



City of Madison

Proposed Rezoning

Location
1110, 1210 & 1229 East Wilson Street

Applicant
Alder Marsha Rummel

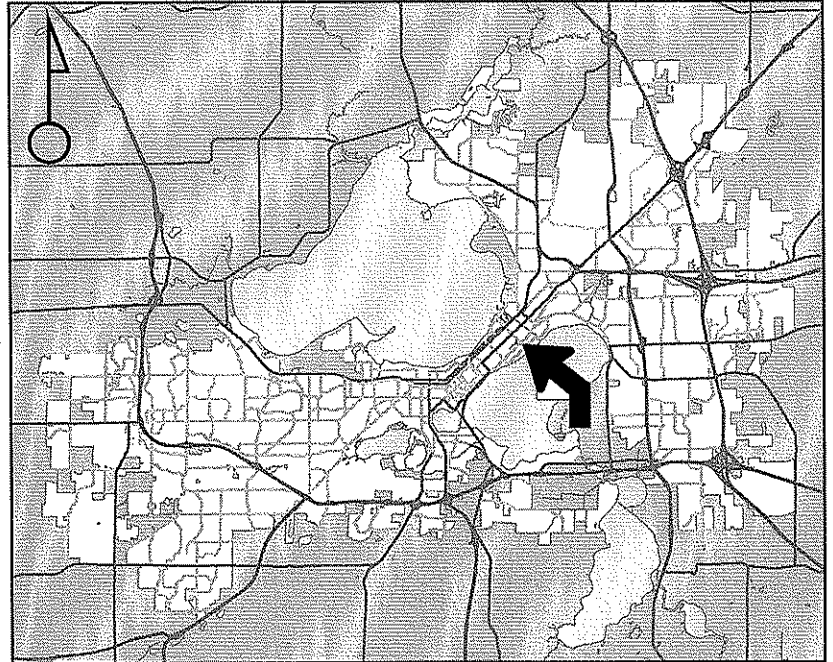
From: M1 & C3 To: R3

Existing Use
Railroad & City Right-of-Way &
Two-Family Residential

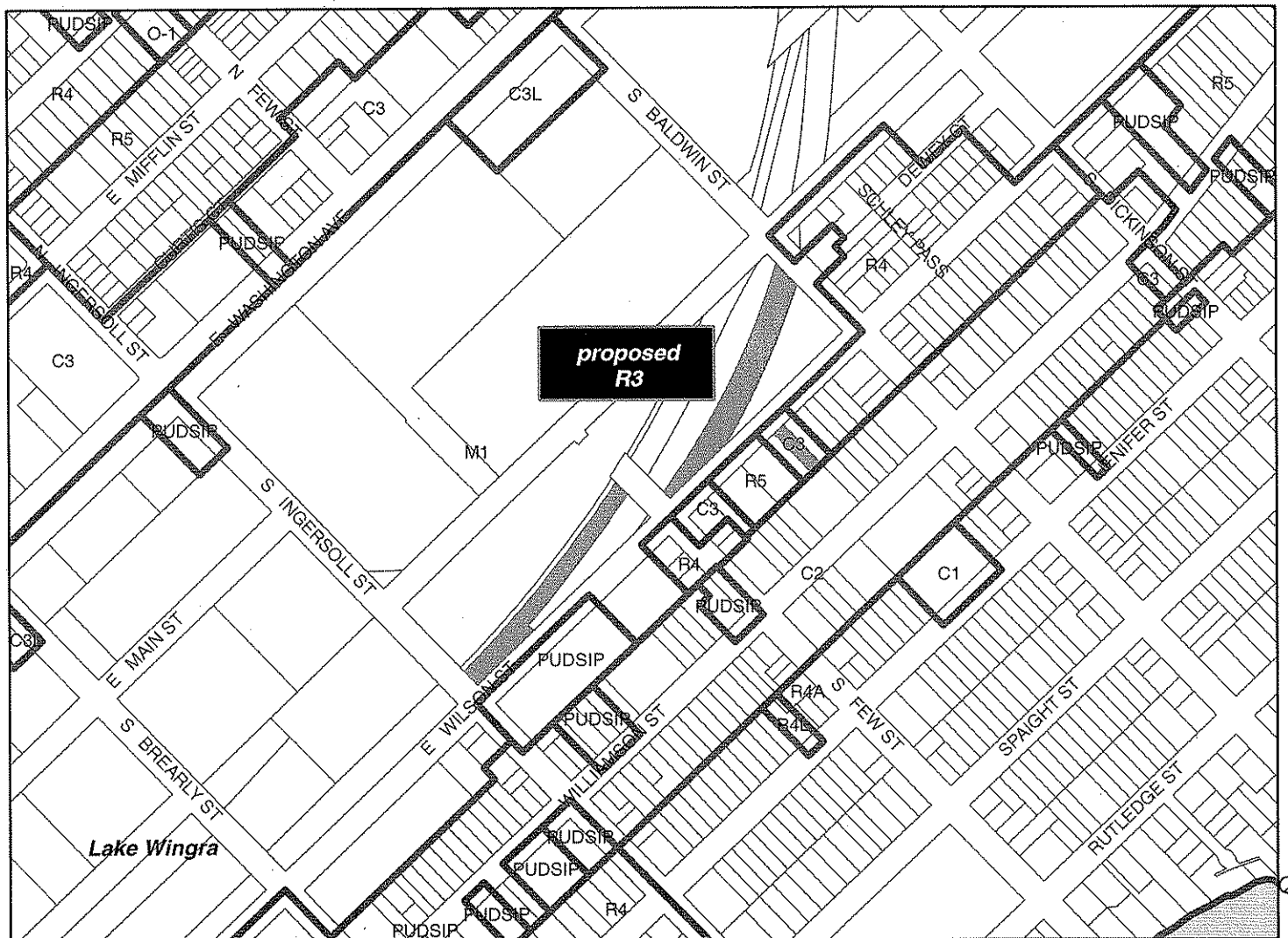
Purpose
Down-zone to allow Residential
Street Parking Permits

