

---

**From:** James Hudson [mailto:jimhudson\_50@yahoo.com]  
**Sent:** Tuesday, October 11, 2011 4:24 PM  
**To:** Tucker, Matthew  
**Cc:** Diane Martin; John Schaffer; Sarah Schaffer; Don Katz; Sarah Siskind; Richard DiPrima  
**Subject:** Zoning for YSP Theater, 1806 West Lawn

Matt, we received your name from Don Katz, who spoke you to about the rezoning as it affects the YSP Playhouse at 1806 West Lawn Ave.

The building is the home of the Young Shakespeare Players, which has been operating there for almost 10 years (after a long period where we moved from site to site for every production -- being in one place is much better).

We are officers of the YSP Foundation, Inc., the non-profit which owns the building and provides space and other support for the Young Shakespeare Players, the operating arm. The IRS counts us as a "support organization" for YSP.

We have two concerns. The first, of course, is that the Young Shakespeare Players be able to continue using the Playhouse and rehearsal space as we have been. That is, we need childrens' theater programs to continue to be an appropriate use after the rezoning.

The other has to do with the potential uses of the building if we ever need to move. We're coming up on the end of our first 10 year mortgage and will need to refinance. Obviously, the more valuable the building is, the easier it will be for us to get acceptable terms when we refinance.

It's a great building. We love the structure and would like to see it preserved, not torn down to make another single-family home. And it's really not set up for single-family use -- if it ever does get converted to another use, renovation to an over/under 2-family would be much simpler and more appropriate to the structure (especially since we invested in an elevator so both floors are fully accessible). So we recommend that the zoning be for 2-family use, with Children's Theater specified as appropriate.

Diane Martin, President  
Jim Hudson, Secretary  
YSP Foundation, Inc.  
Madison, WI

## Roll, Rick

---

**From:** Tucker, Matthew  
**Sent:** Monday, January 09, 2012 4:43 PM  
**To:** 'Diane Martin'  
**Cc:** John Schaffer; Sarah Schaffer; Don Katz; Sarah Siskind; Richard DiPrima; Roll, Rick; Stouder, Heather; Firchow, Kevin; James Hudson (MIT)  
**Subject:** RE: Zoning for YSP Theater, 1806 West Lawn

Dianne-

Regarding the zoning code: I think it would be appropriate to add this use into the table of listed permitted uses for the specific zoning district. I believe this is one of the items we intend to bring up with the City's Plan Commission at upcoming meetings, to get this oversight plugged back into the new code.

I did run into former Ald. Ken Golden on the street a few weeks back, he recalls sponsoring the zoning change that created your use as a legal use at this location. All this seems to line up that we have record you are at that location, and the use is legal (pending a Certificate of Occupancy).

Regarding the Certificate of Occupancy: I'm assuming you were not able to find one? I checked, and for some reason we have no Certificate of Occupancy on file. There are building permits for the remodeling for "young Shakespeare theatre" but for some reason no C.O. was included. Very strange. You will need to apply for a C.O. at the building and zoning counter here in our offices. The cost is \$75 if for just the C.O. or \$10 if attached to another building permit (if you have something you need to pull a permit for).

Matt Tucker

---

**From:** Diane Martin [mailto:dianemartin@uwalumni.com]  
**Sent:** Sunday, January 08, 2012 6:21 PM  
**To:** Tucker, Matthew  
**Cc:** John Schaffer; Sarah Schaffer; Don Katz; Sarah Siskind; Richard DiPrima; Roll, Rick; Stouder, Heather; Firchow, Kevin; James Hudson (MIT)  
**Subject:** Re: Zoning for YSP Theater, 1806 West Lawn

Dear Matt,

Some time has passed since we last addressed the issue of the zoning for the Young Shakespeare Players playhouse at 1806 West Lawn. We are wondering if any decisions have been made regarding the re-zoning of the property, and if there is anything we would need to do to have the property added as a specific use as a not-for-profit school of theater arts for children. Also, if a Certificate of Occupancy is required, what is the process for doing so?

Thank you very for your help in this matter.

Diane Martin  
President  
YSP, Inc.

On Thu, Oct 13, 2011 at 9:29 AM, James Hudson <jimhudson\_50@yahoo.com> wrote:  
Thanks, Matt, for responding so quickly and completely.

As you suggested, YSP is **not** a daycare center and we are a "Not-for-profit school of theater arts for children".

I don't believe we were the source of that land use, though. I think it may have been added sometime before 2001 because we were as surprised as you to find it in the code when we looked at purchasing the property. I have no idea when or why, though.

If we can get that specific use added to the zoning covering the property, that would be great.

Jim Hudson  
Madison, WI

---

**From:** "Tucker, Matthew" <MTucker@cityofmadison.com>  
**To:** 'James Hudson' <jimhudson\_50@yahoo.com>  
**Cc:** Diane Martin <dianemartin@uwalumni.com>; John Schaffer <jwschaff@wisc.edu>; Sarah Schaffer <slschaffer@facstaff.wisc.edu>; Don Katz <donk@katzfamily.us>; Sarah Siskind <ssiskind@lawmbg.com>; Richard DiPrima <rdiprima@ysp.org>; "Roll, Rick" <RRoll@cityofmadison.com>; "Stouder, Heather" <HStouder@cityofmadison.com>; "Firchow, Kevin" <KFirchow@cityofmadison.com>  
**Sent:** Tuesday, October 11, 2011 6:21 PM  
**Subject:** RE: Zoning for YSP Theater, 1806 West Lawn

Hello James and Dianne- I had a chance to review the property files for the site, and found the past Conditional Use approval for a licensed daycare center facility at the property. If indeed the "Young Shakespeare playhouse" has continued as a licensed daycare facility, that status will be sustained in the new zoning code. If this is not the case, and the property is not being used as a licensed daycare facility, we will need to work to sort all of this out.

I did find this interesting land use that apparently was added to the code in 2001: Sec. 28.08(3)(b)3., *R2 Zoning District, Permitted Uses*

Not-for-profit schools of theater arts for children, on lots not less than ten thousand five hundred (10,500) square feet in area.

It seems like this would apply to your operation and the time when this was added seems to align with when you claim to have started occupying the space. But, I am having a hard time finding an approval from my office that acknowledges a change in use. Typically, these are tied to a Certificate of Occupancy, which I can't seem to locate. Perhaps someone at the establishment has the documentation. I did find building permits from back in 2003 that appear to line-up with renovations performed by your group, just have not found the zoning approval (yet).

In any case, if indeed the "Young Shakespeare playhouse" is not a licensed daycare facility, but is a "not-for-profit school of theater arts for children" we will have to add this specific use to the use list for the zoning that covers the area. We probably will not suggest or support the property to be utilized for two-family use, as that would be a technical up-zoning from the *R2 Single Family Zoning* District that covers the property today. We think the proposed district is probably correct, TR-C2 Single family residence District.

**Matt Tucker**

**Zoning Administrator**

**Department of Planning and Community and Economic Development**

**Building Inspection Division**

215 Martin Luther King, Jr. Blvd., Suite LL-100

PO Box 2984

Madison, WI 53701-2984

608/266-4569 PH

## Roll, Rick

---

**From:** Michael Matty [mmatty@renpropgroup.com]  
**Sent:** Wednesday, January 18, 2012 1:59 PM  
**To:** Roll, Rick  
**Subject:** Re: Draft Zoning Maps  
**Attachments:** Proposed City Wide Zoning Map.pdf; ATT00001..htm; Proposed Downtown Zoning Districts Map.pdf; ATT00002..htm

Rick if we have property in DR1 with a 4 story limit, exactly where can I see limitations in that district? What does that mean for us when we would like to develop potential property in that district?

