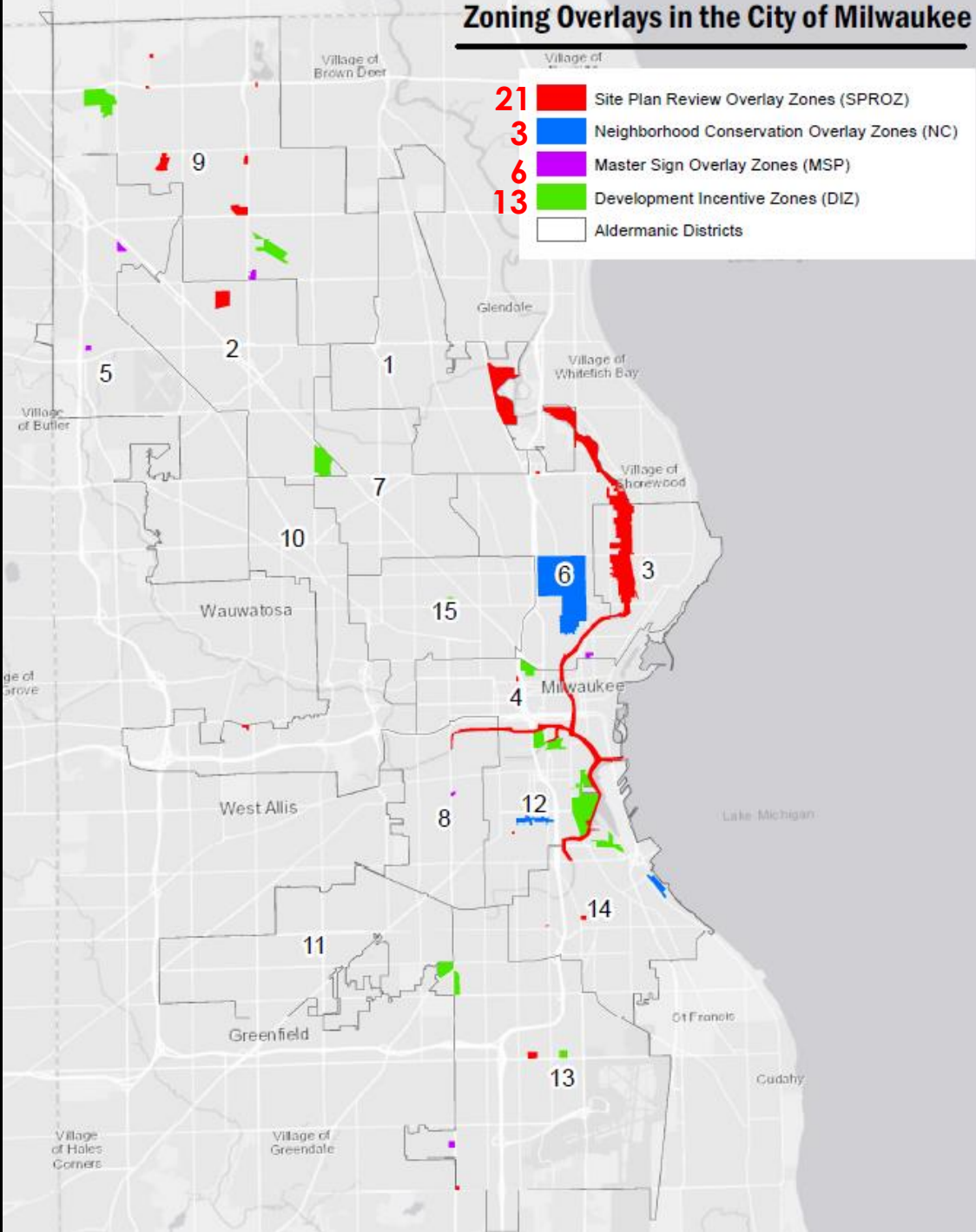


Zoning Overlays in the City of Milwaukee



File No. 181429.

