

# D-1 ZONING AND DESIGN GUIDELINES



# BACKGROUND

- The City is initiating an amendment to the Zoning Regulations that will convert the existing “C-5” zoning to “D-1” and eliminate the “C-5” District.
- The “C-5” District was created in 1992. The “D-1” Downtown District was created in 2001 to better encourage mixed use activity downtown.



# BACKGROUND

- In recent years Downtown has seen increased investment and greater overall interest in its historic character. The City of Topeka invested \$5 million, which was matched with more than \$2 million of private investment, to upgrade the streetscape and utility infrastructure along Kansas Avenue.
- Additionally, two historic districts were added to the National Register in 2015 and design guidelines were written and approved for the two historic districts in 2016.

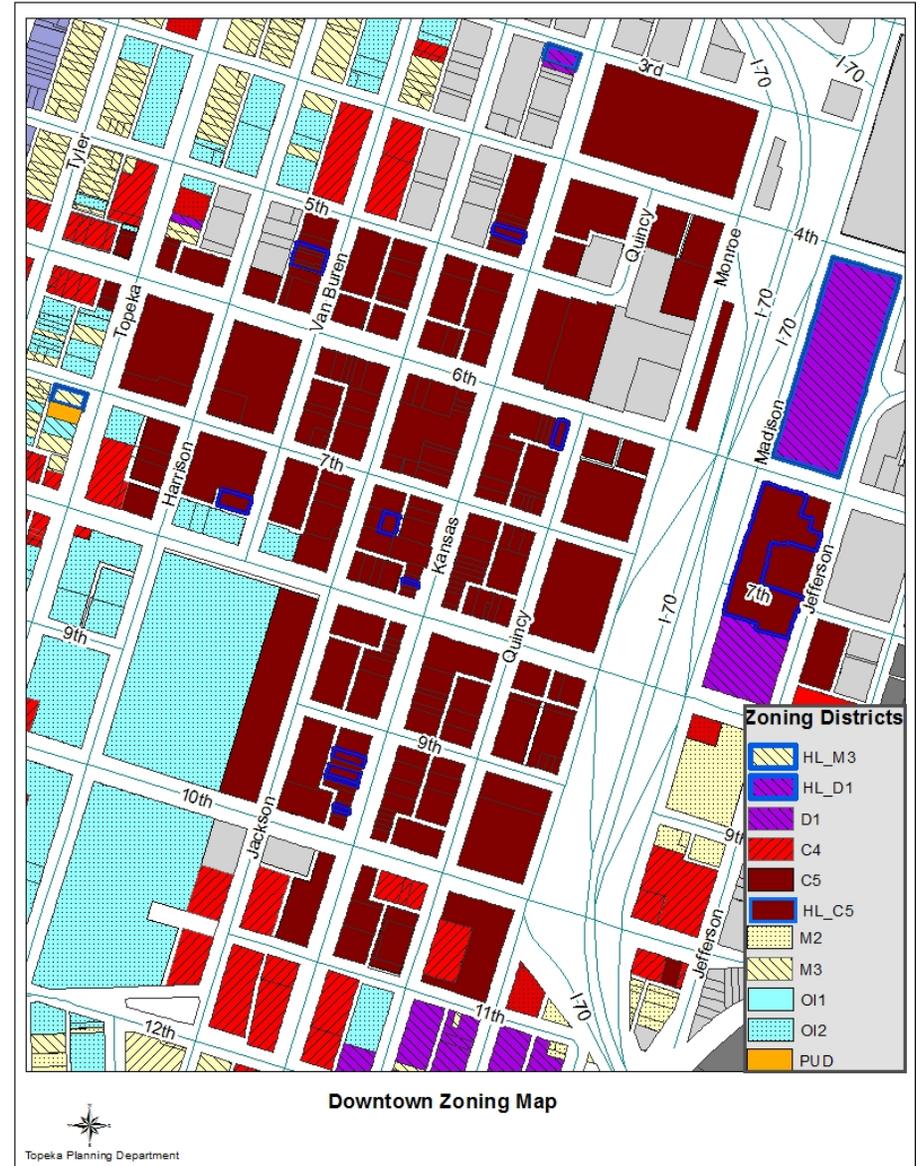


# BACKGROUND

- The current C-5 downtown zoning does not protect mixed use or urban design character. The D-1 zoning does and further assures integrity of the historic districts.
- There are three components to the D-1 District:
  - use matrix,
  - design guidelines, and
  - signs.



