



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://www.cityofmadison.com)

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, July 19, 2010

5:30 PM

215 Martin Luther King, Jr. Blvd.  
Room 260 (Madison Municipal Building)

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### ZONING CODE REWRITE SPECIAL MEETING

#### CALL TO ORDER/ROLL CALL

**Present:** 8 -

Michael Schumacher; Lauren Cnare; Julia S. Kerr; Nan Fey; Eric W. Sundquist; Judy K. Olson; Michael G. Heifetz and Judy Bowser

**Excused:** 2 -

Michael A. Basford and Tim Gruber

**Staff Present:** Rick Roll, Kitty Noonan, Michael Waidelich, Matt Tucker, Brad Murphy, Kevin Firchow

Fey was chair of the meeting. The meeting was called to order by Fey at 5:36 p.m.

#### PUBLIC COMMENT

Dave Carrig, 645 Sky View Place, Madison. Mr. Carrig spoke about co-ops. He is concerned about affordable housing. Co-ops seem to be a responsible way to provide affordable housing and group people together. The five person limit on co-ops makes them financially infeasible. He asked if the number can be changed.

David Sparer, 16 N. Carroll St., Suite 500, Madison, representing Madison Community Co-op. Mr. Sparer said he is available to answer questions about the proposal recommended by the Housing Committee regarding co-ops. He said staff told him recently that they are neither in favor nor against the proposals. He said it is up to the Plan Commission. He said it is a policy decision. He also said the current draft of the zoning code hurts co-ops more than existing code. He said the current draft does not allow co-ops in the R5 (its equivalent in the draft code) district as a use permitted by right. Same as a co-op with up to 5 persons in R3. Mr. Sundquist asked if staff memo is an accurate portrayal of Mr. Sparer's proposal. Mr. Sparer said yes, it is 98% accurate. Mr. Sundquist asked about the table on page 25 of the staff Memo 1. He noted that some districts have two permitted uses and a conditional use for others in the same district. This could be taken up in Memo 2.

#### ZONING CODE REWRITE

[15932](#)

Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit F pursuant to Sec. 66.0103, Wis. Stats. to revise the City's Zoning Ordinance.

#### **This Ordinance was Rerefered to the PLAN COMMISSION**

Discussion and action on Memorandum 1: Committee and Commission Recommendations and Comments received on the City of Madison draft zoning code (Legistar 15932)

Chair Fey recommended a process for reviewing and taking action on the staff memorandums and the draft zoning code. She said the Plan Commission may want to table the waivers and conditional uses memo so they can be clustered in one place as one topic.

Staff provided an overview of the July 7, 2010 staff memorandum.

The following motions were made regarding Staff Memorandum 1.

**Motion by Sundquist to approve staff recommendation on Memo 1 page 14 #1. Second by Olson. Motion approved by voice vote/other.**

**Motion by Sundquist to table page 14 #2. Second by Bowser. Motion approved by voice vote/other.**

**Motion by Bowser to approve staff recommendation on page 14 #4. Second by Sundquist. Motion approved by voice vote/other.**

**Motion by Sundquist to approve staff recommendation for page 15 #6. Second by Olson. Motion approved by voice vote/other.**

**Motion by Kerr to adopt the staff recommendation for page 15 #7. a), b), c) d) and i). Second by Heifetz. Motion approved by voice vote/other.**

**Motion by Sundquist to approve the staff recommendation for page 15 #7 e) with the exception of not allowing vinyl siding on the top of the building, and to approve the staff recommendation for page 15#7 f). Motion was seconded by Olson. This motion passed by the following vote: 4:3 (AYE: Cnare, Bowser, Olson and Sundquist; NO: Kerr, Heifetz and Schumacher; and NON-VOTING: Fey).**

The two above motions regarding item #7 were substitute motions. An original motion by Olson, seconded by Bowser, to approve the staff recommendation on page 15 #7 was replaced by the approved substitute motions. Mr. Sundquist proposed to amend Ms. Olson's motion to approve the staff recommendation for page 15 #7 with the exception of not allowing vinyl on the top of a building. Vinyl would be only allowed as trim. This amendment was not added to this motion.

**Motion by Sundquist to approve the staff recommendation on page 16 #10. Second by Kerr. Motion approved by voice vote/other.**

**Motion by Olson to approve the staff recommendation for page 16 #11. Second by Sundquist. Motion approved by voice vote/other.**

**Motion by Bowser to approve staff recommendation for page 16 #12. Second by Cnare. Motion approved by voice vote/other.**

**Motion by Cnare to approve staff recommendation for page 16 #14. Second by Olson. Motion approved by voice vote/other.**

**Motion by Bowser to approve the staff recommendation on page 17 #15. Second by Olson. Motion approved by voice vote/other.**

**Motion by Kerr to approve the staff recommendation on page 17 #16. Second by Bowser. Motion approved by voice vote/other.**

**Motion by Kerr to approve staff recommendation on page 17 #17. Second by Schumacher. Motion approved by voice vote/other.**

**Motion by Bowser to approve staff recommendation for page 17 #18. Second by Cnare. Motion approved by voice vote/other.**

**Motion by Cnare to approve the staff recommendation for page 17 #19. Second by Olson. Motion approved by voice vote/other.**

**Motion by Kerr to approve the staff recommendation for page 17 #20. Second by**

Sundquist. Motion approved by voice vote/other.

