



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes - Approved PLAN COMMISSION

*This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at [www.madisoncitychannel.tv](http://www.madisoncitychannel.tv).*

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Thursday, October 29, 2009

5:30 PM

215 Martin Luther King, Jr. Blvd.  
Rm LL-110 (Madison Municipal Building)

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### ZONING CODE REWRITE WORKING SESSION

**Note: Please disregard the note above about this meeting being televised, which only pertains to regular Plan Commission meetings. This session will NOT be televised!**

#### CALL TO ORDER/ROLL CALL

**Present:** 7 -

Lauren Cnare; Julia S. Kerr; Nan Fey; Eric W. Sundquist; Judy Bowser; Michael A. Basford and Tim Gruber

**Excused:** 5 -

Michael Schumacher; Judy K. Olson; James C. Boll; Michael G. Heifetz and Douglas J. Pearson

Staff present: Rick Roll; Heather Stouder; Matt Tucker; Brad Murphy and Michael Waidelich

Sundquist made a motion to conduct the working session under informal consideration, seconded by Cnare. The motion was unanimously approved.

Fey was chair of the meeting. The meeting was called to order by Fey at 5:37 p.m.

#### SCHEDULE OF MEETINGS

Brad Murphy described the zoning code rewrite project schedule and indicated that at least two more months will be needed to review the code. He indicated that staff is working on a list of technical issues that need to be revised in the draft code. He said staff will identify future Plan Commission work session dates. There was a brief discussion about how the schedule for the Downtown Plan is meshing with the Zoning Code rewrite.

#### PUBLIC COMMENT

Michael Slavney, 4824 Sherwood Road, Madison, (Chair of the Zoning Code Rewrite Advisory Committee), spoke about co-operative (Co-op) housing and how the issue was discussed at numerous Zoning Code Rewrite Advisory Committee (ZCRAC) meetings. He summarized the contents of a memo he submitted to the Plan Commission (dated October 29, 2009) and said that ZCRAC took a consensus approach to co-op housing. He said the consensus position of the ZCRAC was in alignment with the staff and consultant positions on this issue. Several Plan Commission members asked Mr. Slavney to clarify or expand on his comments regarding co-op housing and the term a "fine-grained mosaic of use districts".

Brian Munson, 120 East Lakeside Street, Madison, spoke on behalf of Veridian Homes. Mr. Munson explained Veridian's concerns about the proposed Traditional Residential - Planned (TR-P) zoning district. He expressed concerns about the required mix of dwelling unit types, design guidelines and the need for a multiple family residential only district. He also suggested that the downtown zoning districts be allowed to apply in areas other than the downtown. Brief follow-up discussion by the Plan Commission and Mr. Munson about his comments.

Three additional registrants: David Sparer 16 N. Carroll Suite 500, Madison; Gabriel Heck 1202 Williamson Street, Suite C, Madison; and Jeffery Bessmer 1820 Summit Avenue, Madison. Mr. Sparer, Mr. Heck and Mr. Bessmer indicated a desire to speak to the Plan Commission during the co-operative housing discussion later on the agenda.

## DISCUSSION ITEM

### 15932

Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit F pursuant to Sec. 66.0103, Wis. Stats. to revise the City's Zoning Ordinance.

#### Built Form and Compliance with New Standards

Staff provided an overview of the proposed new design and building placement standards in the commercial and mixed use districts and described how those standards could be applied to existing and future development. Staff indicated that it has been receiving some concerns about the proposed build-to lines in the Commercial Corridor-Transitional (CC-T) and Commercial Center (CC) districts. Staff noted that the proposed standards in the CC-T and CC districts conflict with the Large Format Retail Standards. Staff indicated that the Plan Commission has various options to consider when deciding how the proposed design and building placement standards and existing standards could be applied to development in the proposed commercial and mixed use districts.

Comment that the waiver process should be used as infrequently as possible. It may be possible to use the CC-T standards but allow Large Format Retail Standards as a conditional use.

Comment that there needs to be a balance in applying the proposed standards so as not to hamper potential redevelopment projects. Lot depth is the key to making the CC-T standards work.

Comment about how current development patterns can discourage people from walking.

Question about whether or not street widths can drive building setbacks.

Discussion about whether a master plan could be used to make a comprehensive development work instead of developing on a piecemeal basis.

Question about the use of angle parking.

Staff said it will bring back a recommendation about how design and building placement standards could be addressed in the commercial and mixed use districts.

Comment about the Traditional Shopping Street (TSS) district-Commercial projects should be brought to the street?

Comment about how residential uses be mapped in the TSS district-Flexibility desired in residential areas.

#### Housing Cooperatives

David Sparer spoke to the Plan Commission, explaining what the co-op community wants in the new zoning code. He indicated that he is ok with requiring a conditional use permit for remodeling or new construction, but is not sure why there is concern about interior but not exterior changes to a co-op if the occupancy doesn't change. Also, interior changes won't destroy the building. He asked what happens if a co-op closes. What does the building revert back to?

Mr. Sparer said that the conditional use permit requirement on page 164 (5)(a) and (b) of the draft zoning code puts co-op buyers at a disadvantage when compared to buyers who don't need a conditional use permit.

Discussion about occupancy limits and the potential increase of building occupancy if a non-co-op building is converted into a co-op building.

Discussion about how reconfiguring a non-co-op building to a co-op building would work.

Discussion about in which areas of the City the Madison Community Co-op desires to make conversions.

Discussion about requiring a management plan for co-ops.

Discussion about tenure-May be a legal issue.

#### TR-P District-Integration Versus Separation of Housing Types: Development Review

Brian Munson summarized the concerns of Veridian Homes regarding the proposed Traditional Residential-Planned (TR-P) district. These concerns are the 20% multi-family threshold in the TR-P and other proposed zoning districts, and design guidelines that are too costly for inclusion in a master plan and shouldn't be required to be included in CCRs. Mr. Munson also expressed the desire to have a multi-family residential only zoning district.

Discussion about design standards and possible requirement that each building get Plan Commission approval if no design standards are included in the TR-P district master plan.

Discussion about the 20% multi-family threshold, design guidelines and predictability of zoning for multi-family development. It was noted by staff that the proposed Traditional Residential-Urban District 2 (TR-U2) district would allow multi-family development by right.

Mixed-Use Neighborhood Areas

Staff provided an overview of the issue. Areas of staff concern included where mixed-use buildings should be allowed and should their potential locations be identified in adopted plans. Staff also pointed out potential zoning options for mixed-use buildings in neighborhood areas. One possible solution would be to rezone areas to the Neighborhood Mixed-Use (NMX) district based on adopted plans and allow commercial block buildings in residential areas as a conditional use. Discussion followed regarding the potential removal of mixed-use buildings in residential areas from the draft zoning code.

Area Exceptions

Staff indicated that there is no longer a need for them in the draft zoning code. Variance standards can be amended to address area exceptions if necessary. Suggestion by a Commissioner to add retrofitting parking lots in the unresolved issues list.

**BUSINESS BY MEMBERS**

None

**COMMUNICATIONS**

None

**SECRETARY'S REPORT**

None

**ANNOUNCEMENTS**

None

**ADJOURNMENT**

**A motion was made by Sundquist, seconded by Basford, to Adjourn at 9:05 p.m. The motion passed by voice vote/other.**