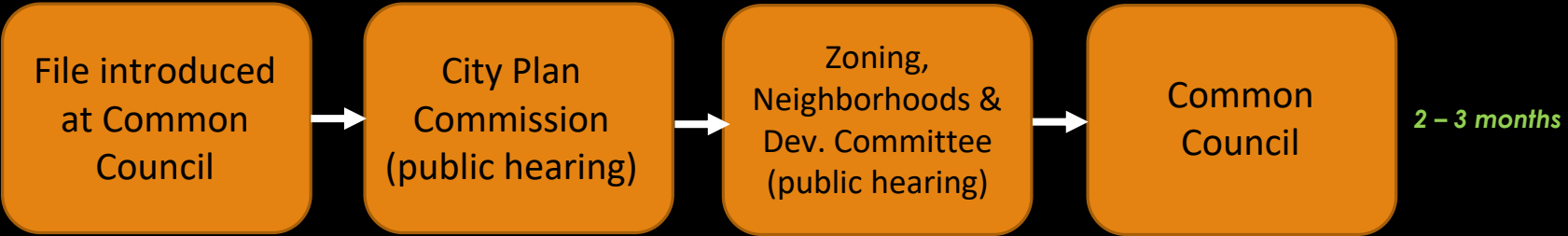
Number of Existing Overlays: 43

Number of Properties: 2,584

Number of Owners: 3,404

Current Process of Approval

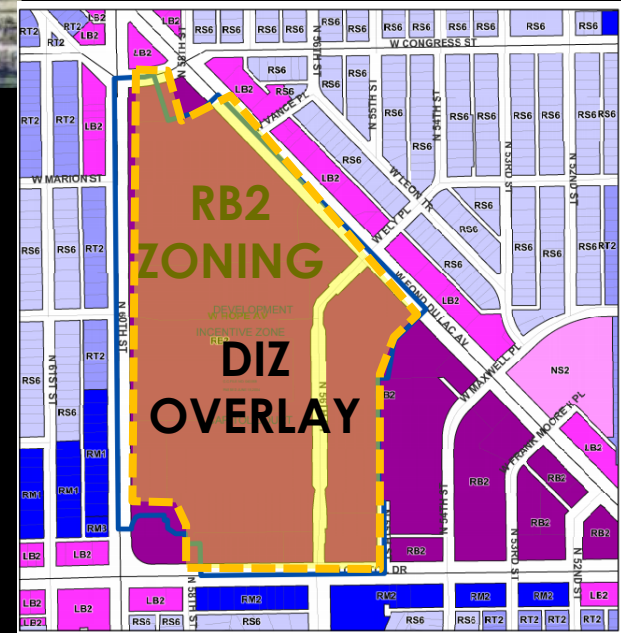
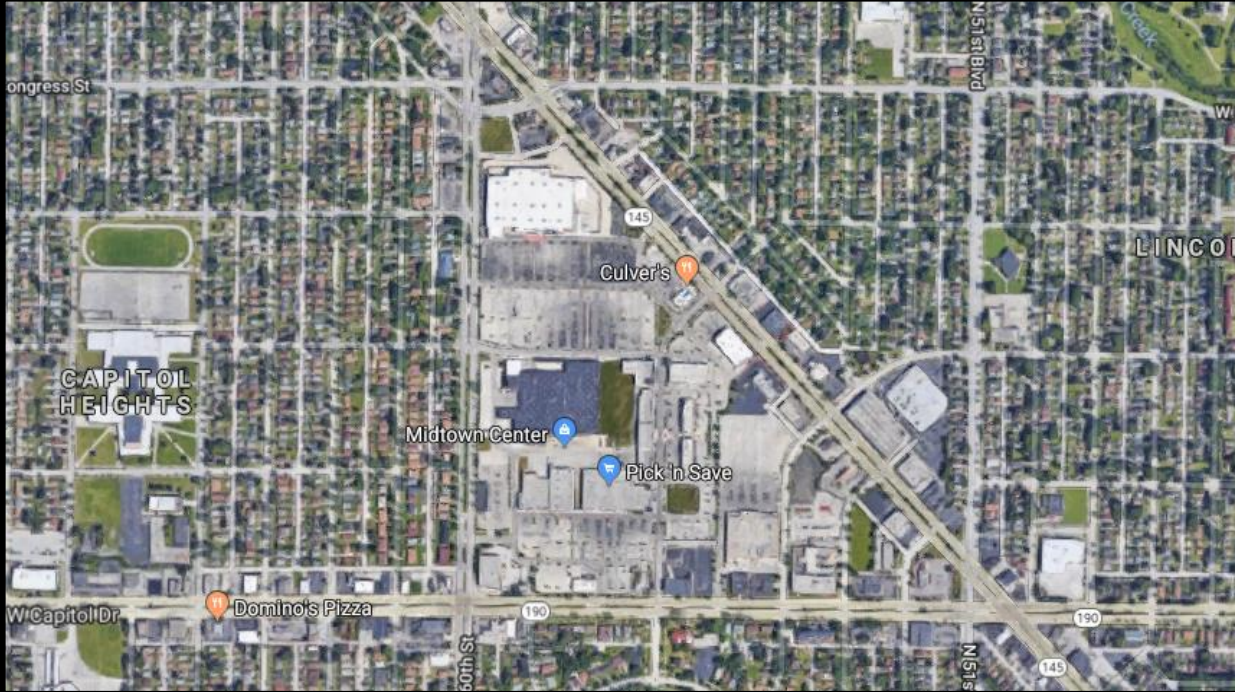
Establishment of Overlays:



