

PLANNING DIVISION STAFF REPORT

August 14, 2017



PREPARED FOR THE PLAN COMMISSION

Proposal: Zoning Text Amendment

Legistar File ID #: [47763](#), [48006](#), [48025](#), [48026](#)

Prepared By: Planning and Zoning Staff

The following is a summary of the proposed zoning text amendments for Plan Commission consideration.

[47763](#) – Changes to an approved Limited Production and Processing use

This amendment expands upon the existing supplemental regulations for the *Limited Production and Processing* use.

Limited Production and Processing, is defined by Section 28.211 and regulated under Section 28.151. The use requires Conditional Use approval in certain districts where it is allowed. This amendment to Section 28.151 clarifies that any change in use, either through changing the product being produced or the intensity with which the product is produced and processed, requires a Conditional Use alteration pursuant to Section 28.183(8). This will ensure that the use won't change from the production of one item to another, or from one production level, intensity, process, or method to another, without taking into account the impact the change might have on the neighborhood or surrounding properties.

Staff supports this text amendment.

[48006](#) – Site standards for surface parking in the DR1 and DR2 zoning districts

This amendment creates site standards for surface parking in the Downtown Residential 1 and 2 zoning districts. These site standards will allow parking behind or beside each building, unless an existing building already has surface parking located between the building and a street. This will eliminate the possibility of having parking both in front and behind a building, as occasionally happens in the downtown area.

A developed lot that would allow parking to the front and rear of the principal building is rarely found in the downtown area. The locations where it might be found are the sites with a building placement allows for parking in the area in front or behind the building, due to building placement toward the center of the lot, which is generally discouraged with new development. Also, if the lot is a corner lot, front and rear parking areas can be accessed from either street.

Typically the condition where parking could be installed to the front and rear of a principal multi-family building is on its lot with the "zero-side lot" condition that was common in the 1960s-1970's era development. These sites are referred to in the [Downtown Plan](#) as "existing out of context buildings." Often these developments do not meet the maximum front yards setback requirements, and were designed to have parking to one side of the building with the opposite side being an open/green space, either front or rear. Most of these developments are nonconforming uses or permitted uses, and the current code language does not establish site standards for parking placement. The result is the green space intended to serve as recreational space is lost to parking, with these developments having surface parking to the front and rear of the structure.

Staff supports this text amendment.

48025 – Exempting from the demolition permit process buildings identified for demolition in an approved campus master plan in a Campus Institutional District

This proposed text amendment exempts buildings identified and proposed for demolition in an approved campus master plan in a Campus Institutional (CI) District from the Plan Commission demolition review process prescribed in Section 28.185(6)(a) of the Zoning Code.

Following a favorable recommendation by the Plan Commission on June 19, the Common Council adopted the *Campus Institutional District Master Plan for the University of Wisconsin–Madison* on July 18, 2017 (see Ordinance ID [47245](#)). That master plan identified all known demolitions proposed to occur on the University campus over the ten-year effective period of the plan. Just as the CI zoning master plan is intended to allow projects to proceed without conditional use approval by the Plan Commission during the ten-year effective period, this proposed exemption would also remove the need for the University to seek demolition approvals during that time. Only those buildings that are specifically identified in an approved campus master plan for demolition will be eligible for this exemption. Buildings not so identified will have to go through the demolition review process or the campus master plan will need to be amended in order to properly identify a building for demolition.

Staff supports this text amendment.

48026 – Amending the Campus Institutional District to require review of final building design by university area committees and to allow for an appeal from a decision of an architectural review committee

This proposed ordinance amends the Campus Institutional (CI) zoning district in two ways. First, it requires that before any final building design in the UW-Madison Campus Institutional District goes before the architectural review committee established pursuant to Section 28.097(7), it shall first be presented to either the Joint West Campus Area Committee or Joint Southeast Campus Area Committee (depending on which committee has geographic jurisdiction) at a meeting that is noticed as required by the Zoning Code.

During the review of the *Campus Institutional District Master Plan for the University of Wisconsin–Madison* by the Joint West and Joint Southeast committee earlier this summer, it was suggested that notice of final plan reviews by those bodies should be provided. The proposed text amendment requires that notice of the respective campus area committee meeting be provided by first class mail to the owners of record, as listed in the office of the City Assessor, and occupants of multi-tenant buildings, of property in whole or in part situated within 200 feet of the boundaries of the project site. City and University staff have discussed this recommendation, and the University is amenable to presenting any such final projects to the respective campus area committee prior to seeking final approval from the University-City design review board that will give formal approval to those projects prior to construction.

Second, the proposed text amendment provides for an appeal process from the decision of an architectural review committee in a Campus Institutional District. Under this ordinance, an appeal could be taken by the applicant or alderperson from the district in which the project is located to the Plan Commission within 10 days of the decision by the architectural review committee. The ordinance requires the appeal to state the reasons for the appeal and the relief sought by the applicant or alder. Once an appeal is received, the Plan

Commission would set a public hearing as soon as practicable. At the conclusion of the public hearing on the appeal, the Plan Commission would be required to affirm, reverse, or modify the decision of the architectural review committee. The design review appeal proposed is similar to the appeal process prescribed in the Zoning Code for appeals to the Common Council of Plan Commission decisions on demolition permits per Section 28.185.

Staff supports this text amendment.