# D-1 ZONING



# USE MATRIX

Web link:

<https://www.topeka.org/planning/Documents/TopekaZoningMatrix.pdf>

- 18.60 Use Matrix categorizes uses as “Allowed (‘●’)”, “Subject to Specific Use Requirements (‘S’)” in 18.225), “Conditional (requires Conditional Use Permit) (‘C’)” or “Prohibited (‘-’)”.
- Purpose? Ensure uses in “D-1” are consistent with the nature of a Downtown- Entertainment - Mixed Use Center.
- Amendment will eliminate C-5 and convert the zoning of all C-5 properties to D-1 (TMC18.50). D-1 uses, for the most part, remain consistent with C-5 uses.

Approval Levels	
● =	Allowed Use
S =	Allowed per Special Use Requirements under Chapter 18.225
S/C =	If unable to meet Special Use Requirements, may apply for CUP.
C =	Conditional Use Permit (CUP) approved by Governing Body
See Design Standards for "X" & "D" Districts	
R-1/R-2/R-3 Single Family Dwelling	
R-4 Manufactured Homes	
M-1 Two Family Dwelling	
M-1a Limited Multiple Family Dwelling	
M-2 Multiple Family Dwelling	
M-3 Multiple Family Dwelling	
O&I-1 - Office And Institutional	
O&I-2 - Office And Institutional	
O&I-3 - Office And Institutional	
C-1 Commercial	
C-2 Commercial	
C-3 Commercial	
C-4 Commercial	
C-5 Commercial	
I-1 Light Industrial	
I-2 Heavy Industrial	
U-1 University	
MS-1 Medical Service	
X-1 Mixed Use	
X-2 Mixed Use	
X-3 Mixed Use	
<del>C-4 Downtown Mixed Use</del>	
D-1 Downtown Mixed Use	
D-2 Downtown Mixed Use	
D-3 Downtown Mixed Use	
RR-1 Residential Reserve	
OS-1 Open Space	



# USE MATRIX

**Web link:**

<https://www.topeka.org/planning/Documents/TopekaZoningMatrix.pdf>

## • **Highlighted Changes:**

1. Clarifies Specific Use Standards for “*Dwelling Units on main floor*” with intent to encourage Mixed Use Activity on ground floors of buildings Downtown. Allowed subj to “S”.
2. Establishes Specific Use Standards for “*Drive-up/Drive-through facilities*” for design and placement.
3. Allow “*Drinking Establishments*”. Require CUP in C-5.
4. Allows “*Retail Merchandise/Outdoor Display*” in D-1 subject to standards. Prohibited in C-5.
5. Allows “*Micro-breweries, Micro-distilleries*” in D-1 subject to standards. Allowed only by CUP in C-5.



# USE MATRIX

## **TMC18.225 Specific Use Standards**

**Dwelling Units on Main Floor. Dwelling units located on main floors shall meet the following requirements:**

- (1) The units must be subordinate in area or location to nonresidential uses on the main floor; or
- (2) The units shall be allowed in structures that were originally built for use as dwelling units, the structure has been used historically for dwelling units, or the dwelling units were converted from hospital, school, or hotel rooms



# USE MATRIX

## **TMC18.225 Specific Use Standards**

### Drive-up/Drive Through Facilities.

- (1) In D and X Districts, the drive-up window, menu boards and all lanes needed for vehicle stacking shall be located to the rear or side of the principal building.
- (2) In D and X Districts, the drive-up window facility shall be secondary and subordinate in size to the principal uses of the structure in which the drive-up facility is located.
- (3) . . . *(additional standards see full section of 18.225).*



# USE MATRIX

## TMC18.225 Specific Use Standards

**Retail Merchandise Outdoor Display.** Items for sale that are displayed outside buildings, exclusive of very large items such as vehicles and construction materials, shall meet the following standards:

*... (additional standards see full section of 18.225).*

(4) In D and X Districts, retail merchandise outdoor display areas shall occur only during normal business hours. The outdoor display area shall not obstruct vehicular or pedestrian circulation and provide adequate pedestrian clearance.