Public Hearing Date
Plan Commission
12 January 2009

Common Council
20 January 2009



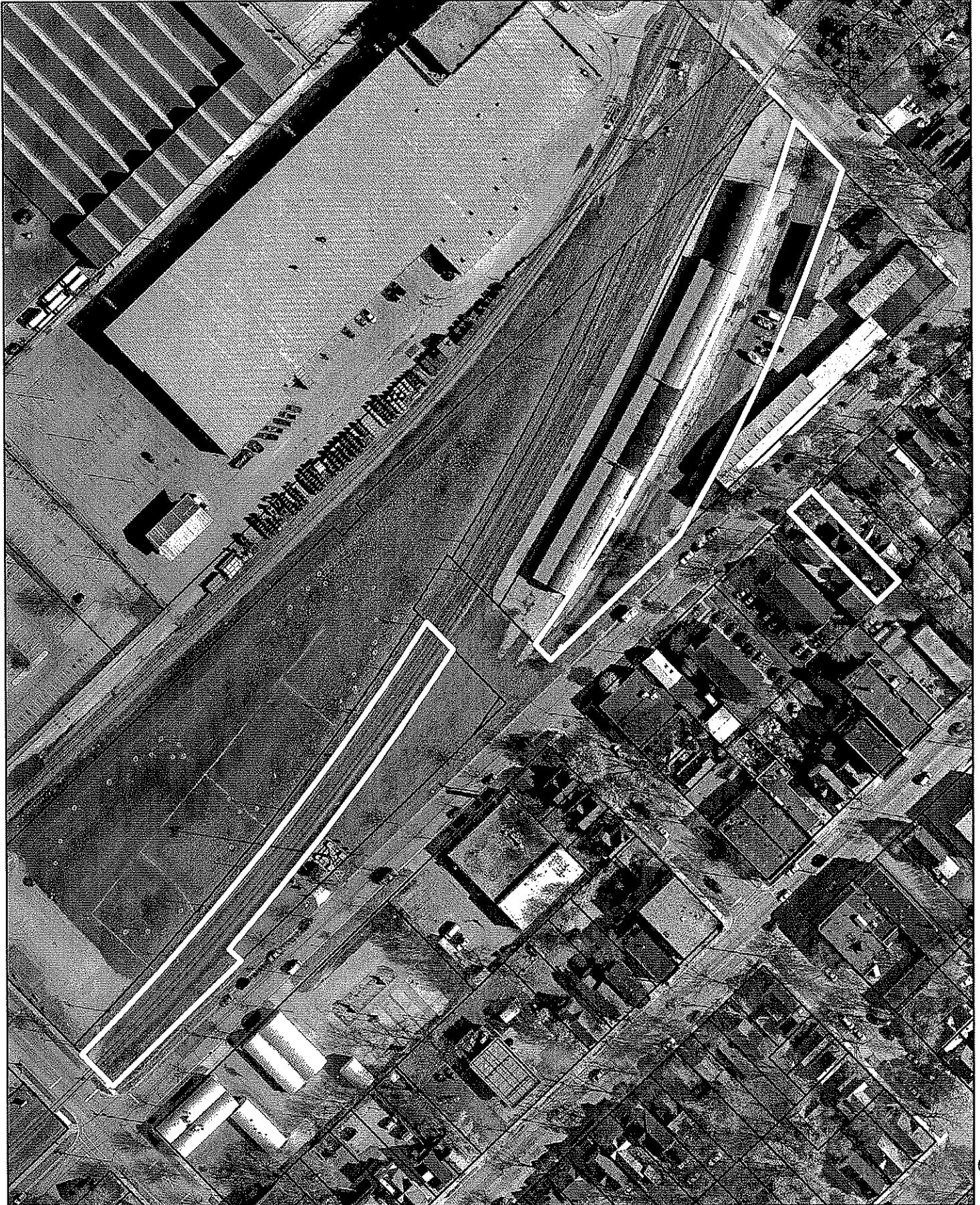
For Questions Contact: Michael Waidelich at: 267-8735 or mwaidelich@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 17 December 2008