Michael Matty  
Managing Member  
Renaissance Property Group, llc  
1 Sherman Terrace Suite 102A  
Madison WI 53704  
608.301.0000  
[mmatty@renpropgroup.com](mailto:mmatty@renpropgroup.com)  
[www.rpgrentals.com](http://www.rpgrentals.com)

On Jan 18, 2012, at 10:20 AM, Roll, Rick wrote:

Hi,

Attached please find two draft zoning maps:

1. The proposed City-wide Zoning Map
2. Proposed Downtown Zoning Districts Map

These maps will be discussed at the January 24<sup>th</sup>, 2012 Zoning Code Rewrite Advisory Committee meeting. Please let me know if you have any questions.

Thanks,

Rick Roll  
Senior Planner  
City of Madison  
Department of Planning  
& Community

& Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.  
P.O. Box 2985  
Madison, WI 53701-2985  
608-267-8732 PH  
608-267-8739 FAX  
[rroll@cityofmadison.com](mailto:rroll@cityofmadison.com)

## Roll, Rick

---

**From:** J Skrentny [jdspublic@sbcglobal.net]  
**Sent:** Wednesday, January 18, 2012 10:54 AM  
**To:** Roll, Rick  
**Subject:** Re: Draft Zoning Maps

Rick,  
Looks like there are some mistakes in the legend for the "Proposed Downtown Zoning Districts Map". For example, PD and CI colors don't match what is in the map.

Jim Skrentny

On 1/18/2012 10:20 AM, Roll, Rick wrote:  
Hi,

Attached please find two draft zoning maps:

1. The proposed City-wide Zoning Map
2. Proposed Downtown Zoning Districts Map

These maps will be discussed at the January 24<sup>th</sup>, 2012 Zoning Code Rewrite Advisory Committee meeting. Please let me know if you have any questions.

Thanks,

Rick Roll  
Senior Planner  
City of Madison  
Department of Planning  
& Community  
& Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.  
P.O. Box 2985  
Madison, WI 53701-2985  
608-267-8732 PH  
608-267-8739 FAX  
[rroll@cityofmadison.com](mailto:rroll@cityofmadison.com)

## Roll, Rick

---

**From:** Gary Peterson [plannergary@sustainablegary.com]  
**Sent:** Friday, January 20, 2012 1:49 PM  
**To:** Roll, Rick; Murphy, Brad; Cover, Steven; Fruhling, William; Schmitz, Susan  
**Subject:** Existing out of Context Buildings

To all: As I mentioned to several of you last night please do not forget to add to the Building Heights Map the language on page 29 of the Draft Downtown Plan that refers to being permitted to replace "Existing Out of Context Buildings." This references buildings that are legal today, but could become non-conforming under the new Plan and Ordinance. As the Zoning Ordinance only refers to the Building Heights Map and the "being able to replace" statement is many pages away, I believe the easiest adjustment would be to add that text to the map even if it be quite small print.

If you have any questions please feel free to contact me.

Gary

--

Gary L. Peterson, AICP  
Sustainable Services, Inc.  
210 Marinette Trail  
Madison, WI 53705  
Phone (608)231-1199  
Cell (608)334-0397

## Roll, Rick

---

**From:** Fred Mohs [fred@mmwp-law.com]  
**Sent:** Monday, January 23, 2012 11:25 AM  
**To:** Roll, Rick  
**Cc:** Ledell Zellers ; Verveer, Mike; Pete Ostlind; Monks, Anne  
**Subject:** City of Madison Proposed Zoning Districts Downtown Plan Area-January 24, 2012

Rick:

Thank you for the useful conversation we had Friday afternoon. I am sending this email more or less reiterating what we talked about, not because I don't think you will remember it, but only in case you want to use it to inform staff or your committee members about this particular issue.

### Proposed Zoning Districts-Wisconsin Avenue-North Pinckney Street-UOR

In our conversation, we clarified the fact that the entire block occupied by National Guardian Life, surrounded by Wisconsin Avenue East Gilman Street and North Pinckney Street is zoned R6H except for the PUD for the Edgewater project. The Edgewater was previously zoned OR, but the rest of the block, including the NGL building and their parking lots and lawns are all zoned R6H, just like everything else in the Mansion Hill Historic District with the exception of Verex and the Edgewater.

It has always been anticipated that the property along the lake, between Wisconsin Avenue and North Pinckney Street, would be developed as high-end residential. The November 2011 Downtown Plan stated as its first objective: "Preserve historic buildings and groupings of buildings that contribute to the essential character of Downtown and its neighborhoods." The Mansion Hill Historic District is Wisconsin's first historic district and its most important. While there might be a circumstance that justify accommodating NGL, unrelated commercial development would be unwise and out of character with the Mansion Hill Historic District.

As I mentioned, the Mansion Hill Historic District is finally taken off with the movement of student undergraduate housing to the high-rise canyons along University and Johnson. Just like any historic district, confidence that the historic district will fulfill its promise is very important for the pioneers who will take on one of the vintage buildings in the district. While every historic district both in this country and in others will occasionally have to beat-back inappropriate development, people who are interested and that the future of the Mansion Hill Historic District do not want to sign up for perpetual battles. Zoning signaling that the Mansion Hill Historic Neighborhood is residential will be very helpful.

This is not to say that our neighborhood would be unsympathetic responding to the needs of NGL. We approved two surface parking lots for NGL when unexpectedly their business required more parking spaces. We remain sympathetic with NGL who has generally been a fine neighbor. On the other hand, the property is now zoned R6H and we would like it to stay that way.

I have attached a copy of the proposed zoning districts, a copy of page 40 of the November 2011 Downtown Plan indicating residential use between Blair Street and North Lake Street running along Lake Mendota.

Finally, I would like to point out that parking in a residential setting is much easier to control than parking for commercial uses. Commercial uses have cars coming and going with many people visiting the neighborhood who are unfamiliar with it. In downtown residential settings, many of the people



almost store their cars and walk to their destination and only using their cars on occasion, often during non-rush hour periods. The historic district needs to be an attractive residential district in order to succeed as a historic district. We ask for your help by maintaining residential zoning for the subject property which will signal that its future is as a part of a residential neighborhood.

Sincerely,  
Frederic E. Mohs  
Mohs, MacDonald, Widder, Paradise & Van Note  
20 North Carroll Street  
Madison, WI 53703  
Phone: (608)256-1978  
Fax: (608)257-1106

1. Confidentiality. This e-mail, and any attachments to this e-mail, is intended only for use by the person or entity to which it is addressed and may contain confidential information and/or legally privileged material. Any review, transmission, dissemination, copying or other use of or taking of any action in reliance upon this e-mail, and any attachment hereto, by persons or entities other than the intended recipient is strictly prohibited. If you receive this e-mail in error, please contact the sender and permanently delete the original from any computer and destroy any printout thereof.

2. Notice of IRS Advice. Pursuant to Circular 230 promulgated by the Internal Revenue Service, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that it was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties unless otherwise expressly indicated.

3. Notice of Debt Collection, if applicable. If this transmission contains any information on any non-business debt alleged to be owed to any client of Mohs, MacDonald, Widder, Paradise & Van Note, then you are also hereby notified that Mohs, MacDonald, Widder, Paradise & Van Note is a debt collector, who is attempting to collect a debt. Information obtained will be used for that purpose. Also, if you have previously received a Discharge in Bankruptcy, this communication should not be construed as an attempt to collect a debt.

## Roll, Rick

---

**From:** Bob Mucci [ramucci@nglic.com]  
**Sent:** Monday, January 30, 2012 4:49 PM  
**To:** Roll, Rick  
**Subject:** RE: City of Madison Proposed Zoning Districts Downtown Plan Area-January 24, 2012  
**Categories:** Red Category

Thanks..... we were told Fred distributed a memo... I assume its just this email.

Thanks for sending this to us.

*Bob*

Robert Mucci  
(608) 443-5258

---

**From:** Roll, Rick [mailto:RRoll@cityofmadison.com]  
**Sent:** Monday, January 30, 2012 3:51 PM  
**To:** Bob Mucci  
**Subject:** FW: City of Madison Proposed Zoning Districts Downtown Plan Area-January 24, 2012

Hi Robert,

Per your request, this is the email Fred Mohs sent me regarding proposed zoning for the NGL site. This email can also be found on the City's Legistar system #12186. Please let me know if you have additional questions.