# USE MATRIX

## **TMC18.225 Specific Use Standards**

### **(x) Micro-Alcohol Production in X-2 and X-3 and D Districts:**

1. Micro-breweries are limited to 5,000 barrels per year.
  2. Tap rooms and tasting rooms are permitted as an accessory use and should be located near the street front side of the building.
  3. Any portion of the building that fronts a public street should have a store front facade and include windows and door openings along the street frontage.
  4. The area of the building used for manufacturing, processing, brewing, fermenting, distilling, or storage should be above or below the ground floor or located to the rear of the building or otherwise subordinate in area and extent.
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**Web link:**

[https://www.topeka.org/planning/Documents/D1Project\\_Draft.pdf](https://www.topeka.org/planning/Documents/D1Project_Draft.pdf)

# D-1 DESIGN GUIDELINES

## ○ Purpose

The purpose of these guidelines is to provide the regulatory authority to ensure that new construction and renovation of existing structures is consistent with the established urban form of Downtown.

These guidelines are to be used as criteria for the design of new public and private projects and to be utilized in the evaluation of new projects. These guidelines seek to balance private property rights against the public interest of protecting the appearance and existing investments Downtown.



# D-1 DESIGN GUIDELINES

- **Creative solutions**

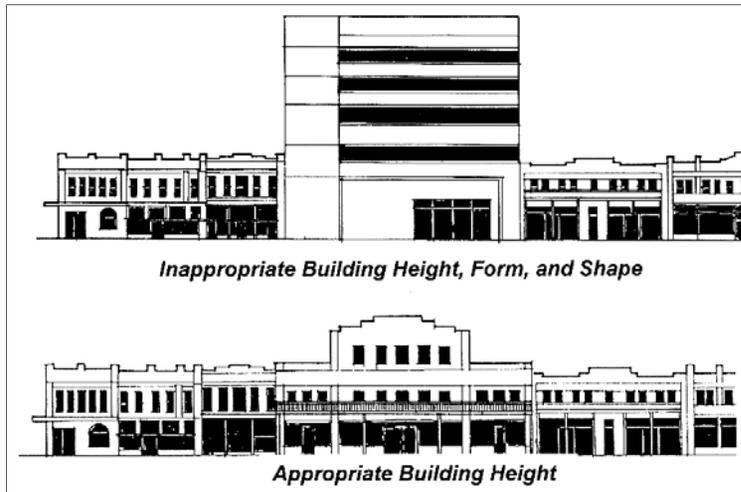
The D-1 guidelines describe ways to achieve the stated purpose of the guidelines and offer flexibility in meeting the key concepts for good downtown design.

Not all guidelines will or are intended to be met. The “should”, “recommended”, or “encouraged” statements offer flexibility and indicate that the city is open to design features that are equal to or better than those stated, so long as the intent is satisfied.



# D-1 DESIGN GUIDELINES

## ○ Infill Development



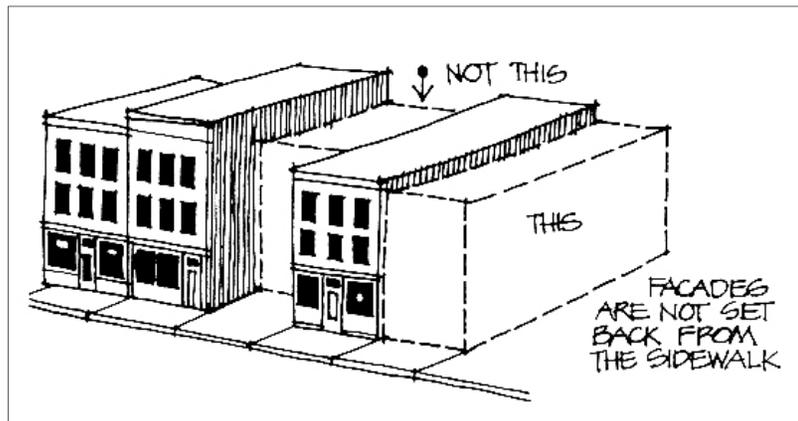
- Context sensitive design
- Techniques to help ensure compatibility with neighboring properties:
  - Maintain street wall
  - Different wall materials
  - Differentiating upper stories from the street level by setting back the upper stories.