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**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC
DEVELOPMENT**

January 7, 2008

RE: I.D. No. 12617 - Zoning Map Amendment 3396, Rezoning 1110 E. Wilson St. from M1 Limited Manufacturing District to R3 Single-Family and Two Family Residence District.

RE: I.D. No. 12583 - Zoning Map Amendment 3397, Rezoning 1210 E. Wilson St. from M1 Limited Manufacturing District to R3 Single-Family and Two Family Residence District.

RE: I.D. No. 12584 - Zoning Map Amendment 3398, Rezoning 1229 E. Wilson St. from C3 Highway Commercial District to R3 Single-Family and Two Family Residence District.

1. Requested Action: Approval of a request to rezone three properties in the 1100 and 1200 blocks of East Wilson Street from the M1 limited Manufacturing District and C3 Highway Commercial District to the R3 Single-Family and Two-Family Residence District so that these two blocks can meet the zoning criteria established for the City of Madison's Residential Permit Parking Program.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments.
3. Report Drafted By: Michael Waidelich, Principal Planner.

GENERAL INFORMATION:

1. Applicant: Marsha Rummel, 1029 Spaight Street, # 6C, Madison, Wisconsin 53703.
2. Status of Applicant: District 6 Alderperson.

ANALYSIS and EVALUATION:

This is a request to rezone three parcels on the 1100 and 1200 blocks of East Wilson Street from the M1 Limited Manufacturing District and C3 Highway Commercial District to the R3 Single-Family and Two Family Residence District. The rezoning request is made by the District 6 Alderperson, Marsha Rummel, so that these blocks would satisfy the zoning requirement to be eligible for the City of Madison's Residential Permit Parking Program.

The City has two residential parking programs. The most widely used program, RP3, is intended to provide relief from excessive use of residential street parking by non-residents of the area (primarily commuters), while still accommodating the street-parking needs of residents. This is typically accomplished by regulating street parking within the designated area (for example, by posting a two-hour parking limit on weekdays), but allowing residents to apply for a permit that would allow them to park in excess of the posted time limit. There are three requirements that must be met for the street to be included in either of the residential parking programs:

- The block must be zoned at least 50 percent residential (including residential-only PUDs).
- Residents representing a majority of the units in the block must be in favor of the program.
- A parking study must determine that a majority of the parking is occupied by commuter vehicles a majority of the time between 8 AM and 6 PM Monday through Friday.

Residents of the 1100 and 1200 blocks of East Wilson Street have expressed an interest in the RP3 program, but currently these blocks would not be eligible for the program because slightly less than 50 percent of both blocks (counting both sides of the street) is zoned to non-residential zoning districts. This is primarily because the former industrial properties and existing and former railroad rights-of-way on the north side of East Wilson Street are zoned M1 Limited Manufacturing, and a few parcels on the south side of East Wilson are also zoned either M1 or C3 Highway Commercial to reflect current or past non-residential activities.