Sincerely,

Rick Roll

---

**From:** Fred Mohs [mailto:fred@mmwp-law.com]  
**Sent:** Monday, January 23, 2012 11:31 AM  
**To:** Roll, Rick  
**Cc:** Ledell Zellers ; Verveer, Mike; Pete Ostlind; Monks, Anne  
**Subject:** RE: City of Madison Proposed Zoning Districts Downtown Plan Area-January 24, 2012

Attachment was not included in prior email, but is attached here. Sorry about that.

---

**From:** Fred Mohs  
**Sent:** Monday, January 23, 2012 11:25 AM  
**To:** 'RRoll@cityofmadison.com'  
**Cc:** Ledell Zellers ; Michael Verveer; Pete Ostlind; amonks@cityofmadison.com  
**Subject:** City of Madison Proposed Zoning Districts Downtown Plan Area-January 24, 2012

Rick:

Thank you for the useful conversation we had Friday afternoon. I am sending this email more or less reiterating what we talked about, not because I don't think you will remember it, but only in case you want to use it to inform staff or your committee members about this particular issue.

## Proposed Zoning Districts-Wisconsin Avenue-North Pinckney Street-UOR

In our conversation, we clarified the fact that the entire block occupied by National Guardian Life, surrounded by Wisconsin Avenue East Gilman Street and North Pinckney Street is zoned R6H except for the PUD for the Edgewater project. The Edgewater was previously zoned OR, but the rest of the block, including the NGL building and their parking lots and lawns are all zoned R6H, just like everything else in the Mansion Hill Historic District with the exception of Verex and the Edgewater.

It has always been anticipated that the property along the lake, between Wisconsin Avenue and North Pinckney Street, would be developed as high-end residential. The November 2011 Downtown Plan stated as its first objective: "Preserve historic buildings and groupings of buildings that contribute to the essential character of Downtown and its neighborhoods." The Mansion Hill Historic District is Wisconsin's first historic district and its most important. While there might be a circumstance that justify accommodating NGL, unrelated commercial development would be unwise and out of character with the Mansion Hill Historic District.

As I mentioned, the Mansion Hill Historic District is finally taken off with the movement of student undergraduate housing to the high-rise canyons along University and Johnson. Just like any historic district, confidence that the historic district will fulfill its promise is very important for the pioneers who will take on one of the vintage buildings in the district. While every historic district both in this country and in others will occasionally have to beat-back inappropriate development, people who are interested and that the future of the Mansion Hill Historic District do not want to sign up for perpetual battles. Zoning signaling that the Mansion Hill Historic Neighborhood is residential will be very helpful.

This is not to say that our neighborhood would be unsympathetic responding to the needs of NGL. We approved two surface parking lots for NGL when unexpectedly their business required more parking spaces. We remain sympathetic with NGL who has generally been a fine neighbor. On the other hand, the property is now zoned R6H and we would like it to stay that way.

I have attached a copy of the proposed zoning districts, a copy of page 40 of the November 2011 Downtown Plan indicating residential use between Blair Street and North Lake Street running along Lake Mendota.

Finally, I would like to point out that parking in a residential setting is much easier to control than parking for commercial uses. Commercial uses have cars coming and going with many people visiting the neighborhood who are unfamiliar with it. In downtown residential settings, many of the people almost store their cars and walk to their destination and only using their cars on occasion, often during non-rush hour periods. The historic district needs to be an attractive residential district in order to succeed as a historic district. We ask for your help by maintaining residential zoning for the subject property which will signal that its future is as a part of a residential neighborhood.

Sincerely,  
Frederic E. Mohs  
Mohs, MacDonald, Widder, Paradise & Van Note  
20 North Carroll Street  
Madison, WI 53703  
Phone: (608)256-1978  
Fax: (608)257-1106

1. Confidentiality. This e-mail, and any attachments to this e-mail, is intended only for use by the person or entity to which it is addressed and may contain confidential information and/or legally privileged material. Any review, transmission, dissemination, copying or other use of or taking of any action in reliance upon this e-mail, and any attachment hereto, by persons or entities other than the intended recipient is strictly prohibited. If you receive this e-mail in error, please contact the sender and permanently delete the original from any computer and destroy any printout thereof.

2. *Notice of IRS Advice.* Pursuant to Circular 230 promulgated by the Internal Revenue Service, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that it was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties unless otherwise expressly indicated.

3. *Notice of Debt Collection, if applicable.* If this transmission contains any information on any non-business debt alleged to be owed to any client of Mohs, MacDonald, Widder, Paradise & Van Note, then you are also hereby notified that Mohs, MacDonald, Widder, Paradise & Van Note is a debt collector, who is attempting to collect a debt. Information obtained will be used for that purpose. Also, if you have previously received a Discharge in Bankruptcy, this communication should not be construed as an attempt to collect a debt.

## Roll, Rick

---

**From:** dogcanteen@yahoo.com  
**Sent:** Wednesday, January 04, 2012 4:55 PM  
**To:** Roll, Rick  
**Subject:** Zoning Code Rewrite Contact Form

**Categories:** Red Category

### General Information

Name : Mark Koerner  
Business :  
Address : 40 N Spooner  
City : Madison  
State : WI  
ZIP : 53726  
Email : [dogcanteen@yahoo.com](mailto:dogcanteen@yahoo.com)

### Message :

DEZONING: a DEZONED ZONE

I see you are rewriting the zoning code. I favor a rewrite, but being very critical of zoning I see zoning as a way to make cities less interesting and less convenient, I would like to see a DEZONED ZONE, an area of the city where you could build whatever you wanted, assuming that you followed existing building codes and you followed any pre-existing rules about uses banned in the \_entire\_ city limits. I think a dezoned zone would be appropriate for the following reasons:

- a. it would save the city a small amount of money and hassle
- b. it would encourage certain businesses to locate inside the city limits rather than outside, in the suburbs, as there would be no zoning hassles at all. In this one sense, it would be similar to an enterprise zone. If it worked, it would expand the tax base within the city limits.
- c. it would tell us what sort of benefits, if any, we get from zoning. If after a few years the DEZONED ZONE turned out to be just as pretty, just as quiet, and just as crime-free as the "zoned" areas surrounding it, then it would be a good idea to rethink the whole idea of zoning, I would think.

Anyway, you could start with a very small, non-residential areasay, 9 square blocks. You could even start with some unbuilt areas.

If plans for a DEZONED ZONE are already in motion, please forgive me for wasting your time. If they are not in motion, please tell me if anyone has talked about this idea or something very similar in the long process of rewriting the zoning code. I would guess no one has.

Sincerely,

Mark Koerner

## Roll, Rick

---

**From:** Fruhling, William  
**Sent:** Monday, February 06, 2012 1:54 PM  
**To:** 'Gary Peterson'  
**Cc:** Cover, Steven; Olver, Aaron; Tucker, Matthew; May, Michael; Murphy, Brad; Roll, Rick; Noonan, Katherine; Stouder, Heather; Waidelich, Michael; Cnare, Rebecca; Schmitz, Susan; Carole Schaeffer  
**Subject:** RE: Exceptions to buildings heights

Gary-

As I mentioned before (including at the ZCRAC meeting), at this point this is just a concept contained in the Downtown Plan. It is not reflected in the current draft of the Zoning Code. If this exception to the maximum building height map is endorsed through the adoption of the Plan, then there are a number of issues that will have to be addressed (such as the criteria for which buildings to include) before it could be written into the Zoning Code. As you may be aware, the original concept of setting maximum building heights would not have allowed any such exceptions. Thanks,

-Bill

William A. Fruhling, AICP  
Principal Planner  
Neighborhood Planning, Preservation & Design Section

City of Madison  
Dept. of Planning & Community & Economic Development  
Madison Municipal Building, Suite LL.100  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53701-2985

Email: bfruhling@cityofmadison.com  
Phone: 608.267.8736 ext. 214

---

**From:** Gary Peterson [mailto:plannergary@sustainablegary.com]  
**Sent:** Monday, February 06, 2012 1:30 PM  
**To:** Fruhling, William  
**Cc:** Cover, Steven; Olver, Aaron; Tucker, Matthew; May, Michael; Murphy, Brad; Roll, Rick; Noonan, Katherine; Stouder, Heather; Waidelich, Michael; Cnare, Rebecca; Schmitz, Susan; Carole Schaeffer; Gary Peterson  
**Subject:** Re: Exceptions to buildings heights

Bill: Thanks for clarifying the first point. That was helpful. However, the second point is still an issue. It seems we have a number of buildings that conform to the current zoning ordinance that the proposed zoning ordinance would make non-conforming. Being non-conforming is no small matter. Owners who one day owned a legal building will the next day own a non-conforming building through no fault of their own. In fact if I read you correctly these owners will have a non-conforming building because their building was not sufficiently "poorly designed."

