



Department of Planning & Community & Economic Development
Planning Division

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MEMORANDUM

TO: Plan Commission
FROM: Planning Division Staff
DATE: July 7, 2010
SUBJECT: Summary of Plan Commission Public Hearing Testimony Regarding the Proposed Zoning Code-June 21st, 2010

Brian Munson, 120 East Lakeside Street, representing Veridian Homes- Mr. Munson spoke in support of the proposed zoning code. Mr. Munson discussed the following sections of the proposed zoning code:

- Zoning Code page 34 Section 28.052 (3)
- Zoning Code pages 37-38 Section 28.052 (7)

He focused his discussion on page 7, 17. of the staff report (Memo 2). Mr. Munson said he supports the change from 20% to 10% (TR-P Minimum Percentage of Residential Units). Mr. Munson also discussed the design guidelines on page 37 and 38 of the draft code. He is concerned about how single family development is handled. He believes the guidelines are too prescriptive and complicated on a large scale. He wants the guidelines to be flexible over time. He said the code shouldn't get into window designs, door designs, etc. He wants single family homes to be exempt from guidelines. He said the code should focus on simplifying guidelines. He said the code should focus on massing and general styles, not materials, colors, etc. Mr. Munson was asked by the Alder Kerr if he can provide specific best practice guidelines to staff. Mr. Munson responded that he would provide examples to staff.

Alder Satya Rhodes-Conway, 2642 Hoard Street- Alder Rhodes-Conway spoke neither in support nor opposition to the proposed zoning code. Alder Rhodes-Conway discussed the following sections of the proposed zoning code:

- Zoning Code pages 181-182, Section 28.155(2)(a) and Section 28.155(2)(b)
- Zoning Code page 116, Section 28.108

Alder Rhodes-Conway thanked staff and the Zoning Code Rewrite Advisory Committee (ZCRAC) for their work on the zoning code. She said she is concerned about process, namely the ZCRAC was not fully engaged in drafting the code. She said the City did not do a good job at getting citizen input and the code reflects that. She wants to do a better job when the new zoning map is prepared. She also asked that public comments on the code text not be precluded when the draft zoning maps are being worked on. She wants to encourage live work units as discussed in Memo 1 page 5. She understands concerns

that some neighborhoods have about parking density and population density associated with accessory dwelling units (ADU), but the ADU overlay approach is not realistic and is too cumbersome (page 20, Memo 2). She suggested that another way to address ADUs should be found. She suggested that perhaps some design guidelines could be used as a basis to allow ADUs as conditional uses. She discussed when to allow suburban zoning districts to be on the new zoning map. She suggested changing the underlying zoning when the maps are prepared based on what we want to see. (page 3, Memo 1). She said this hasn't been discussed at all. She said new suburban districts should be discouraged. She said areas where underlying zoning should be changed over time should be identified, possibly starting with suburban commercial areas. Alder Kerr asked for clarification regarding what Alder Rhodes-Conway was referring to with regard to her discussion about disallowing strip malls in suburban commercial areas. Alder Rhodes-Conway suggested that a clause be added to the statement of purposes of the suburban commercial districts that would disallow suburban type strip development in all districts. She said residential districts could be considered one by one. Eric Sundquist said this issue was discussed by the Plan Commission. He said single family seems to be more nuanced than commercial. He made reference to recommendations of the Comprehensive Plan. Alder Rhodes-Conway said the City is moving away from suburban residential to something that is more "traditional". She said the City is moving forward in the right direction. She suggested that there is a need to determine the difference between the Comprehensive Plans and neighborhood plans. She said it's not clear what the difference is between the two types of plans. She suggested adopting plans that recommend zoning for the area.

Jim Skrenthy, 511 East Main Street- Mr. Skrenthy spoke neither in support nor opposition to the proposed zoning code. Mr. Skrenthy discussed the following sections of the proposed zoning code:

- Zoning Code page 220, Section 183(5)(a)5.
- Zoning Code page 221, Section 183 (6) (a) 1 and 2.

Mr. Skrenthy said he is waiting for the downtown districts to be addressed. He asked about the status of the downtown plan. He said the downtown needs careful consideration. He is concerned about planned unit developments downtown. He said the new code makes planned developments too vulnerable to over use. He said the wording needs to be made clearer and use of the planned development district needs to be discouraged. He said findings of fact in Section 28.183 (5)(a)5. are not clear. He asked when they would be required. He said consistency between the Comprehensive Plan and neighborhood plans needs to be left in Section 28.183 (6) (a) 1. and 2.

Peter Wolff, 945 Jenifer Street- Mr. Wolff spoke neither in support nor opposition to the proposed zoning code. Mr. Wolff discussed the following section of the proposed zoning code:

- Zoning Code page 111, Section 28.104.