# D-1 DESIGN GUIDELINES

## ○ Street Orientation

- Buildings should generally be built up to the edge of the sidewalk in a consistent plane with other buildings on the street.



# D-1 DESIGN GUIDELINES

## ○ Architecture and Context

- New construction is not required to implement any particular architectural style, but should be designed to be compatible with the scale, form and materials of surrounding structures, by applying these guidelines.



# D-1 SIGN GUIDELINES

## Purpose:

- To provide for the type of signage appropriate in a traditional downtown environment.
- To encourage reasonable standards that balance community objectives with the needs of businesses and other users.
- To reduce visual clutter and encourage signs compatible with their surroundings.



# D-1 SIGN GUIDELINES

## Types of Signs Permitted:

- wall signs
- signs on canopies and awnings
- projecting signs
- free standing (ground) signs
- roof signs
- electronic message centers



# D-1 SIGN GUIDELINES

## Wall Signs

### Pedestrian Level:

- One or more signs per establishment
- No more than 20% of the exterior building elevation at that level
- Signs not to exceed 150 sf

### Above Pedestrian Level:

- For buildings of 3 stories (40') or more – one sign above first level not to exceed 150 sf.
- For buildings higher than 3 stories (greater than 40') – one sign above first level not to exceed 300 sf



# D-1 SIGN GUIDELINES

## Projecting Signs (aka “blade signs”)

- One per establishment
- Sign mounted to the exterior of the first or second floor
- Sign area limited to 10% of the building on the level at which sign is located, not to exceed 75 sf.