In order to be able to meet the 50 percent residential zoning criteria, it is proposed to rezone the three subject parcels from the M1 and C3 Districts to the R3 District:

1110 East Wilson Street. M1 to R3. This 25,889 sq. ft. parcel on the north side of East Wilson Street consists of right-of-way currently owned by the Union Pacific Railroad, and has an active railroad track within it. Railroad rights-of-way are a conditional use in both the M1 and R3 zoning districts. Although there is another vacant M1 parcel north of East Wilson in this block, rezoning just the railroad right-of-way is sufficient to balance the single M1 parcel that remains on the south side of East Wilson Street.

1210 East Wilson Street. M1 to R3. This 37,259 sq. ft. parcel on the north side of East Wilson Street is former railroad right-of-way currently owned by the City of Madison. It is currently vacant, but is partially used for parking by adjacent businesses. There is no access from East Wilson. The parcel is within the area recommended in City plans for future Central Park. The adjacent parcel along East Wilson is also within the area recommended for future Central Park, but is currently occupied by several businesses and is not included in the proposed rezoning.

1229 East Wilson Street. C3 to R3. This 4,356 sq. ft. parcel on the south side of East Wilson Street contains an owner-occupied two-unit residential building. Dwelling units exceeding 50 percent of total floor area are conditional uses in the C3 District. Two-Family dwellings are a permitted use in the R3 District. The south side of East Wilson Street is recommended for low-density residential uses in the *Comprehensive Plan* and the *East Rail Corridor Plan*. The East Wilson Street/Dewey Court/Schley Pass area has also been proposed as a location to establish a Neighborhood Conservation District, and an exploration of interest in this concept is currently underway. The similar lots on either side of this parcel are also zoned C3, but currently contain some non-residential activities as well, and are not included in the proposed rezoning.

CONCLUSION:

The requirement that at least 50 percent of the block be zoned residential is intended to preclude the residential parking programs from being established in business or mixed-use areas (such as along a neighborhood business street) where extensive non-resident parking by employees and customers is both appropriate and essential to the district's function. However, the 50 percent

requirement doesn't adequately address the situation of "one-sided" streets---which is what these blocks of East Wilson Street predominantly are today.

The properties north of East Wilson Street proposed for rezoning currently consist of railroad right-of-way or vacant former rights-of-way now owned by the City. Railroad rights-of-way are conditional uses in all zoning districts, and the Union Pacific property would not be affected by the proposed rezoning. The other lands north of East Wilson are recommended in adopted City plans for future development as public parkland. While a residential zoning designation in this case would not mean that the lands were recommended for residential uses, many, if not most City parks are in residential zoning districts, where they are a permitted use, and R3 is a more appropriate near- and long-term zoning classification than M1. Privately-owned properties whose current use might be made non-conforming are not included in the proposed rezoning.

The single property on the south side of East Wilson proposed for rezoning to the R3 District is an existing duplex that would be consistent with the proposed zoning classification, where two-unit dwellings are a permitted use. The south frontage of East Wilson Street is recommended in City plans for residential uses, and while the range of potential allowed uses would be significantly less than are allowed in the C3 Highway Commercial District, that range of non-residential uses would not be consistent with the planning recommendations for this area, in any case.

Planning staff have received only one inquiry about the proposed rezonings as of January 7th, and that person supported the proposal.

While not the typical reason to seek a zoning change, the proposed R3 District zoning is more consistent with the adopted plans for this area than the current M1 and C3 District zoning. It does not appear that any of the parcels would be adversely affected by the proposed change, and staff are unaware of any opposition to the proposed rezoning. The Planning Division staff conclude that the proposed rezoning can meet the standards for approval. (Note that rezoning these three parcels does not establish a residential permit parking program here, it only means that these two blocks of East Wilson Street would be able to satisfy the 50 percent residential zoning requirement if residents decide to seek to be included in the program.)

RECOMMENDATION:

The Planning Division recommends that the request to rezone the properties at 1110 East Wilson Street and 1210 East Wilson Street from the M1 District to the R3 District, and to rezone the property at 1229 East Wilson Street from the C3 District to the R3 District, be approved subject to comments of the reviewing agencies.