Projects (site work) within Overlays and Deviations:



File No. 181429. Midtown Center Development Incentive Zone (DIZ)-2000



COUNCIL APPROVED PERFORMANCE STANDARDS

IN EFFECT BECOME PART OF THE ZONING ORDINANCE

AREA A

III. Site Improvements

Principles:

- Minimize impacts on adjacent properties and uses.
- Locate site elements to define street edges and corners.
- Coordinate landscaping and site improvements with building features.
- Enhance the pedestrian experience.
- Relate to the physical character and scale of the neighborhood.

Standards:

A. Amenities

1. Along the east side of North 56th Street extended from a point 450 feet north of West Capitol Drive to West Hope Avenue extended, provide pedestrian seating and trash receptacles.

B. Screening

1. Locate or screen dumpsters and service areas where they are not visible from the public street.
2. Screen outdoor storage areas.
3. Screen service and loading areas with wing walls or landscaping.
4. Enclose and screen dumpsters and recycling units with a board on board or masonry enclosure.

C. Site Signage

1. Billboards (off-premise signs) are not permitted.
2. Pylon signs are not permitted.
3. Up to two monument signs in Area A are permitted preferably at entrances to the project, but cannot exceed 10 feet in height. The height limit may be increased if signage is designed and integrated into a kiosk, building structure or bus shelter. Signage may also be integrated into a masonry wall.
4. The overall area of each monument sign may not exceed 150 square feet in area on each side.
5. At least one monument sign in this area must provide an overall development name and each monument sign may include up to 3 tenant names. It is preferred that each kiosk sign has up to 3 tenant names, but may not exceed 6 tenant names.



Example of acceptable freestanding kiosk sign. (Phipps Place in Charlotte, North Carolina)

D. Lighting

1. Lighting within parking areas must be designed and located to prevent glare onto adjoining properties.
2. Lighting poles within parking areas may not exceed 25 feet in height. It is preferred that lighting poles along public rights-of-way are 12 feet in height but may not exceed 18 feet in height.

i-3-c. Transparent Glass. Glass in windows or doors used to meet the glazing requirement shall not obscure clear vision and shall transmit at least 65% of visible daylight (visible transmittance ≥ 65), regardless of whether the glass is tinted integrally or with applied film. Spectrally selective low-e coatings can meet this requirement.

i-3-d. Interior Spaces. Interior walls parallel to required glazing shall be not less than 6 feet from the plane of the glazing.

i-3-e. Window Coverings. Operable interior window coverings may be used. Such coverings include, but are not limited to, blinds and draperies. No window covering may be permanently affixed or adhered to the window such that the window becomes permanently opaque.

i-3-f. Display Racks and Fixtures. In no case shall display racks and fixtures, in combination with permitted signs, obscure more than 50% of the glazing area.

i-3-g. Structural Elements. Structural elements of a glazing system that are less than 6 inches in width shall be counted as part of the clear glazing.

