

To: Madison Plan Commission

From: Peter Ostlind

Re: Zoning Text – Chapter 28E

Date: August 27, 2012

Some thoughts on the current version of the new downtown zoning text

28.071 (2)(b)2

The provision for a 30' stepback for buildings in excess of 4 stories on the 400 & 500 blocks of W. Washington is very appropriate. I strongly urge the Commission to retain this language.

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.

28.071 (3)(d)2

Recent residential proposals have had a first floor to second floor height of 10'-4" to 10'-8" which will probably work with this requirement for a minimum 12' height from the sidewalk to the second floor without arbitrarily just increasing the building height. The question though will be at what part of the sidewalk will this measurement be taken? Possible locations include: directly outward from the main building entry, at the point where the walk to the main building entry meets the sidewalk, though this can vary depending on ramps or steps.

28.071 (3)(g)1

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

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. These materials should not be allowed for use in the DC, UOR or UMX districts.

Table 28E-2

There are several examples in the general DR-2 areas where outdoor eating areas have been successfully incorporated. This success is largely due to management and hours of operation. Under the *Accessory Uses and Structures* section of the table this use is not permitted. In DR-2 areas this use can reasonably be designated as a conditional use.

28.075 (1)

What is the definition of 'medium-density residential uses'?

28.076 (1)

What is the definition of 'high-density residential uses'?

Density is not defined in the zoning code. Nor is there an explanation of what is being measured for density. Is it the number of residential units, the number of bedrooms, the number of presumed occupants? At what point does medium density become high density?

28.079

The DR-2 District should have building standards along the lines of those for the DR-1 District in 28.078 (4). In particular there should be a maximum building width. The 80' limit of the DR-1 may not be appropriate but an unlimited width is not appropriate either.

Most of the larger buildings recently constructed in the area of this district have front facades in the range of 66-150' with a couple at 190'. There is one 1970's building that stretches a full 300', which is approaching half the length of the entire block. The Large Multi-family Building form is described in 28.171 (7). Here it states that the maximum building length abutting the street shall not exceed 160' without a significant articulation of the façade.

A maximum building width in the 150-160' range would be appropriate for the DR-2 District and should be included in the text. In portions of the DR-2 District which are also Historic Districts a maximum width of 80' is appropriate.

To: Madison Plan Commission and Madison Common Council

From: Gary Peterson, AICP and Member of the Zoning Rewrite Advisory Committee

Subject: Roof Top Green Houses and Legal Building Replacement

Date: August 30, 2012

Roof Top Green Houses

I believe an important element of Sustainability that has not been included in the proposed Zoning Ordinance is the encouragement for Roof Top Green Houses. Not only is the Madison community encouraging use of locally grown food, but we have many underutilized flat roof tops. Expectations are we will have many more. We have an opportunity to provide builders with an option to increase local food production, place otherwise vacant space to good use and, I believe, increase the marketability of their building. In any case it would be a volunteer option. I recommend we amend the adopted definition of "Story" to include the following paragraph:

(c) For the purposes of this ordinance, any part of a building that is above the second story that is used only as a space, open or enclosed, for the production of food seasonally or all year, shall not be counted as a story.

Legal Building Replacement

If today's Legal Buildings that will exceed the height proposed in the new Zoning Ordinance are indeed to be permitted to be replaced at existing height, Section 28.071(2)(a) needs to be amended by adding the following after "28.098": (1)(a), (2)(e), and (5)(a)1.

To: Madison Plan Commission

From: Ledell Zellers

Re: Zoning Text – Chapter 28E

Date: August 30, 2012

Following are some recommendations on the current version of the zoning text:

28.078 Downtown Residential 1 District

28.078(4)

When considering additions, the introductory paragraph seems to apply only to buildings exceeding 50% of the existing building's floor area. Does this mean that if it does not exceed 50% of the floor area there is no maximum building width? The language is not clear.

28.078(4)(a)

The maximum building width in DR1 should be less than the 80 feet currently proposed. Something around 50 - 60 feet would be appropriate. The 80 feet maximum in the current draft would require combining lots and would put additional demolition pressure on our city's most historic and character defining resources including the Mansion Hill Historic District and the First Settlement Historic District.

All residential historic districts should be included within DR1 rather than DR2. This is important to help in protecting Madison's remaining historic architecture and places that make Madison special. If long building facades are allowed in the Langdon National Historic District, the character of Langdon Street, Henry Street and the rest of this unique place will change significantly particularly given the elimination of the former height restrictions.

28.079 Downtown Residential 2 District

I concur with comments already submitted by Mr. Ostlind that a maximum building width should be identified for DR2 District.

28.138 Lakefront Development

28.138(5)

I strongly urge that you close the loophole in the lakefront setback language. The current language would allow a domino of lake hugging "additions" by simply purchasing an adjoining lot(s) and connecting new buildings to the "principal building" and calling it/them additions to the principal building. Possible ways to prevent this would be to limit the size of an addition or *cumulative* additions to less than 50% of the principal building or limiting the addition(s) to the lot on which the "principal" building is located with lot being defined to be that which was in existence on the effective date of the new zoning ordinance.