

## AGENDA # 1

City of Madison, Wisconsin

---

REPORT OF: URBAN DESIGN COMMISSION

**PRESENTED:** October 7, 2009

**TITLE:** Creating New Section 33.24(15) and Renumbering Current Section 33.24(15) to Section 33.24(16) to Establish Urban Design District No. 8 and Amending Section 33.24(11)(b) of the Madison General Ordinances to Move Properties From Urban Design District No. 4 to Urban Design District No. 8. (15783)

**REFERRED:**

**REREFERRED:**

**REPORTED BACK:**

**AUTHOR:** Alan J. Martin, Secretary

**ADOPTED:**

**POF:**

**DATED:** October 7, 2009

**ID NUMBER:**

---

Members present were: Marsha Rummel, Todd Barnett, Bruce Woods, Richard Slayton, John Harrington, Richard Wagner and Jay Ferm.

### **SUMMARY:**

At its meeting of October 7, 2009, the Urban Design Commission **REREFERRED** consideration of this item. Registered in support of the project was Curtis Brink. As an initiation of discussion on this item staff noted that this item was re-referred back to the Urban Design Commission by the Common Council based on issues that required further clarification as a result of two conditions recommended by the Commission on the ordinance regarding Urban Design District No. 8. Staff referenced an email correspondence from Assistant City Attorney Kitty Noonan regarding a recommendation to modify Section 33.24(15)(e)7.b.v., Guidelines recommending that “franchise businesses may be required to modify their corporate designs, if necessary, to fit the district’s character.” Kitty noted that this provision must be either a guideline or a requirement unless the context in which it will be one or the other is specified in the ordinance. It cannot be made a requirement on a case by case basis unless it is clear from the language when it will occur. Discussion on this issue was followed by a general consensus to maintain the provision as a guideline with the striking of the “if necessary” verbage from the language. The other point of clarification noted by Noonan was as follows: “It is fine if the Commission wants standards for canopy trees, however, those standards must be set out in the ordinance. The specific height, spacing, and size need to be provided so that an applicant knows what the requirements are.” Staff noted two recommendations by Commissioners Woods and Harrington at staff’s request relevant to providing a basis for establishing uniform standards for canopy trees on the street face. Woods recommended that the Commission consider incorporating a reference to the American Standard for Nursery Stock, ANSI Z60.1-2004 regarding Type 1 Shade Trees as a basis for recommending the type, size and caliper of trees to be used with an emphasis on the use of canopy trees with an oval and/or rounded form. Harrington provided a list with a range of recommendations relevant to location of canopy tree plantings, caliper, height and size including alternatives for placement in both the public right-of-way and private property areas. Subsequent discussion of Harrington’s recommendation provided for some minor adjustments to the draft language.

## **ACTION:**

On a motion by Wagner, seconded by Rummel, the Urban Design Commission **REREFERRED** consideration of this item. The motion was passed on a vote of (7-0). The provision regarding franchise signage was maintained as a guidelines with the deletion of the “if necessary” verbage. A second motion by Wagner, seconded by Rummel in favor of referral of the necessary modifications to provide for uniform standards for canopy trees on the street required staff, and the City Attorney to draft language in conformance with the suggestions made by the Commission inclusive of comments made by Harrington and references to the American Standard for Nursery Stock, ANSI Z60.1-2004 regarding Type 1 Shade Trees which is to return to the Commission for continued discussion and consideration.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding.

**URBAN DESIGN COMMISSION PROJECT RATING FOR:** Urban Design District No. 8

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
<b>Member Ratings</b>								

General Comments:

- Additional details about canopy trees will help inform policy discussions about preserving and enhancing “urban forest” now underway.