i-3-h. Sill Height Exception. In NS1, LB1, RS1 and CS districts, the maximum sill height may be raised to not more than 4 feet 6 inches above the finished floor level.

i-3-i. Rear Street Exception. When a rear street frontage is determined to be a secondary street frontage and the building façade facing that street frontage is more than 25 feet from the rear street property line, there shall be no requirement for glazing.

i-4. Alternatives to Glazing. The following alternative window or wall treatments may be used to meet the glazing requirements of subd. i-3:

i-4-a. Other First-floor Windows Outside the Area of Required Glazing. Clerestory windows or low windows that are at least 3 feet in height may be used to meet the requirements of subpar. i-3-b, and shall only be counted at half the rate of regular windows.

i-4-b. Display Cases. Display cases that are located in the area of required glazing and are at least 4 feet in height may be used to meet the requirements of subpar. i-3-b, but shall only be counted at half the rate of regular windows.

i-4-c. Wall Design. On secondary street frontages, walls that are designed to avoid long, flat façades may be used to meet the requirements of subpar. i-3-b, subject to approval by the commissioner of neighborhood services. In order to be counted towards the glazing requirement, the entire wall shall be designed in this manner and individual sections of flat, blank wall surface shall not exceed 25 feet in length.

i-4-d. Windows not Meeting Transparency Standards. Windows that do not meet the transparency standards of subpar. i-3-c shall be counted at 25% of the rate of regular windows. Spandrel glass shall not be counted when determining compliance with transparency requirements, even at the reduced 25% rate.

i-4-e. Other Elements. Subject to approval by the commissioner of neighborhood services, other elements that are integrated into the façade of a building may be used to meet the requirements of subpar. i-3-b and shall be counted at the same rate as regular windows. Such integrated elements include, but shall not be limited to, bus shelters and automatic teller machines.

i-5. Overhead Garage Doors Facing Streets. For any new building or addition constructed in the NS2, LB2, LB3, or RB2 district, an overhead garage door which faces the street shall be set back at least 4 feet from the front façade of the main building mass.

i-6. Restricted Building Wall Materials. The following regulations apply to any non-industrial principal building or addition:

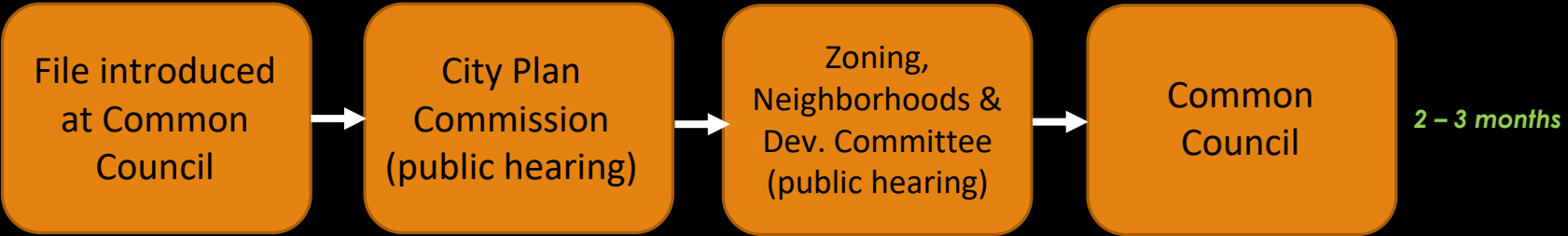
i-6-a. Metal Building Walls. The use of structural corrugated metal wall, or a metal panel-and-batten wall system such as a metal-sided, prefabricated building or a pre-engineered metal building, shall be prohibited when located on any front façade or street façade located within 100 feet of a street lot line. An architectural metal panel façade system with integral trim and integral trim connections to adjacent materials is permitted provided that the architectural metal panel system is not used closer than 1.5 feet from the ground.

i-6-b. Concrete Masonry Units. Utility-grade concrete masonry units, such as standard concrete block and split-face block, are permitted along a building's street-facing frontage provided that their use is limited to the base of the façade to a height not exceeding 2.5 feet. These materials are permitted on a building's rear, alley and interior lot line façades.

