

Dear Environmental Planning Commission,

The Planning Department's staff report from December 12th recommended several changes to the proposed CPO that are outside the scope of the initial request and are therefore inappropriate to be considered as a part of this case, which is intended to narrowly implement new regulations for the 4th Street area. I request that those conditions be stricken from the staff report and instead be made findings that encourage the City Council to consider such changes as a part of the IDO Annual Update. The rest of the CPO should remain as proposed, as noted below. Specifically, the conditions to be stricken or altered are:

1. Conditions 8, 9, 10, 11, and 12.
 2. Revise condition 13 to read: [This would help implement the regulations proposed as Subsection 3-9(E)(2)].
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Below are annotated proposed changes to the CPO. Please see **red text** for a description of the proposed revision.

Action:

1. Create a new CPO-9 titled "North 4th Corridor" and renumber subsequent CPO's. Change all references of small mapped areas titled "North 4th" to "CPO – 9 North 4th Corridor"

3-9(E)(1) Applicability

The CPO-9 standards apply in the following mapped area. *[Insert small area map for North 4th]*

3-9(E)(2) Roadway Cross-Sections

Development within this mapped area shall comply with all requirements in the DPM related to transportation design standards.

3-9(E)(3) Building Mass & Scale

- a) The maximum building height for properties zoned MX-M or higher is 55 feet.
- b) If more than 165 feet of frontage along 4th Street is being developed or redeveloped, one third of the new development is limited to 45 feet.
- c) No height bonuses allowed by Table 5-1-2 for Workforce Housing or Structured Parking shall be allowed.
- d) Any portion of a building over 30 feet shall incorporate a minimum setback of 6 feet from the front façade facing a public street.

~~3-9(E)(4) Setback Standards~~

- ~~a. Front, minimum: 10 feet.~~
- ~~b. Front, maximum: 15 feet.~~

Condition #11 of the staff report satisfies the concerns regarding minimum front setbacks. The Planning Department is proposing a condition of approval as a part of the IDO Annual Update to require a minimum setback of 10 feet in UC-MS-PT areas that would otherwise allow a 0-foot setback in Table 5-1-2 if the sidewalk is less than 10 feet wide. This new city-wide standard will address the front setback challenges along this corridor.

3-9(E)(5) Building Design

~~Building design for any parcels zoned MX-M or higher shall comply with the design requirements of 5-11(E) with the exception of 5-11(E)(2), which shall be replaced with the following for the purposes of this CPO:~~

- ~~1. In new residential and mixed-use development, windows on the upper floors shall be recessed not less than two inches.~~
- ~~2. Each façade facing a public street shall incorporate at least 3 of the following features along at least 30 percent of the horizontal length of the façade. The features listed below shall be distributed along the façade so that each horizontal façade length of 30 linear feet contains at least 1 of the following features:
 - ~~a. Ground floor clear, transparent display windows and/or doors, with the lower edge of window sills no higher than 30 inches above the finished floor. The ground floor clear, transparent display windows and/or doors shall comprise a minimum of 50 percent of the ground floor façade, except where a building faces a street on 2 or more sides, the primary façade shall contain a minimum of 50 percent of its surfaces in windows and/or doors, and the remaining street-facing façades shall contain a minimum of 30 percent of their surfaces in windows and/or doors with no minimum window sill height required.~~
 - ~~b. Windows on upper floors.~~
 - ~~c. Primary pedestrian entrances.~~
 - ~~d. Portals, arcades, canopies, trellises, awnings over windows, or other elements that provide shade or protection from the weather.~~
 - ~~e. Sun shelves or other exterior building features designed to reflect sunlight into the building and reduce the need for interior lighting.~~
 - ~~f. Raised planters between 12 inches and 28 inches above grade with the surface planted to achieve at least 75 percent vegetative cover at maturity.~~~~
- ~~3. Each street-facing façade longer than 50 feet shall incorporate at least 2 of the following additional features:
 - ~~a. Wall plane projections or recesses of at least 1 foot in depth, occurring at least every 50 linear feet and extending at least 25 percent of the length of the façade.~~
 - ~~b. A change in texture, or material occurring every 25 linear feet and extending at least 20 percent of the length of the façade.~~
 - ~~c. An offset, reveal, pilaster, or projecting element, no less than 2 feet in width and projecting from the façade by at least 6 inches and repeating at minimum intervals of 25 feet.~~
 - ~~d. Three-dimensional cornice or base features that are different in material from the primary façade and projecting no less than 3 inches. A base~~~~

~~feature shall be no shorter than 18 inches and a cornice feature shall be no shorter than 12 inches.~~

~~e. A projecting gable, hip feature, or change in parapet height for every 50 linear feet of the façade.~~

~~f. Art such as murals or sculpture that is privately owned or coordinated through the City Public Arts Program.~~

- ~~4. All accessory buildings visible from a public street shall be similar in color, material, distinctive rooflines, finishing details, and accent features to the primary building.~~

Condition #10 of the staff report satisfies the concerns regarding building façade and articulation throughout the corridor. The condition proposes that the standards proposed in this CPO should instead become city-wide standards for Main Street Corridors. This new city-wide standard applicable to all Main Street Corridors will address the façade and articulation concerns along this corridor.

Thank you for your consideration of these changes to the proposed North 4th Street Character Protection Overlay.

Sincerely,

Shanna Schultz
Council Senior Planner / Agent for Applicant