Again I ask who gets to decide what buildings are not sufficiently "poorly designed?" Second, what criteria will be used to determine the division? I know the Plan Commission may discuss, but the Plan Department will go to the Plan Commission with recommendations. Where are those recommendations coming from?

I recommend the Plan Department not make any recommendations other than any building under the new ordinance be able to replace itself. No discrimination would be the best and fairest policy.

On Mon, Jan 30, 2012 at 3:41 PM, Fruhling, William <[WFruhling@cityofmadison.com](mailto:WFruhling@cityofmadison.com)> wrote:

Gary-

I'd be happy to clarify.

1) I think you did misunderstand about the exceptions on the building heights map. Since the Zoning Code Rewrite Advisory Committee is charged with advising on the Zoning Code (and not the Downtown Plan or other plans), the map that was shown at the January 24 meeting is proposed to be included in the text of the Zoning Code. While it is based on the building height map in the Downtown Plan, the two have distinctly different meanings (one regulatory, the other advisory). The City Attorney's Office has never opined on what we should or shouldn't include in the legend of any maps in the Downtown Plan.

2) The idea of allowing some out of context buildings that are taller than what would otherwise be permitted by the height map is one of the concepts in the Downtown Plan. The idea is based on the belief that there are some poorly designed buildings whose large size magnifies the disruption to the area in which they are located. Providing some incentive (additional height) may facilitate the redevelopment of these structures and result in new buildings that make a more positive contribution to the areas in which they are located. Some examples of such buildings are included on page 29. Since, at this point, it is a concept contained in the Plan more specific criteria would be needed to determine exactly which properties this exception to the height map would apply to. I expect the Plan Commission to discuss this as they work through the Plan.

Thanks,

-Bill

**William A. Fruhling, AICP**

**Principal Planner**

**Neighborhood Planning, Preservation & Design Section**

City of Madison

Dept. of Planning & Community & Economic Development

Madison Municipal Building, Suite LL.100

215 Martin Luther King, Jr. Blvd.

Madison, WI 53701-2985

Email: [bfruhling@cityofmadison.com](mailto:bfruhling@cityofmadison.com)

Phone: [608.267.8736](tel:608.267.8736) ext. 214

---

**From:** Gary Peterson [<mailto:plannergary@sustainablegary.com>]

**Sent:** Monday, January 30, 2012 1:44 PM

**To:** Fruhling, William; Cover, Steven; Olver, Aaron; Tucker, Matthew; May, Michael

**Subject:** Exceptions to buildings heights

Date: January 30, 2012

To: Bill Fruhling, AICP

From: Gary Peterson, AICP

Subject: Zoning Rewrite

Date: January 30, 2012

At the Zoning Code Rewrite Advisory Committee meeting on January 24<sup>th</sup>, you made two comments I would like to follow up on:

1. First, if I understood you correctly, the City Attorney's office said the legend of the Buildings Height Map in the Downtown Plan could not be modified to include exceptions to the Heights shown on the map. If this is a written opinion I would like to look at it. If it is not a written opinion, I would like to know the specific State Statute sentence that controls what is in planning map legends.
2. Second, you went on to say that not all existing buildings that exceed the recommendations of yet adopted Heights Map would be able to replace themselves at their existing heights. If that is true, who will decide which buildings can replace themselves and which cannot?

Thanks for taking time to respond to my questions.



## Roll, Rick

---

**From:** Gary Peterson [plannergary@sustainablegary.com]  
**Sent:** Monday, February 06, 2012 1:30 PM  
**To:** Fruhling, William  
**Cc:** Cover, Steven; Olver, Aaron; Tucker, Matthew; May, Michael; Murphy, Brad; Roll, Rick; Noonan, Katherine; Stouder, Heather; Waidelich, Michael; Cnare, Rebecca; Schmitz, Susan; Carole Schaeffer; Gary Peterson  
**Subject:** Re: Exceptions to buildings heights

Bill: Thanks for clarifying the first point. That was helpful. However, the second point is still an issue. It seems we have a number of buildings that conform to the current zoning ordinance that the proposed zoning ordinance would make non-conforming. Being non-conforming is no small matter. Owners who one day owned a legal building will the next day own a non-conforming building through no fault of their own. In fact if I read you correctly these owners will have a non-conforming building because their building was not sufficiently "poorly designed."

Again I ask who gets to decide what buildings are not sufficiently "poorly designed?" Second, what criteria will be used to determine the division? I know the Plan Commission may discuss, but the Plan Department will go to the Plan Commission with recommendations. Where are those recommendations coming from?

I recommend the Plan Department not make any recommendations other than any building under the new ordinance be able to replace itself. No discrimination would be the best and fairest policy.

On Mon, Jan 30, 2012 at 3:41 PM, Fruhling, William <WFruhling@cityofmadison.com> wrote:

Gary-

I'd be happy to clarify.

1) I think you did misunderstand about the exceptions on the building heights map. Since the Zoning Code Rewrite Advisory Committee is charged with advising on the Zoning Code (and not the Downtown Plan or other plans), the map that was shown at the January 24 meeting is proposed to be included in the text of the Zoning Code. While it is based on the building height map in the Downtown Plan, the two have distinctly different meanings (one regulatory, the other advisory). The City Attorney's Office has never opined on what we should or shouldn't include in the legend of any maps in the Downtown Plan.

2) The idea of allowing some out of context buildings that are taller than what would otherwise be permitted by the height map is one of the concepts in the Downtown Plan. The idea is based on the belief that there are some poorly designed buildings whose large size magnifies the disruption to the area in which they are located. Providing some incentive (additional height) may facilitate the redevelopment of these structures and result in new buildings that make a more positive contribution to the areas in which they are located. Some examples of such buildings are included on page 29. Since, at this point, it is a concept contained in the Plan more specific criteria would be needed to determine exactly which properties this exception to the height map would apply to. I expect the Plan Commission to discuss this as they work through the Plan.

Thanks,

-Bill

**William A. Fruhling, AICP**

**Principal Planner**

**Neighborhood Planning, Preservation & Design Section**

City of Madison

Dept. of Planning & Community & Economic Development

Madison Municipal Building, Suite LL.100

215 Martin Luther King, Jr. Blvd.

Madison, WI 53701-2985

Email: [bfruhling@cityofmadison.com](mailto:bfruhling@cityofmadison.com)

Phone: [608.267.8736](tel:608.267.8736) ext. 214

---

**From:** Gary Peterson [<mailto:plannergary@sustainablegary.com>]

**Sent:** Monday, January 30, 2012 1:44 PM

**To:** Fruhling, William; Cover, Steven; Olver, Aaron; Tucker, Matthew; May, Michael

**Subject:** Exceptions to buildings heights

**Date:** January 30, 2012

**To:** Bill Fruhling, AICP

**From:** Gary Peterson, AICP

Subject: Zoning Rewrite

Date: January 30, 2012

At the Zoning Code Rewrite Advisory Committee meeting on January 24<sup>th</sup>, you made two comments I would like to follow up on:

1. First, if I understood you correctly, the City Attorney's office said the legend of the Buildings Height Map in the Downtown Plan could not be modified to include exceptions to the Heights shown on the map. If this is a written opinion I would like to look at it. If it is not a written opinion, I would like to know the specific State Statute sentence that controls what is in planning map legends.
2. Second, you went on to say that not all existing buildings that exceed the recommendations of yet adopted Heights Map would be able to replace themselves at their existing heights. If that is true, who will decide which buildings can replace themselves and which cannot?