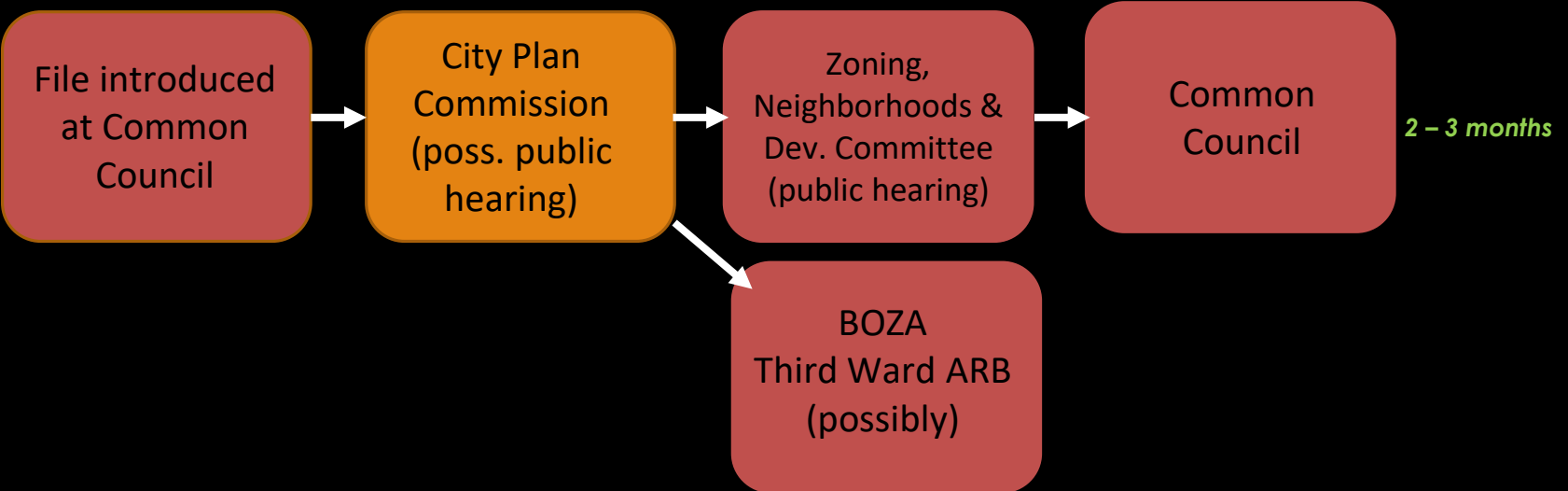
i-6-c. Simulated Stucco Products. Simulated stucco products are prohibited on the ground-level area of a building, and may only be used on the upper one-third of a street façade. These materials are permitted on floors above the ground level on a building's rear, alley and interior lot line façades. For purposes of this subparagraph, the ground-level area of a one-story building is the lowest 12 feet of the building.

Proposed Process of Approval

Establishment of Overlays:



Site work (projects) within Overlays and Deviations:



Site work means any of the following:

- 1. Physical expansion of any principal or accessory building.**
- 2. Alteration, replacement, addition or removal of exterior building feature such as, but not limited to, porches, railings, balconies, gables, awnings, signs, bay windows, fire escapes, cornices, capitals, lintels, sills and pediments.**
- 3. Alteration of the size, number or location of curb cuts.**
- 4. Alteration of loading or unloading facilities.**
- 5. Alteration of existing off-street parking spaces or installation of new off-street parking spaces.**
- 6. Modification of landscaping.**
- 7. Relocation of an existing freestanding sign or installation of a new freestanding sign.**