Mr. Wolff spoke about the Transit Oriented Development Overlay District. He wants text added that discourages parking by adjusting the availability of parking.

Kevin Little, 615 East Washington Avenue, representing the Greater Madison Chamber of Commerce-

Mr. Little spoke neither in support nor opposition to the proposed zoning code. Mr. Little spoke about the following sections of the proposed zoning code.

- Zoning Code pages 39-84.
- Zoning Code page 221 Section 2813(6)1.-9.

Mr. Little said he is concerned about building heights and parking standards. He spoke about the proposed height limits in commercial and employment districts. He said the conditional use process to exceed those heights is too arduous. He said the conditional use approval standards (Page 221 28.183(6) 1. – 9. are difficult to meet. He asked what happens if the Comprehensive Plan and neighborhood plans are in conflict. He said that low buildings will hinder transit oriented development. Alder Kerr asked Mr. Little in which districts does he want to change with regard to building height. She also asked if he was suggesting that the conditional use standards be weakened. Alder Schumacher asked Mr. Little to clarify exactly what he is referring to in his discussion of building heights. Mr. Little said he is mainly concerned about the commercial and employment districts.

Mike Slavney, representing the Zoning Code Rewrite Advisory Committee- Mr. Slavney spoke in support of the proposed zoning code. Mr. Slavney said the zoning code will never be completely finished and that at some point the City will need to make a leap of faith that it is close enough. He said the mapping process will generate more interest in the code.

Jeff Bessmer, 1820 Summit Avenue, representing the Madison Co-op Network- Mr. Bessmer spoke in support of the proposed zoning code. Mr. Bessmer discussed the following section from the proposed zoning code:

- Zoning Code page 177 Section 28.153(6).

Mr. Bessmer said that he wants each flat to have a capacity of up to five unrelated persons. He said he wants co-ops as permitted uses in some districts and conditional uses in others. He said the demand for co-ops is high.

Adam Porton, 122 North Bassett Street, representing Madison Community Co-operative- Mr. Porton spoke in support of the proposed zoning code. Mr. Porton discussed the following section of the proposed zoning code:

- Zoning Code page 177 Section 28.153(6).

Mr. Porton described the benefits of co-ops and explained what co-ops are. He said demand for co-ops is high. He said the five unrelated persons limit does not work for most co-ops. He wants more co-ops to be permitted by right instead of by conditional use. He said a conditional use requirement puts an added hurdle in front of co-ops when they try to purchase property.

David R. Sparer, 16 North Carroll Street, Suite 500 representing Madison Community Cooperative-

Mr. Sparer spoke neither in support nor opposition to the proposed zoning code. Mr. Sparer discussed the following section of the proposed zoning code:

- Zoning Code page 177 Section 28.153(6).

Mr. Sparer asked the Plan Commission to look at his proposal which is included in Memorandum 1 Appendix. He explained the contents of the memorandum and summarized the vote of the Housing Committee. He said the conditional use process is a deterrent to a co-op buying a house. Mr. Basford discussed the table on page 25 of Memorandum 1. He asked why a conditional use permit would allow higher occupancy in the SRC-3 district. Mr. Sparer indicated that his proposal only refers to existing buildings. Alder Kerr asked Mr. Sparer if co-ops would be added to the SRC-1 and SRC-2 districts. Mr. Sparer said no. Alder Kerr asked if there was not a conditional use requirement, would co-ops have an advantage when buying a building. Mr. Basford asked Mr. Sparer where co-ops are now allowed.

Ledell Zellers, 510 North Carroll Street- Ms. Zellers spoke neither in support nor opposition of the proposed zoning code. Ms. Zellers discussed the following section of the proposed zoning code:

- Zoning Code pages 115 - 116, Section 28.106.

Ms. Zellers said the Landmarks Overlay District should be retained as it exists, not eliminated. She said the Zoning Code Rewrite Advisory Committee has never discussed the downtown or the waterfront standards for nonresidential uses. She said the conditional use process is a default to approve projects.

Carole Schaeffer, 282 Alpine Meadow Circle, Oregon, representing Smart Growth of Greater Madison-

Ms. Schaeffer spoke neither in support nor opposition of the proposed zoning code. Ms. Schaeffer discussed the following section of the proposed zoning code:

- Zoning Code page 145, Section 28.141

Ms. Schaeffer said the code should allow greater building heights. Building heights should be looked at when the zoning map is prepared. She said five stories is an arbitrary number. She also said that the need for auto parking should not be forgotten.

Don Esposito, Veridian Homes, 6801 South Towne Drive- Registered in support of the proposed zoning code and available to answer questions.

Lawrence Winkler, 5306 Loruth Terrace, representing the Orchard Ridge Neighborhood Association

registered neither in support nor opposition of the proposed zoning code and available to answer questions.