Thanks for taking time to respond to my questions.

--

Gary L. Peterson, AICP  
Sustainable Services, Inc.  
210 Marinette Trail  
Madison, WI 53705  
Phone (608)231-1199  
Cell (608)334-0397

--

Gary L. Peterson, AICP  
Sustainable Services, Inc.  
210 Marinette Trail  
Madison, WI 53705  
Phone (608)231-1199  
Cell (608)334-0397

Rick

---

**From:** Amy Hasselman [mailto:[amy\\_hasselman@architecture-network.net](mailto:amy_hasselman@architecture-network.net)]  
**Sent:** Friday, February 24, 2012 10:42 AM  
**To:** Roll, Rick  
**Subject:** Re: Zoning Map

Thanks, Rick!

That's the stuff that's on the website, right? The problem I was having is that the January 24 map doesn't have the blowup areas and there are a lot of spots where the color contrast and resolution make it unreadable.

The one spot in particular I am interested in is a fairly simple question - Mapping Correction #14, 4701-4901 Sheboygan Ave was recommended to change to TR-U2. Is that what is in the January 24 map? It just looks like a dark blob so I can't tell.

Also, any idea when the next version of the downtown zoning districts map is coming out?

Thanks!

--  
Amy Hasselman, AIA  
Architect/ Project Manager

Architecture  
network, Inc.

116 E. Dayton Street  
Madison, WI 53703  
P 608.251.7515 ext 33  
F 608.251.7566  
C 608.698.0715  
<http://www.architecture-network.net/>

---

This email transmission and any documents, files or previous email messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient or a person responsible for delivering this transmission to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by telephone or return email and delete the original transmission and its attachments without reading or saving in any manner.

---

On Feb 24, 2012, at 8:32 AM, Roll, Rick wrote:

Amy,

We have larger versions of the draft zoning map. The following links should be easy to read. If not, please let me know which areas you are interested in and we will have a map ready for you to view.

[http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/110818\\_ZCRAC\\_ZMAPDRAFT.pdf](http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/110818_ZCRAC_ZMAPDRAFT.pdf)

[http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/11-14-11\\_Mapping\\_Corrections.pdf](http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/11-14-11_Mapping_Corrections.pdf)

[http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/Proposed\\_Downtown\\_Zoning\\_Districts\\_Map.pdf](http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/Proposed_Downtown_Zoning_Districts_Map.pdf)

Sincerely,

Rick Roll  
Senior Planner  
City of Madison  
Department of Planning  
& Community  
& Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.  
P.O. Box 2985  
Madison, WI 53701-2985  
608-267-8732 PH  
608-267-8739 FAX  
[rroll@cityofmadison.com](mailto:rroll@cityofmadison.com)

## Roll, Rick

---

**From:** Amy Hasselman [amy\_hasselman@architecture-network.net]  
**Sent:** Monday, February 27, 2012 9:59 AM  
**To:** Roll, Rick  
**Subject:** Re: Zoning Map

Thanks, Rick!

--  
Amy Hasselman, AIA  
Architect/ Project Manager

Architecture  
network, Inc.

116 E. Dayton Street  
Madison, WI 53703  
P 608.251.7515 ext 33  
F 608.251.7566  
C 608.698.0715  
<http://www.architecture-network.net/>

---

This email transmission and any documents, files or previous email messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient or a person responsible for delivering this transmission to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by telephone or return email and delete the original transmission and its attachments without reading or saving in any manner.

---

On Feb 27, 2012, at 9:34 AM, Roll, Rick wrote:

Hi Amy,

The zoning map that the Plan Commission will be working from includes Map Correction #14 which recommends TR-U2 zoning for 4701 and 4901 Sheboygan Avenue. The Zoning Map that will be introduced by the Common Council will include each of the map corrections. A new version of the Downtown Zoning Districts won't be prepared until after the Common Council adopts the Downtown Plan. The Plan Commission just began its review of the draft Downtown Plan and it is expected that their work will extend into late March or April, although we are not sure at this point. It depends on how quickly they finish their review and make a recommendation to the Common Council. Then it is up to the Common Council to take action on the Plan. The Plan Commission will begin its work on the Zoning Map and Downtown Districts after the Common Council adopts the Downtown Plan. I hope this helps.

Sincerely,

Rick

---

**From:** Amy Hasselman [mailto:amy\_hasselman@architecture-network.net]  
**Sent:** Friday, February 24, 2012 10:42 AM  
**To:** Roll, Rick  
**Subject:** Re: Zoning Map

Thanks, Rick!

That's the stuff that's on the website, right? The problem I was having is that the January 24 map doesn't have the blowup areas and there are a lot of spots where the color contrast and resolution make it unreadable.

The one spot in particular I am interested in is a fairly simple question - Mapping Correction #14, 4701-4901 Sheboygan Ave was recommended to change to TR-U2. Is that what is in the January 24 map? It just looks like a dark blob so I can't tell.

Also, any idea when the next version of the downtown zoning districts map is coming out?

Thanks!

--  
Amy Hasselman, AIA  
Architect/ Project Manager

Architecture  
network, Inc.

116 E. Dayton Street  
Madison, WI 53703  
P 608.251.7515 ext 33  
F 608.251.7566  
C 608.698.0715  
<http://www.architecture-network.net/>

---

This email transmission and any documents, files or previous email messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient or a person responsible for delivering this transmission to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by telephone or return email and delete the original transmission and its attachments without reading or saving in any manner.

---

On Feb 24, 2012, at 8:32 AM, Roll, Rick wrote:

Amy,

We have larger versions of the draft zoning map. The following links should be easy to read. If not, please let me know which areas you are interested in and we will have a map ready for you to view.

[http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/110818\\_ZCRAC\\_ZMAPDRAFT.pdf](http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/110818_ZCRAC_ZMAPDRAFT.pdf)

[http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/11-14-11\\_Mapping\\_Corrections.pdf](http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/11-14-11_Mapping_Corrections.pdf)

[http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/Proposed\\_Downtown\\_Zoning\\_Districts\\_Map.pdf](http://www.cityofmadison.com/neighborhoods/zoningrewrite/documents/Proposed_Downtown_Zoning_Districts_Map.pdf)

Sincerely,



**NGL Insurance Group**  
*It's about people.*

**John D. Larson**  
*Chairman & Chief Executive Officer*  
Phone: (608) 443-5251  
E-FAX: (608) 443-5158  
[jdlarson@nglic.com](mailto:jdlarson@nglic.com)

March 12, 2012

Mr. Bradley J. Murphy, AICP  
Director  
Planning Division  
Department of Planning & Community & Economic  
Development  
P.O. Box 2985  
Madison, WI 53701-2985

Re: Consideration of National Guardian Life Property at 2 E.  
Gilman Street in Downtown Plan and Zoning Map

Dear Brad:

This letter concerns the treatment of the National Guardian ("NGL") property at 2 E. Gilman Street in the proposed Downtown Plan and zoning map. As recognized on pages 29 and 57-58 of the November 2011 draft Downtown Plan ("Draft Plan"), the open land between the National Guardian office building and Lake Mendota ("the NGL Site") is one of the largest remaining potential redevelopment/infill sites in downtown Madison and maybe the only remaining private vacant land on Lake Mendota in the downtown area.

The NGL Site has great potential for infill development, contributing to the downtown economy and the City's tax base. In addition, the NGL Site's substantial Lake Mendota frontage creates an opportunity for lakefront access and amenities, which can contribute greatly to the experience of people who live, work and visit in downtown Madison. As such, planning for the site should allow maximum flexibility to both realize the economic potential of the site and its unique ability to contribute to downtown Madison.