No More Than 150 Square Feet

Total Allowable Signage

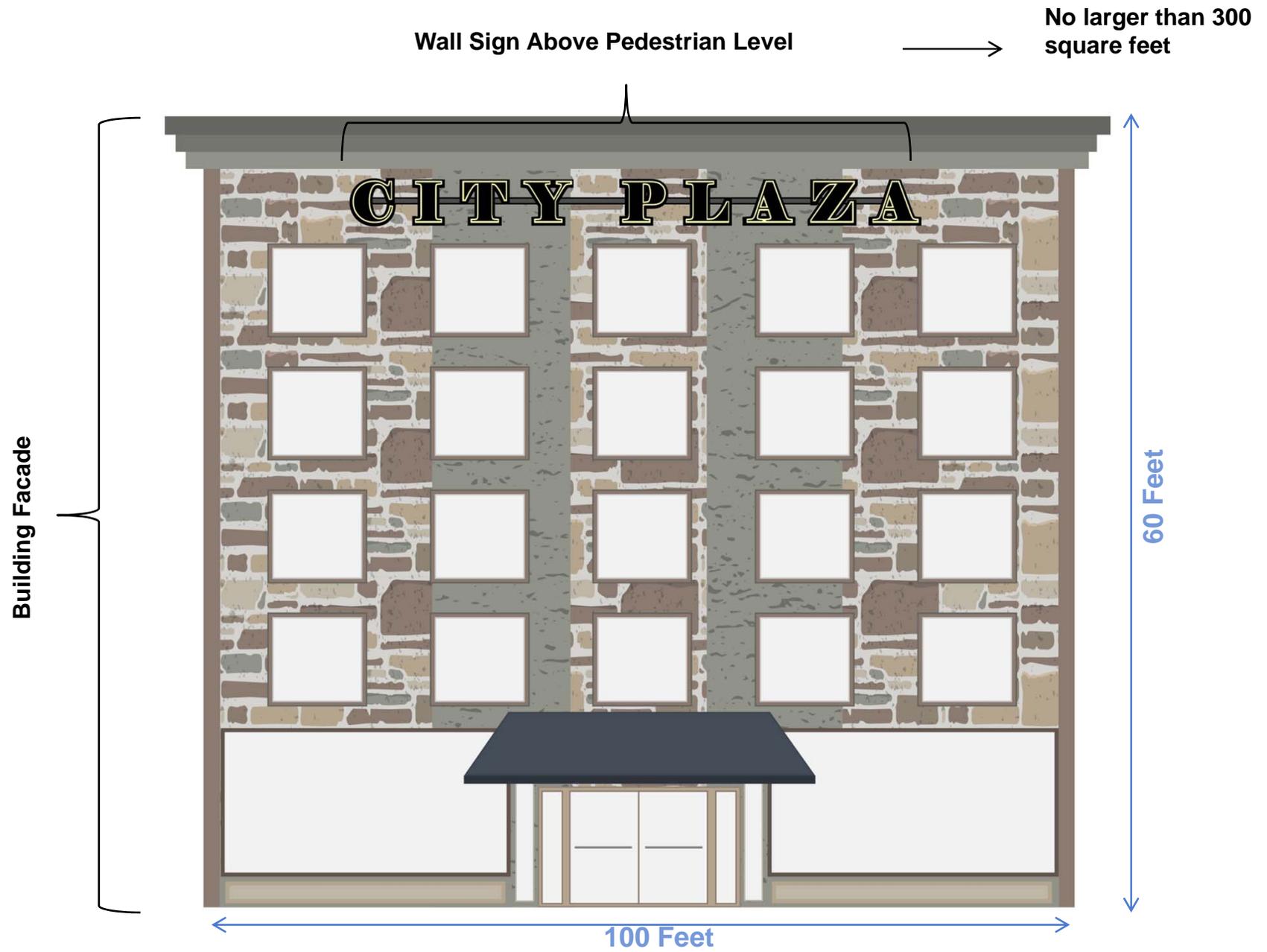


36 Feet

20% of Building Face or 150 Square Feet

20% = 180 Square Feet

25 Feet



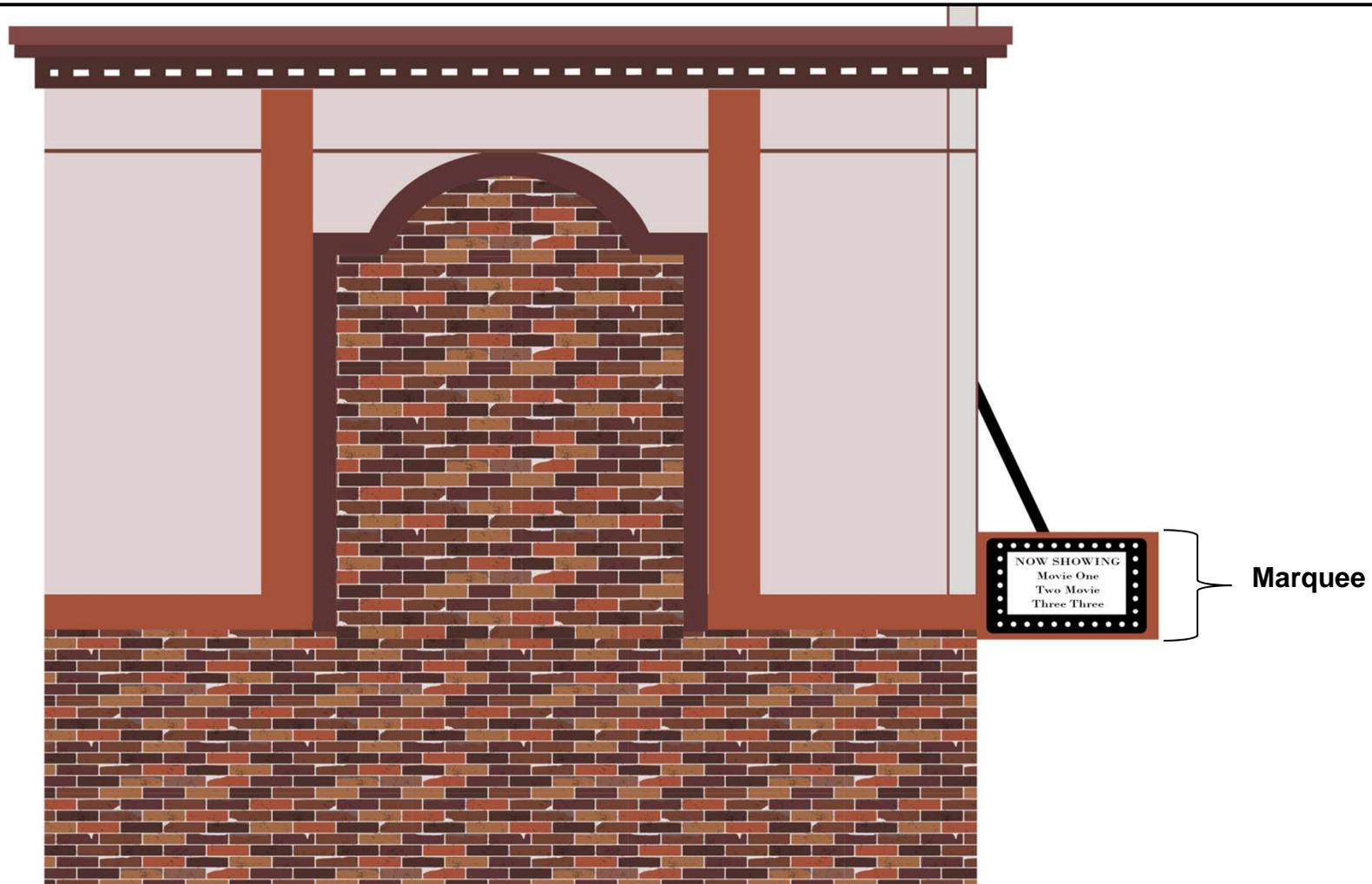


### Awning and Marquee Signs

- Size regulated as wall or projecting signs depending on angle of sign.
- Movie or theater marquees are allowed 100% of allowed signage to be an EMC.

## Signs

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# D-1 SIGN GUIDELINES

- Ground signs
- Roof signs
- Electronic message centers (EMCs)



## SO, WHAT HAPPENS NEXT?

- Presentation and Discussion at the Topeka Planning Commission's November 21<sup>st</sup> meeting
- Tentatively scheduled for a Public Hearing at the Topeka Planning Commission's January 23<sup>rd</sup> meeting.
- If the Planning Commission recommends approval, the zoning conversion will go to the City Council



# D-1 WEBSITE

<https://www.topeka.org/planning/Pages/D-1-Zoning.aspx>

**D-1 Zoning**  
City of Topeka > Planning > D-1 Zoning

**Boards, Committees & Commissions**  
Board of Zoning Appeals  
Design Review Committee  
Landmarks Commission  
Planning Commission  
MTPO

**Department Programs**  
Comprehensive Planning  
Current Planning  
Development Services  
Financial Incentives For Historic Preservation  
Historic Preservation  
Local Landmarks  
Transportation Planning

**Resources**  
1980-2010 Census Profile  
Application Forms  
Community Gardens  
Downtown Topeka Historic District Design Guidelines  
Fees & Schedules  
Frequently Asked Questions  
National Register Historic Districts  
Neighborhood Health  
Neighborhood Information Meetings  
Neighborhood Revitalization Program

**Downtown Zoning & Design Guidelines**

The City is initiating an amendment to the Comprehensive Zoning Regulations that will convert all C-5 zoned properties to D-1 Downtown District and eliminate the C-5 District from the zoning regulations.

The area is generally bounded by SW 3<sup>rd</sup> Street (north), SW Topeka Blvd (west), SE Jefferson (east), and SW 11<sup>th</sup> Street (south).

**Neighborhood Information Meeting to be held Monday, November 14, 2016 at 6:00PM**  
620 SE Madison, 1st floor Holliday Conference Room  
All who are interested in learning more about the project are invited to attend.

# D-1 ZONING

## CONTACT INFO

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