City of Madison

Legislative File ID 12617

Type: **Ordinance** Status: **Council Public Hearing**

Enactment Date: Enactment No.:

Title: **Creating Section 28.06(2)(a)3396. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to R3 Single Family and Two-Family Residence District. 6th Aldermanic District: 1110 E Wilson Street.**

Controlling Body: **PLAN COMMISSION**

Introduced: **11/11/2008** Version: **1**

Final Action: Contact: **dalthaus@cityofmadison.com**

Name: **Rezone 1110 East Wilson Street**

Extra Date 1:

Requester: **PLAN COMMISSION**

Sponsors: **Common Council By Request**

Attachments: **Legislative File Text**

Legislative History (* Unpublished Data)

Date	Acting Body	Action Taken	Motion
11/11/2008	Attorney's Office/Approval Group	This Ordinance was Referred for Introduction	
		<i>Notes: Plan Commission; Public Hearings: Plan Commission, 12/15/08; Common Council, 1/06/09</i>	
11/18/2008	COMMON COUNCIL	This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 1/6/2009	
		<i>Notes: Due back at the 1/6/09 Common Council Meeting.</i>	
1/6/2009		<i>Unpublished Meeting Data Pending*</i>	
1/12/2009		<i>Unpublished Meeting Data Pending*</i>	

Approvals

Approver	Date	Approval Status
Eric Knepp	11/13/2008	Approved
Michael May	11/13/2008	Approved

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1/5/2009



City of Madison

Legislative File Number 12617 (version 1)

Title

Creating Section 28.06(2)(a)3396. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to R3 Single Family and Two-Family Residence District. 6th Aldermanic District: 1110 E Wilson Street.

Body

DRAFTER'S ANALYSIS: Rezone 1110 E Wilson Street.

The Common Council of the City of Madison do hereby ordain as follows:

Paragraph 3396. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

"28.06(2)(a)3396. The following described property is hereby omitted from the M1 Limited Manufacturing District and added to the R3 Single Family and Two-Family Residence District: Original Plat, aka Farwell's Replat, part of Block 185, Railroad Property Described as Follows: Beginning at the South corner of said Block 185, thence N44°57'26" W, 44.71 feet to a point on a curve, thence along a curve to left, radius 2,858.04 feet; chord bearing N37°44'06"E, 599.98 feet; thence S44°49'56"E, 45.55 feet to a point on a curve, thence along curve to the right, with a radius of 2,898.04 feet, Chord bearing S36°51'59"W, 405.15 feet; thence S44°57'26"E, 14.78 feet; thence S44°08'02"W, 194.00 feet to the point of beginning."

Fiscal Note

No appropriation is required for this zoning ordinance change.



City of Madison

Legislative File ID **12583**

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version

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Type: **Ordinance** Status: **Council Public Hearing**
 Enactment Date: Enactment No.:
 Title: **Creating Section 28.06(2)(a)3397. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to R3 Single Family and Two-Family Residence District; 6th Aldermanic District: 1210 E Wilson Street.**
 Controlling Body: **PLAN COMMISSION**
 Introduced: **11/10/2008** Version: **1**
 Final Action: Contact: **sarnott@cityofmadison.com**
 Name: **Rezone 1210 E Wilson Street**
 Extra Date 1:
 Requester: **PLAN COMMISSION**
 Sponsors: **Common Council By Request**
 Attachments: **Legislative File Text**

Legislative History (* Unpublished Data)

Date	Acting Body	Action Taken	Motion
11/10/2008	Attorney's Office/Approval Group	This Ordinance was Referred for Introduction	
		<i>Notes: Plan Commission; Public Hearings: Plan Commission, 12/15/08; Common Council, 01/06/09</i>	
11/18/2008	COMMON COUNCIL	This Ordinance was Referred for Public Hearing	
		<i>Notes: Due back at the 1/6/09 Common Council Meeting.</i>	
1/6/2009		<i>Unpublished Meeting Data Pending*</i>	
1/12/2009		<i>Unpublished Meeting Data Pending*</i>	

Approvals

Approver	Date	Approval Status
Eric Knepp	11/12/2008	Approved
Michael May	11/12/2008	Approved

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City of Madison

Legislative File Number 12583 (version 1)

Title

Creating Section 28.06(2)(a)3397. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to R3 Single Family and Two-Family Residence District; 6th Aldermanic District: 1210 E Wilson Street.