The specific aspects of the Draft Plan which NGL asks be modified are:

- the maximum building height map on page 42 authorize two bonus stories (5+2) for the NGL site;
- the NGL Site be referenced as a mixed-use node on pages 39 and 57; and
- Recommendation 83 be changed to recognize potential nonresidential uses on the NGL Site, with an Urban Office Residential ("UOR") zoning designation applied to the entire site, including any portion that is released from a Planned Development designation.



The requested change in the height limitation reflects the unique features of the NGL Site, which, as shown on page 37 of the Draft Plan drops approximately 75 feet from Gilman Street to Lake Mendota. The NGL Site is bordered by the Edgewater Hotel, the NGL office building, Kennedy Manor and the Corcoran apartment building on Pinckney Street, all of which are 5-7 stories tall. While no development is contemplated today, we anticipate the development of the NGL Site will likely involve multiple buildings or building elevations. Allowing increased height on some portions of the site maximizes the flexibility to preserve some open space and desirable view corridors while still allowing for substantial high value infill development on the interior of the NGL Site that complements the surrounding neighborhood.

In addition, any redevelopment will be largely hidden behind the existing adjacent buildings – especially our home office building. Any height restriction should reflect the heights of adjacent properties and allow flexible redevelopment. An unduly restrictive height limitation could require a monolithic building along the lake to achieve an economically viable density. Along these lines, NGL favors the methodology proposed on page 42 of the Draft Plan of measuring height from the street frontage, rather than the averaging of the perimeter method set forth in the current zoning code, as this methodology best accommodates the steep slopes of the NGL Site.

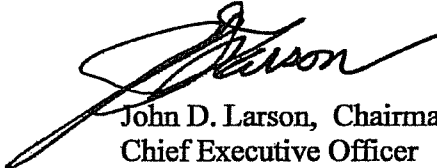
The unique lakefront location and the nature of the NGL Site favors allowing mixed, rather than exclusively residential, uses. The range of beneficial uses of the NGL Site may be dramatically altered depending on what happens with the Edgewater hotel and the proposed bike/pedestrian walkway along Lake Mendota. The January 24, 2012 draft City of Madison Proposed Zoning Districts Downtown Plan Area ("Zoning Map) recommends UOR zoning for the NGL Site. While residential uses likely will be a substantial part of any development of the NGL Site, UOR zoning would allow a range of service, entertainment or retail uses (such as along the rivers in Milwaukee or San Antonio), which would maximize the potential of the site, and is consistent with the existing office building and the neighboring Edgewater hotel and Kennedy Manor restaurant.

NGL recognizes that the long term use and potential redevelopment of the NGL Site is of interest to many downtown stakeholders. NGL takes pride in being a good downtown neighbor and is committed to a use of the NGL Site that benefits downtown and the city as a whole. NGL is very interested in the views and comments of persons who are interested in the future of the NGL Site, and ask that you forward this letter to City Staff, Plan Commissioners and Common Council Members. NGL also invites interested persons to personally tour the NGL Site and meet with us to discuss any concerns. Finally, we request that any other community feedback be forwarded or directed to NGL for our consideration.

Bradley Murphy  
March 12, 2012  
Page 3

Thank you for considering NGL's request and concerns. We look forward to addressing these issues and responding to questions from your office and others involved in the downtown planning process.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Larson", with a long, sweeping underline that extends to the left.

John D. Larson, Chairman &  
Chief Executive Officer

## Roll, Rick

---

**From:** Stouder, Heather  
**Sent:** Tuesday, March 13, 2012 12:53 PM  
**To:** Weier, Anita  
**Cc:** Tucker, Matthew; Anderson, Patrick  
**Subject:** RE: Question on zoning for an apartment building at Harper and Troy  
**Attachments:** 401Troy.pdf

**Categories:** Red Category

Hi Anita-

I looked into this property (**401 Troy Dr.**), and it is a tough one. The property is just under 19,000 sq. ft., with very little or no usable open space (from the aerial, it all looks to be paved for parking). The Comprehensive Plan recommends Low-Density Residential use (1-15 units per acre) for the property, which is certainly different than what it is now (~46 units per acre).

I have attached the assessor record of the property as a reference, and have cc'd Matt Tucker and Pat Anderson in Zoning, in case they would have further information for you, but this is my initial take.

Based on the unit mix, the existing building probably doesn't comply with the minimum lot area requirements for residential units in C1 zoning, and I doubt it complies with usable open space requirements either. Thus, adding more units under C1 Zoning would indeed be impossible. However, it may be able to be renovated if the result were to be fewer units/bedrooms overall. For reference, these requirements are as follows:

**MGO Sec. 28.09(2)(e) – Lot Area Requirements per Dwelling Unit in C1**

700 sq. ft. for each Efficiency  
1000 sq. ft. for each 1BR  
1300 sq. ft. for each 2BR  
+300 sq. ft. for each additional bedroom over 2.

**MGO Sec. 28.09(2)(h) – Usable Open Space Requirements per Dwelling Unit in C1**

160 sq. ft. per bedroom

If they were to convert more of the ground floor commercial space into residential use, it would also require conditional use review and approval by the Plan Commission.

The proposed SRV2 district for this property doesn't make things any easier, and may not actually be the best district to recommend for this mixed use building. I'll talk this over with Matt, Rick Roll, and others and see whether we should reexamine the staff recommendation for the new zoning map on this parcel.

Best-

Heather

---

**From:** Weier, Anita  
**Sent:** Tuesday, March 13, 2012 12:09 PM  
**To:** Stouder, Heather  
**Subject:** Question on zoning for an apartment building at Harper and Troy

Greetings:

I received a call from Jason Batton of Palisades Properties, whose company wants to purchase and improve the Harper Apartments at the corner of Harper and Troy.

I regret that I don't have the address right now, but it is the only multi-residential building in that area.

He said it is in a C-1 zone, which he described as limited commercial. There are now 20 units plus storage and office space (there used to be a grocery quite a while ago). His company would like to renovate that space and turn it into 2 or 3 residential units. However, he says the zoning limits it to 20 units.

Is that correct?

Also, what is the situation with the new zoning code? It looks as if this would be zoned SR-V1 or SR-V2. So what would that allow?

This building looks terrible right now, so it would be great if it could be renovated.

Thanks and regards,

Alder Anita Weier

320-5820

<b>Owner</b> DK RODGER PROPERTIES LLC  PO BOX 1 BARABOO, WI 53913-1	<b>Parcel Class:</b> Commercial	<b>Property Type:</b> Apartment & store
	<b>Parcel Code:</b>	<b>Property Code:</b> 416
	<b>School District:</b> Madison	<b>Property Data Revised:</b> 04/01/2011
	<b>TIF District:</b> 0	<b>Building Data Revised:</b>

Record of Transfer of Ownership							
Grantor	Document #	Date	Parcels	Consideration	Convey	Mkt	Ratio
RODGER, KIRBY L & DARLENE M RODGER	94059153	5/2005	1	0	OTHER	I	I
	1279025	10/1979	1	450,000	L.C.	V	V

Zoning: C1	Lot Characteristics	Utilities	Street	Frontage
Width: 0	1-Regular	Water: 2-Stubbed In	Paved	Primary: 115 Troy Dr
Depth: 0	1-Corner	Sewer: 2-Stubbed In	Curb-gutter	Secondary: 165 Harper Rd
Lot Size: 18,975 sqft	1-Level	Gas: 2-Stubbed In	Sidewalk	Other 1: 0
Acreage: 0.44 acres	2-Medium Traffic		No Alley	Other 2: 0
Buildability: 1-Buildable Lot	0-None Wooded			Water: 0 0-No Water Frontage

Parcel Building Summary				
Floor Area	GFA	PFA	Apartments	
1st Floor:	8,169	8,169	Total Units:	20
2nd Floor:	8,250	8,250	Rooms:	
3rd Floor:	8,250	8,250	Efficiency:	8
4th Floor:			1 Bdrm:	4
5th Floor:			2 Bdrm:	8
Above:			3 Bdrm:	
Mezz Loft:			4 Bdrm:	
Basement:	8,250		Other:	
<b>Building Summary</b>				
<b>Parking</b>			Buildings:	1
Level 1:			Apartment	20,925
Level 2:			Office	765
Level 3:			Shop	2,979
Other lvls.:				
Total:				
Total:	32,919	24,669		



Notes:

Building Remarks: 8 basement garages.

