    - i. Brick, stone and terra cotta are preferred primary materials for new buildings or additions.
    - ii. The use of "faux" sidings is discouraged.
    - iii. Color choice should complement the style and materials of the building's facade and provide a pleasing relationship with adjoining buildings.
    - iv. Painting, covering or removal of natural brick and stone is discouraged, but staining may be acceptable.
9. Windows and Entrances.
- a. Requirements.
    - i. The ground floors of commercial retail buildings shall have at least sixty percent (60%) of the street wall area devoted to windows to enhance the pedestrian character of the primary street.
    - ii. Office buildings and other non-retail buildings should have at least forty percent (40%) of the street wall devoted to windows.
    - iii. Windows on the ground floor shall be transparent and unobstructed, and shall not be darkly tinted, colored, or have a mirrored finish.
  - b. Guidelines.
    - i. Building entrances should be designed as the focal point of the front facade.
    - ii. Entrances to new buildings or additions located close to the sidewalk should include recessed entries to allow for pedestrian movement.
10. Signage.
- a. Guidelines.
    - i. Preferred sign types include building mounted signs, window signs, projecting signs, and awning signs.
    - ii. Signs should be simple and easy to read.
    - iii. Sign colors should relate to and complement the primary colors of the building facade.
    - iv. Sign design and placement should fit the character of the building and not obscure architectural details.
    - v. Signage should generally be centered within the prescribed signable area of the building.
    - vi. Plastic box signs are highly discouraged.
    - vii. Signs displaying illuminated copy should be designed so that when illuminated, the sign appears to have light-colored copy on a dark or nonilluminated background.

- viii. Individually mounted backlit letters are an encouraged form of signage.
- ix. The use of small, well-designed building-mounted light fixtures is a preferred method of illuminating signage.
- x. Freestanding signs should be attractively designed. Signs should be coordinated with adjoining properties and public street signage to avoid visual clutter.

11. Restoration/Preservation Activities.

Several buildings within the District are older commercial structures, that have historic value and interest. The ground floors of many of these structures have been altered over time while the upper stories have generally retained their historic appearance. When considering building improvements, property owners of older commercial structures are encouraged to restore the original character of the building. This subparagraph identifies additional design requirements and guidelines to address the special conditions that exist for these sites.

a. Guidelines.

- i. The distinguishing features of the original building should be preserved. The removal or alteration of historic materials or distinctive architecture features should be avoided, whenever possible.
- ii. Where practical, the original masonry should be restored and missing elements such as cornices, windows and storefronts that were part of the original building design should be reconstructed. If restoration is not feasible, new elements should be designed to complement the character, materials and design of the original building.
- iii. Any inappropriate elements, signs, canopies, etc., that cover details and features of the original building should be removed.
- iv. Painting of natural brick or stone is strongly discouraged when those materials are in good condition.

12. Upper Level Development Standards.

- a. For buildings on Blocks 2b, 3b, 4b, 10-16, and 17c, any mass above five (5) stories that exceeds a footprint of one hundred thirty (130) feet on any side parallel to East Washington Avenue and two hundred (200) feet on any side perpendicular to East Washington Avenue shall have a stepback of forty-five degrees (45°), unless the Urban Design Commission approves a maximum of ten percent (10%) increase in the footprint due to structural or other constraints.
- b. Bonus stories may be allowed as follows:
  - i. Two (2) bonus stories on Blocks 2b, 3b, 4b, 12b, 13b, 14a, 14b, 15, 16, 17c, and 18c.
  - ii. Three (3) bonus stories on Blocks 10a, 10b, 11a, 11b, 12,a, and 13a.
- c. Bonus stories may be granted if it is determined that the provision of at least one (1) element from i. or a combination of elements from ii. provides sufficient public benefit to warrant the additional height.
  - i. -- LEED Gold certification, or equivalent
  - Inclusion of at least fifteen percent (15%) of dwelling units for families with incomes not greater than sixty (60%) Area Median Income (AMI) for rental units and/or an income not greater than eighty percent (80%) AMI for owner-occupied units. Area Median Income is the median annual income calculated by the U.S. Department of Housing and Urban Development for the metropolitan area that includes the City of Madison.
  - Structured parking that includes space shared by multiple users from multiple lots and that accommodates a substantial space for public use by patrons of both on- and off-site uses.
  - On-site, publicly accessible plazas and/or pocket parks that are visible from the street and provide seating, landscaping, public art and/or other public amenities. For each one (1) square foot of plaza or park that is provided, five (5) square feet of bonus area is available.



- ii. --Mid-block and through-block public pedestrian, bike, and/or vehicular connections.
- Substantial amount of family-supporting housing, including at least ten percent (10%) of dwelling units with three (3) or more bedrooms, outdoor recreation spaces, and/or other family-related amenities.
- On sites with designated historic structures and/or structures eligible for designation, the incorporation, preservation, or rehabilitation of such structures in the development.
- Adequately sized community meeting rooms available free of charge for neighborhood, public, or other community meetings or on-site daycare facilities in conjunction with family-supportive housing or employment uses.
- Minimum of fifty percent (50%) vegetative roof cover.
- LEED Silver certification or equivalent.
- On-site, publicly accessible plazas and/or pocket parks that are visible from the street and provide seating, landscaping, public art and/or other public amenities. For each one (1) square foot of plaza or park that is provided, ten (10) square feet of bonus area is available.

2. Current Subsection (15) entitled "Enforcement and Penalty" of Section 33.24 entitled "Urban Design Commission" of the Madison General Ordinances is hereby renumbered to Subsection (16).

3. Subdivision (b) entitled "Property Included in the District" of Subsection (11) entitled "Urban Design District No. 4" of Section 33.24 entitled "Urban Design District" of the Madison General Ordinances is amended to read as follows:

"(b) Property Included in the District. The District shall include property having any frontage on East Washington Avenue between Pinckney Street and ~~North First~~Blair Street; the south side of East Washington Avenue from North First Street to the western boundary of Urban Design District No. 8; North First Street between East Washington Avenue and East Johnson Street except those properties located in Urban Design District No. 8; East Johnson Street between North First and North Second streets; Pennsylvania Avenue between North Second Street and Packers Avenue; Packers Avenue between Pennsylvania Avenue and International Lane. If any portion of a zoning lot is in the district, the entire lot is within the district. A map of the District is available from the Department of Planning and Community and Economic Development."