File No. 181429. Deviation from Performance Standards

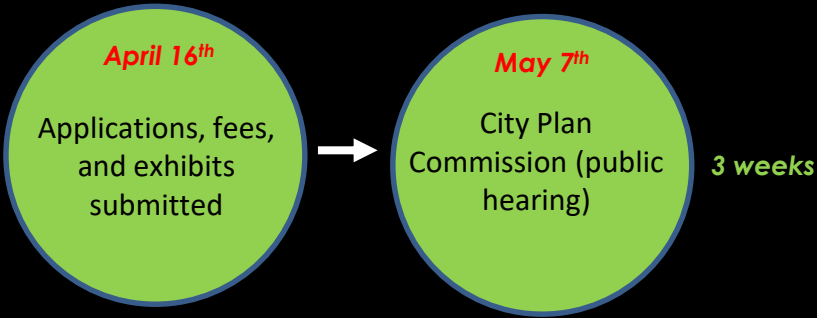
Required when the performance standards, which may include uses or design standards for established overlays, are unable to be met. The applicant must state the specific grounds for the deviation and identify the provisions of the neighborhood conservation plan or the development, performance or design standards or criteria applicable to the request for deviation. The deviation shall be approved if the criteria are determined to be met.

Criteria for Deviation:

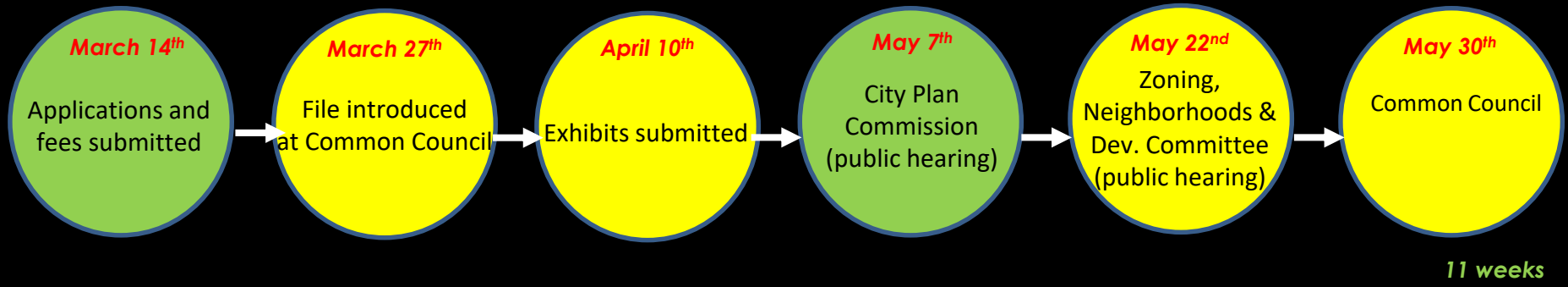
- 1. The purpose of the overlay zone is met.**
- 2. The deviation improves the aesthetics of the site.**
- 3. If applicable, the deviation addresses one or more unique site factors that make application of the standard impractical.**
- 4. The deviation is consistent with the comprehensive plan.**

Example: Former Lowe's at Midtown Center DIZ

CURRENT Approval of Site Work and Deviation:



PROPOSED:



File No. 181429.

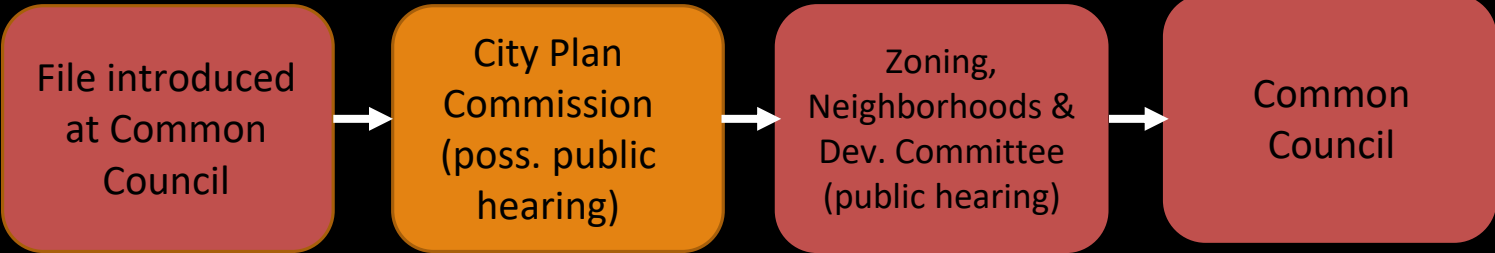
Proposed Sub B Impacts Neighborhood Conservation (NC) Overlays

CURRENT Site work (projects) within NC Overlays:

Customer applies for permit, staff reviews overlay standards, permit issued if overlay standards met.