Assessment changes			
	Board of Assessor		
Year	2010		
Hearing #	0451		
Schedule #	016		
Change	-306,600		

Assessment Record			
	2009	2010	2011
Change Code			/
Land	57,000	57,000	57,000
Improvement	1,194,600	788,000	788,000
Total	1,251,600	845,000	845,000

Parcel Number 0809-351-0229-6

Situs 401 Troy Dr

Assessment Area

9912

## Building

1

GFA:	32,919														
PFA:	24,669														
Yr. Built:	1965														
Yr. Remodeled:	1981														
Quality:	Ave														
Exterior Condition:	Ave														
Stories:	3														
Story Height:	12														
Frame:	Stl														
Wall Type:	FBrk														
Wall Type 2:															
Foundation:	Conc														
Roof Type:	Flat														
Roof Frame:	Stl														
Roof Cover:	Built Up														
Floor Frame:	Conc														
Floor Deck:	Conc														
Basement	Full														
Apartment Units:	20														

## Building

GFA:															
PFA:															
Yr. Built:															
Yr. Remodeled:															
Quality:															
Exterior Condition:															
Stories:															
Story Height:															
Frame:															
Wall Type:															
Wall Type 2:															
Foundation:															
Roof Type:															
Roof Frame:															
Roof Cover:															
Floor Frame:															
Floor Deck:															
Basement															
Apartment Units:															

Bldg	Area Type	SqFt	Lights	Heat	A/C	Fire Protection	Quality	Floor Type	Wall Finish	Ceiling	Elev	Cond	Bat Full	Half	FP
1	Apartment	20,925	Incad	Hot Water	Unit		Ave	Carpet	Plaster	Plaster	1	Ave	21		
1	Office	765	Flor	Hot Water			Ave	Carpet	Plaster	Plaster		Ave		3	
1	Shop	2,979	Flor	Hot Water			Ave	Tile	Plaster	Plaster		Ave			

Parcel Number 0809-351-0229-6

Situs 401 Troy Dr

Assessment Area

9912

## Roll, Rick

---

**From:** Roll, Rick  
**Sent:** Wednesday, March 21, 2012 3:16 PM  
**To:** 'bryan/molly cooper'  
**Subject:** Accessory Dwelling Units

Hi Molly,

Supplemental regulations for accessory dwelling units are listed below. Also, as we discussed Accessory dwelling units are allowed in all residential zoning districts as conditional uses. These standards do not go into effect until the new zoning map is adopted by the City Council. I anticipate that happening this summer. Please let me know if you have additional questions.

Accessory Dwelling Unit in Districts Other than the TR-P District.  
ADU Requirements.

The following requirements shall apply within all ADU Overlay Districts.

- (a) The principal dwelling or the accessory dwelling unit must be owner-occupied except that a temporary absence of up to six (6) months is allowed.
- (b) The principal dwelling must be a single-family detached dwelling.
- (c) No more than one (1) accessory dwelling unit may be located on a lot.
- (d) The number of occupants of the accessory dwelling unit shall not exceed one (1) family or two (2) unrelated individuals. 170

- (e) The accessory dwelling unit shall not be sold separately from the principal dwelling.
- (f) The maximum height of a detached building containing an accessory dwelling unit, including one built above a garage, shall be twenty-five (25) feet. Height shall be measured as a principal building pursuant to Sec. 28.134(1)(b).
- (g) The maximum size of an accessory dwelling unit shall be seventy-five percent (75%) of the principal dwelling's floor area, up to a maximum size of seven hundred (700) square feet.
- (h) The minimum setback requirements shall be those for accessory building or structures of the underlying zoning district.
- (i) Accessory dwelling unit entry ways within a rear or side yard shall be connected to a street frontage by a paved walkway or driveway.
- (j) The appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a single-family dwelling.
- (k) The exterior finish material of an accessory dwelling unit shall match the type, size and placement of exterior finish material of the principal dwelling.
- (l) The roof pitch shall match the predominant roof pitch of the principal dwelling.
- (m) Trim and projecting eaves shall match those of the principal dwelling.
- (n) Windows shall match those in the principal dwelling in proportion (relationship of width to height) and orientation (horizontal or vertical).
- (o) No increase in on-site parking facilities.

Rick Roll  
Senior Planner  
City of Madison  
Department of Planning  
& Community  
& Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.  
P.O. Box 2985  
Madison, WI 53701-2985  
608-267-8732 PH  
608-267-8739 FAX  
[rroll@cityofmadison.com](mailto:rroll@cityofmadison.com)



## Roll, Rick

---

**From:** Roll, Rick  
**Sent:** Tuesday, March 27, 2012 2:30 PM  
**To:** 'amy\_hasselman@architecture-network.net'  
**Subject:** RE: Zoning Map

Hi Amy,

The zoning code was adopted on March 29, 2011. However, it does not take effect until the zoning map is adopted. I am not aware of any transition period or delayed start. The new ordinance and map will take effect upon approval by the Common Council. I believe the map must also be published prior to it taking effect, but I'll need to check with the City Attorney's staff to confirm that. The Common Council will ultimately decide when the code and map are approved.

Rick

---

**From:** Amy Hasselman [mailto:amy\_hasselman@architecture-network.net]  
**Sent:** Tuesday, March 27, 2012 1:55 PM  
**To:** Roll, Rick  
**Subject:** Re: Zoning Map

Thanks, Rick. So when both the Map and the new Zoning Code have been adopted, do they immediately become enforceable? Will there be a transition period, or a delayed start date?

—  
Amy Hasselman, AIA  
Architect/ Project Manager

Architecture  
network, Inc.

116 E. Dayton Street  
Madison, WI 53703  
P 608.251.7515 ext 33  
F 608.251.7566  
C 608.698.0715  
<http://www.architecture-network.net/>

---

This email transmission and any documents, files or previous email messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient or a person responsible for delivering this transmission to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by telephone or return email and delete the original transmission and its attachments without reading or saving in any manner.

---

On Mar 27, 2012, at 1:03 PM, Roll, Rick wrote:

Hi Amy,

Adoption of the new Zoning Map is somewhat dependent on when the Downtown Plan is adopted by the Common Council. The Plan Commission continues to work on the Downtown Plan, but they are probably at least a month away from adoption. The Zoning Map will probably not be ready for adoption until later this summer.

Rick

---

**From:** Amy Hasselman [[mailto:amy\\_hasselman@architecture-network.net](mailto:amy_hasselman@architecture-network.net)]  
**Sent:** Tuesday, March 27, 2012 12:47 PM  
**To:** Roll, Rick  
**Subject:** Re: Zoning Map

Rick,

Any idea when the new zoning code will be in effect for the rest of the city? Does it all wait on the Downtown portion?

—  
Amy Hasselman, AIA  
Architect/ Project Manager

Architecture  
network, Inc.

116 E. Dayton Street  
Madison, WI 53703  
P 608.251.7515 ext 33  
F 608.251.7566  
C 608.698.0715  
<http://www.architecture-network.net/>

---

This email transmission and any documents, files or previous email messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient or a person responsible for delivering this transmission to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by telephone or return email and delete the original transmission and its attachments without reading or saving in any manner.

---

On Feb 27, 2012, at 9:34 AM, Roll, Rick wrote:

Hi Amy,

The zoning map that the Plan Commission will be working from includes Map Correction #14 which recommends TR-U2 zoning for 4701 and 4901 Sheboygan Avenue. The Zoning Map that will be introduced by the Common Council will include each of the map corrections. A new version of the Downtown Zoning Districts won't be prepared until after the Common Council adopts the Downtown Plan. The Plan Commission just began its review of the draft Downtown Plan and it is expected that their work will extend into late March or April, although we are not sure at this point. It depends on how quickly they finish their review and make a recommendation to the Common Council. Then it is up to the Common Council to take action on the Plan. The Plan Commission will begin its work on the Zoning Map and Downtown Districts after the Common Council adopts the Downtown Plan. I hope this helps.

