

## AGENDA # 3

City of Madison, Wisconsin

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REPORT OF: URBAN DESIGN COMMISSION	<b>PRESENTED:</b> April 22, 2009
TITLE: Amending Section 33.23(8)(a) of the Madison General Ordinances to Add Land to Urban Design District No. 1. (14239)	<b>REFERRED:</b> <b>REREFERRED:</b> <b>REPORTED BACK:</b>
AUTHOR: Alan J. Martin, Secretary	<b>ADOPTED:</b> <b>POF:</b>
DATED: April 22, 2009	<b>ID NUMBER:</b>

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Members present were: Marsha Rummel, Dawn Weber, Todd Barnett, Richard Slayton, John Harrington, Ron Luskin, Richard Wagner, and Jay Ferm.

### **SUMMARY:**

At its meeting of April 22, 2009, the Urban Design Commission **RECOMMENDED ADOPTION OF THE ORDINANCE.**

Appearing on behalf of the project was Ald. Judy Compton, District 16. Appearing in opposition were Michael Lawton; and Mark Wendricks, representing Danisco USA, Inc.

Bill Fruhling, Planning Division staff, provided an overview of the ordinance and attached maps that provide for expansion of Urban Design District Number 1 to include lands along the adjacent Femrite Drive/Stoughton Road corridor which is intended to provide for future development of the area and an extension of the Stoughton Road Revitalization Plan utilizing the design controls within the provisions for Urban Design District Number 1. Fruhling noted the recommendation from the Plan Commission from its meeting of April 20 relative to the expanded boundary to exclude a portion of the "Certco" property beyond the property's Femrite Drive frontage based on the property's ongoing and existing development with warehousing establishments. This adjustment was the outcome of discussions between the area's Ald. Judy Compton and staff as a compromise to Certco's proposed opposition to the expansion to include its property as negotiated by its agent, Attorney Michael Lawton. The adjustment provides for the inclusion of 300 feet of the Certco property north of Femrite Drive within the District boundaries; where the entire property will be subject to the provisions of Urban Design District Number 1 until such a time an anticipated subdivision separates the portion to remain in the District from already developed lands to the north. Att. Lawton noted that the lot line of adjustment of the future CSM will facilitate current and future expansion plans for development of freezer warehousing and other facilities on the northern portion of the property while at the same time provide for aesthetic considerations along Femrite Drive.

Mark Wendricks also spoke in opposition representing Danisco Inc. He noted Danisco's ownership of properties in and out of the district's boundaries where inclusion within the District provide for the following:

- additional cost and less return on investments, anticipated for inclusion of property within the District
- further restrictions that impede potential for expansion
- delay in obtaining land use approvals in processes due to inclusion within the District, and

- issues with the use and development of metal buildings as part of improvements of properties.

Following Wendricks statement it was noted that metal buildings are looked at on a case-by-case basis and usually not an issue with obtaining approval.

Following the testimony, Ald. Compton spoke in support, voting her concurrence with the Plan Commission action in excluding a portion of the Certco property from the boundaries of the District expansion. In addition complementing Certco on its cooperation. Ald. Compton further noted that she doesn't like freezer warehousing buildings, but supports the business with the front side improvements as proposed to be created to enhance the appearance of the Certco portion of the property remaining within the District boundaries. Ald. Compton further noted concern with the CSM that seeks to sell the property for separate development. She noted provisions for covenants and restrictions on those portions of the Certco property excluded from the boundaries of the District still provides for some controls.

### **ACTION:**

On a motion by Wagner, seconded by Rummel, the Urban Design Commission **RECOMMENDED ADOPTION OF THE ORDINANCE**. The motion was passed on a vote of (7-0-1) with Luskin abstaining. The motion to approve was subject to the advisory recommendations of the Plan Commission for a revised boundary affecting the Certco property located at 4802 Femrite Drive and provisions for covenants and restrictions on the excluded property with any future subdivision of the property.

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. The overall ratings for this project are 7 and 10.

**URBAN DESIGN COMMISSION PROJECT RATING FOR:** Section 33.24(8)(a)

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
<b>Member Ratings</b>	-	-	-	-	-	-	-	7
	-	-	-	-	-	-	-	10

General Comments:

- Bravo for expanded corridor.