Same day if walk-in customer and permit application is complete

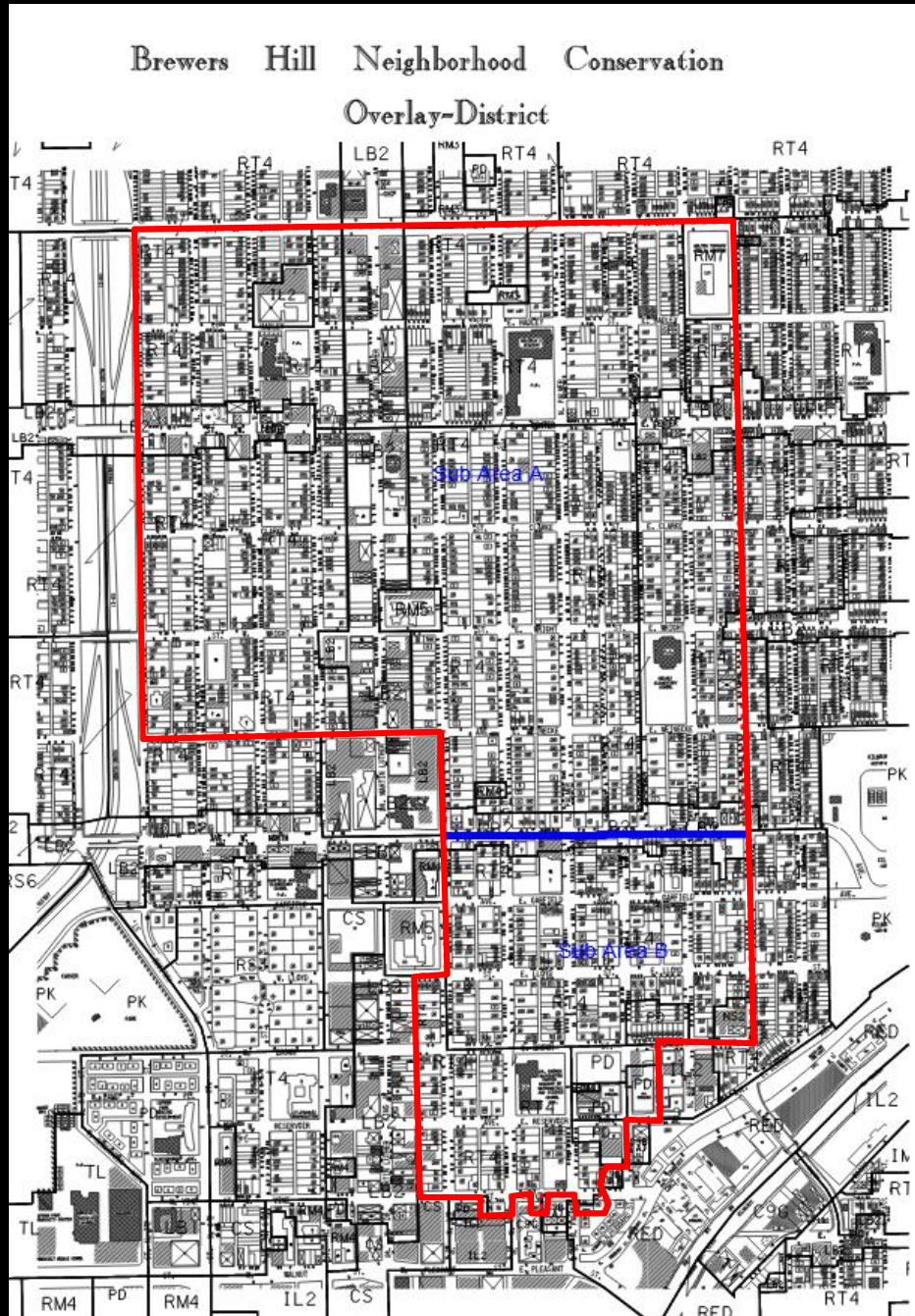
PROPOSED Site work (projects) within NC Overlays:



2 - 3 months

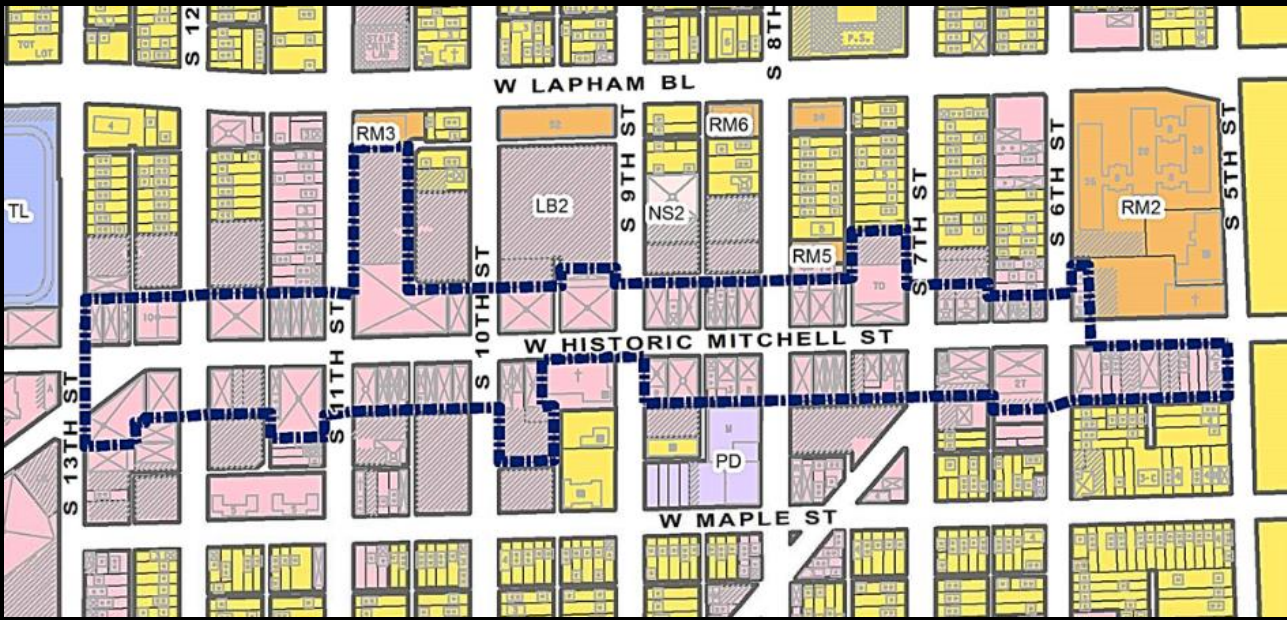
Brewers Hill/Harambee Neighborhood Conservation Overlay Zone

- Approved in 2006.
- Roof pitch, porch design, windows facing the street, height, garage placement.
- Specific to single- and two-family homes



Historic Mitchell Street Neighborhood Conservation Overlay Zone

- Approved in 2014.
- Uses within the first floors of buildings



Bay View/South Shore Neighborhood Conservation Overlay Zone

- Approved in 2008.
- No flat roofs, maximum lot coverage



Points of Objection

- The proposed process will **delay** decisions for applicants, resulting in additional expense and **less predictability** for development projects.
- In some circumstances, the process may require an applicant to go to both the Board of Zoning Appeals and/or Third Ward ARB, *and* the Common Council.
- The proposed process is contrary to the Local Business Action Team's (LBAT) task to streamline the city's permitting, licensing and inspection process to make it more user-friendly.
- Proposed process change inconsistent with purpose of overlay zones and legislation does not provide clear outline of process.
- Proposed Sub. B. will create further undue expense and time to individual property owners in the Harambee/Brewers Hill, South Shore and Mitchell St NC overlays.

File No. 181429. Projects within Overlays



The Yards – 12th District



Golden Corral Landscaping – 13th District



The Forty Two – 4th District



Bader Rutter – 3rd District

File No. 181429. Projects within Overlays

[Link to City Plan
Commission Testimony](#)