Sincerely,

## Roll, Rick

---

**From:** Roll, Rick  
**Sent:** Tuesday, May 08, 2012 8:43 AM  
**To:** Weier, Anita  
**Cc:** Stouder, Heather; Firchow, Kevin; Tucker, Matthew; Murphy, Brad  
**Subject:** RE: request to Plan Commission to change zoning map

Hi Anita,

Staff will forward your request to the Plan Commission.

Sincerely,

Rick

---

**From:** Weier, Anita  
**Sent:** Monday, May 07, 2012 4:20 PM  
**To:** Roll, Rick; Tucker, Matthew  
**Cc:** Murphy, Brad  
**Subject:** request to Plan Commission to change zoning map

I am asking the Plan Commission to please change the zoning for 402 Troy Drive on the new zoning map from C-I to C (Conservancy).

(This parcel is currently zoned Conservancy. It is located between a community garden and a private home on a residential street, and is currently in green space. Neighborhood residents walk there and wildlife makes use of the site.)

Please contact me with questions or suggestions.

Thank you,

Alder Anita Weier

18th District

320-5820

## **Roll, Rick**

---

**From:** Weier, Anita  
**Sent:** Tuesday, April 17, 2012 10:40 AM  
**To:** Roll, Rick  
**Subject:** What is allowed in two districts under new code?

Hi: Could you send me links to or descriptions of what is allowed under SR-C1 if the new code and what is allowed under Conservancy under that code?

Thank you very much!

Regards, Alder Anita Weier

## Roll, Rick

---

**From:** Weier, Anita  
**Sent:** Friday, April 20, 2012 5:15 PM  
**To:** Roll, Rick  
**Subject:** RE: What is allowed in two districts under new code?

**Categories:** Red Category

Greetings: I'm rather surprised about uses allowed in Conservancy: Civic auditorium complex, transit stop or station, catering, coffee shop, parking facility, storage of trucks and heavy equipment? And the conditional uses include lift stations, heating or cooling plants, private club or reception hall, sewerage lift stations, etc.

Am I reading that wrong?

Regards, Anita Weier

PS: Could you please call me at your convenience at 320-5820?

I want to discuss a request I want to make very soon of the Plan Commission. I hope to ask them to change 402 Troy Drive on the new zoning map from C-I to Conservancy.

Thank you.

---

**From:** Roll, Rick  
**Sent:** Tuesday, April 17, 2012 11:32 AM  
**To:** Weier, Anita  
**Subject:** RE: What is allowed in two districts under new code?

Hi Anita,

The new zoning code can be found at the following link:

<http://legistar.cityofmadison.com/attachments/a7261a03-67a8-413b-a97a-a07f72552155.pdf>

Residential District uses can be found on Pages 13 -15.

Conservancy District uses can be found on Pages 77 -79

Please note that staff is working on revisions to the Conservancy District based on a request by the Zoning Code Rewrite Advisory Committee (ZCRAC). This draft is not complete, although we expect to have something ready in a week or two. Some ZCRAC members expressed concern that areas proposed for Conservancy District zoning are not in conservancy use. The ZCRAC asked staff to draft new zoning districts for conservancy and parks and recreation uses. The proposed districts will include a Conservancy District that focuses primarily on non-intensive conservancy and recreation uses and a new Parks and Recreation District which allows more intensive recreational uses than are permitted in the Conservancy District.

Please let me know if you need further assistance.

Sincerely,

Rick

---

**From:** Weier, Anita  
**Sent:** Tuesday, April 17, 2012 10:40 AM  
**To:** Roll, Rick  
**Subject:** What is allowed in two districts under new code?

## Roll, Rick

---

**From:** Weier, Anita  
**Sent:** Tuesday, April 24, 2012 5:18 PM  
**To:** Roll, Rick  
**Subject:** question on Master Plan Requirement language

Page 83 in the new code says that (c) In a Campus Institutional District without a Campus Master Plan, individualized development proposals and changes shall require conditional use approval, except that development of more than 4,000 square feet within any five year period shall require an approved master plan.

So the proposed warehouse is 11,000 square feet.

Does that mean it would require a master plan?

Thanks and Regards, Alder Anita Weier

320-5820

## Roll, Rick

---

**From:** Roll, Rick  
**Sent:** Thursday, April 26, 2012 1:56 PM  
**To:** 'David Israel'  
**Subject:** RE: Zoning Question

Hi David,

As the City has worked through the new zoning code, which has been adopted but won't take effect until the new zoning map is adopted later this year, the Plan Commission decided to zone existing PUD's into the new Planned Development District. Therefore, all existing PUD standards for the properties will carry over into the new Planned Development District. The City Plan Commission is currently working on the new zoning map. We hope to have the new map adopted later this summer. Please let me know if you have additional questions.

Sincerely,

Rick Roll

---

**From:** David Israel [<mailto:disrael@campusacquisitions.com>]  
**Sent:** Thursday, April 26, 2012 12:44 PM  
**To:** Roll, Rick  
**Subject:** Zoning Question

Rick,

I am doing some research into the zoning for the properties located at 8-14 N. Broom Street and 404-410 W. Washington Ave. It appears that the current zoning designation is PUDSIP, which is governed by Section 28.07(6) of the existing zoning code. Based on my research, it appears that Madison is in the process of rewriting its zoning code and the zoning designation for the aforementioned properties may change. To this end, I was hoping you could shed some light on what the new zoning designation will be and what the new standards will be (i.e., height, setback, parking, FAR, etc.)? Additionally, when do you think the new zoning code may be implemented?

Thanks for the help.

David

**David A. Israel**  
**Campus Acquisitions, LLC**  
161 N. Clark Street, Suite 4900  
Chicago, Illinois 60601  
[disrael@campusacquisitions.com](mailto:disrael@campusacquisitions.com) | [www.campusacquisitions.com](http://www.campusacquisitions.com)  
Office: (312) 994-1883 | Fax: (312) 546-3815

## Roll, Rick

---

**From:** Stouder, Heather  
**Sent:** Friday, April 27, 2012 8:17 AM  
**To:** Weier, Anita  
**Subject:** RE: zoning map amendment

Anita-

You can do either or both. My advice was to do this at the Plan Commission level, since they will be the body making most of the time-consuming decisions prior to making a recommendation to the Council.

Heather

---

**From:** Weier, Anita  
**Sent:** Thursday, April 26, 2012 11:29 PM  
**To:** Stouder, Heather  
**Subject:** zoning map amendment

Procedural question: You said I could ask the Plan Commission, via Mr. Roll, to consider changing the zoning map for 402 Troy. Why not just introduce an amendment at the Council?

Thanks, Alder Anita Weier



## **Roll, Rick**

---

**From:** David Keller [David@kellerrealestategroup.com]  
**Sent:** Wednesday, May 02, 2012 2:47 PM  
**To:** Roll, Rick  
**Subject:** 2106, 2130, 2154 West Badger Road

**Categories:** Red Category

Rick,  
As we discussed, I represent the owners of the above identified property and have the properties listed for sale. In looking at the new zoning map, I noticed that this property has been grouped with the "Steinhafel" property across West Badger Road into the new zoning classification of "CC". The property does not have any exposure which would allow for retail type uses.

The property is currently zoned M-1 and we believe it should be classified under the new zoning map the same as the neighboring uses to the west or I-L Industrial Limited.

Let me know your thoughts.  
Thanks.

David Keller  
Keller Real Estate Group  
448 West Washington Avenue  
Madison, WI 53703

608-227-6543 x 102 (O)  
608-575-3797 (cell)  
608-255-5005 (fax)

[David@KellerRealEstateGroup.com](mailto:David@KellerRealEstateGroup.com)