Body

DRAFTER'S ANALYSIS: Rezone 1210 E Wilson Street.

The Common Council of the City of Madison do hereby ordain as follows:

Paragraph 3397. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

"28.06(2)(a)3397. The following described property is hereby omitted from the M1 Limited Manufacturing District and added to the R3 Single Family and Two-Family Residence District: A parcel of land described as a part of Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of Blocks 199 and 200, Farwell's Replat, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at a concrete monument with a brass cap at the north ¼ corner of Section 7, Town 7 North, Range 10 East, Dane County, Wisconsin; thence along the north line of the northwest ¼ of said Section 7, N89°56'03" W, 2,347.68 feet to a concrete monument with a brass cap at the northwest corner of said Section 7; thence S00°38'49" E, 1,993.17 feet to a ¾ inch diameter iron rebar in the southwesterly right-of-way line of South Baldwin Street, the point of beginning; thence along said southerly right-of-way line, S44°07'29" E, 75.42 feet to a ¾ inch diameter iron rebar; thence 434.41 feet along the arc of a 1,943.08-foot radius curve to the right, with a central angle of 12°48'34", the long chord which bears S23°52'26" W and is 433.51 feet in length to a ¾ inch diameter iron rebar in the northwesterly right-of-way line of East Wilson Street; thence along said northwesterly right-of-way line, S45°54'21" W, 191.39 feet to a ¾ inch diameter iron rebar in the northeasterly right-of-way line of South Few Street; thence along said northeasterly right-of-way line, N44°05'41" W, 23.77 feet to a ¾ inch diameter iron rebar;

thence 633.72 feet along the arc of a 1,877.08-foot radius curve to the left, with a central angle of 19°20'37", the long chord which bears N26°02'44" E and is 630.71 feet in length to the point of beginning.

Said parcel contains 37,262 square feet or 0.8554 acres."

Fiscal Note

No appropriation required.



City of Madison

Legislative File ID **12584**

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version

print

email

Type: **Ordinance** Status: **Council Public Hearing**
 Enactment Date: Enactment No.:
 Title: **Creating Section 28.06(2)(a)3398. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to R3 Single Family and Two-Family Residence District; 6th Aldermanic District: 1229 E Wilson Street.**
 Controlling Body: **PLAN COMMISSION**
 Introduced: **11/10/2008** Version: **1**
 Final Action: Contact: **sarnott@cityofmadison.com**
 Name: **Rezone 1229 E Wilson Street**
 Extra Date 1:
 Requester: **PLAN COMMISSION**
 Sponsors: **Common Council By Request**
 Attachments: **Legislative File Text**

Legislative History (* Unpublished Data)

Date	Acting Body	Action Taken	Motion
11/10/2008	Attorney's Office/Approval Group	This Ordinance was Referred for Introduction	
		<i>Notes: Plan Commission; Public Hearings: Plan Commission, 12/15/08; Common Council, 01/06/09</i>	
11/18/2008	COMMON COUNCIL	This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 1/6/2009	
		<i>Notes: Due back at the 1/6/09 Common Council Meeting.</i>	
1/6/2009		<i>Unpublished Meeting Data Pending*</i>	
1/12/2009		<i>Unpublished Meeting Data Pending*</i>	

Approvals

Approver	Date	Approval Status
Eric Knepp	11/12/2008	Approved
Michael May	11/12/2008	Approved

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City of Madison

Legislative File Number 12584 (version 1)

Title

Creating Section 28.06(2)(a)3398. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to R3 Single Family and Two-Family Residence District; 6th Aldermanic District: 1229 E Wilson Street.

Body

DRAFTER'S ANALYSIS: Rezone 1229 E Wilson Street.

The Common Council of the City of Madison do hereby ordain as follows:
Paragraph 3398. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

"28.06(2)(a)3398. The following described property is hereby omitted from the C3 Highway Commercial District and added to the R3 Single Family and Two-Family Residence District: ORIGINAL PLAT, AKA FARWELLS REPLAT, BLK 201, NE 1/2 OF LOT 5. THIS PARCEL CONTAINS 4,356 SQUARE FEET."

Fiscal Note

No appropriation required.