Motion by Bowser to approve the staff recommendation for page 17 #22. Second by Olson. Motion approved by voice vote/other.

Motion by Kerr to lay page 18 #24 on the table. Second by Cnare. Motion approved by voice vote/other. That motion replaced an original motion by Bowser, seconded by Cnare, to approve the staff recommendation for page 18. #24.

Motion by Sundquist to place page 18 #25 b) on file. Second by Bowser. Motion approved by voice vote/other.

Motion by Kerr to allow stone mulch and weed barrier fabric. Second by Schumacher. This motion is in regards to item 32 on page 19. Motion approved by the following vote: 6:1 (AYE: Olson, Bowser, Cnare, Kerr, Heifetz and Schumacher. NO: Sundquist; and NON-VOTING: Fey).

The approved motion was a substitute motion. An original motion by Sundquist, seconded by Bowser, to not permit rock mulch but permit weed barriers as stated on page 162, section (3) (c) was withdrawn.

Motion by Olson to approve staff recommendation for page 19 #34. Second by Sundquist. Motion approved by the following vote: 6:1 (AYE: Olson, Sundquist, Bowser, Cnare, Schumacher, and Heifetz. NO: Kerr; and NON-VOTING: Fey)

Motion by Cnare on page 20 #36 to allow weed barrier. Second by Olson. The motion was approved by the following vote: 6:1 (AYE: Cnare, Olson, Bowser, Schumacher, Heifetz, and Kerr. NO: Sundquist; and NON-VOTING: Fey).

Motion by Cnare to approve staff recommendation for page 20 #37. Second by Sundquist. Motion approved by voice vote/other.

Motion by Olson to lay on the table page 20 # 38 items "a-m", # 39, #40, #41 and #43. Second by Sundquist. Motion approved by voice vote/other. That motion was a substitute replacing the original motion by Cnare, seconded by Heifetz, to approve the staff recommendation for page 20 #38 items "a through e" and further directing discussion of this item to the near future.

Motion by Cnare to refer page 23 #44 until the Economic Development Commission report on improving the development process is complete and submitted to the Plan Commission. Second by Schumacher. Motion approved by voice vote/other.

Motion by Kerr on page 24 #1, #2, and #3 to accept the staff recommendations. Second by Cnare. Motion passed by the following vote: 4:2 (AYE: Kerr, Cnare, Bowser, Heifetz, and Schumacher. NO: Sundquist and Olson; NON-VOTING: Fey)

A substitute motion by Olson, seconded by Schumacher, to accept the list of districts permitting co-ops as recommended in the memo provided by David Sparer and the Housing Committee's recommendation memo for item 1 failed by the following vote: 3:4 (AYE: Schumacher, Sundquist, and Olson; NO: Bowser, Cnare, Kerr, and Heifetz; NON-VOTING: Fey).

Motion by Bowser to approve staff recommendation on page 26 #2. Second by Kerr. Motion approved by voice vote/other.

Motion by Bowser to approve staff report on page 27 #9. Second by Kerr. Motion approved by voice vote/other.

## **ROLL CALL**

**Present:** 10

Judith A. Bowser, Judy K. Olson, Nan E. Fey, Julia Kerr, Eric Sundquist, Michael Heifetz,

Michael Schumacher, Lauren Cnare, and Michael Basford (Basford entered the meeting at 7:20 p.m.)

**Excused:** 1  
Tim Gruber

**Motion by Sundquist on page 27 #14 and #15 to lay on the table until they are discussed in the blue memo and consider #88 having been dealt with. Second by Bowser. Motion approved by voice vote/other.**

**Motion by Sundquist to approve the staff recommendation for page 28 #17. Second by Bowser. Motion approved by voice vote/other.**

**Motion by Sundquist to approve the staff recommendation on page 28 #18. Second by Schumacher. Motion passed by voice vote/other.**

**Motion by Sundquist to approve the staff recommendation for page 28 #20. Second by Bowser. Motion passed by voice vote/other.**

**Motion by Bowser to approve the staff recommendation for page 28 #21. Second by Heifetz. Motion passed by voice vote/other.**

**Motion by Cnare to approve the staff recommendation for page 28 #23. Second by Kerr. Motion passed by voice vote/other.**

**Motion by Basford to reconsider the vote taken on the Housing Committee recommendations. Second by Olson. Motion approved by voice vote/other.**

**Motion by Olson to approve Mr. Sparer's proposal regarding co-ops (summarized in the "right hand" column of p. 25 of Memorandum 1. The language in the summary table stating "cannot occur within SF homes" was stricken because it was not entirely consistent with the proposal.) Second by Basford. Motion passed by the following vote: 5:4 (AYE: Fey, Basford, Olson, Sundquist, and Schumacher; NO: Bowser, Kerr, Heifetz, and Cnare).**

A motion to amend the above motion, made by Kerr and seconded by Heifetz, to add co-ops as permitted uses in the SR-C1 and SR-C2 districts in single-family homes failed by the following vote: 4:4 (AYE: Sundquist, Basford, Kerr, Heifetz. NO: Olson, Cnare, Bowser, and Schumacher; and NON-VOTING: Fey). A previous motion to amend the main motion adding the SR-C1, SR-C2, and SR-C3 district to the list of districts where housing co-ops are permitted was withdrawn.

**The approved motion was a substitute motion replacing the original motion by Kerr, seconded by Heifetz, to approve the recommendations within "left hand" column (labeled "Draft Code) in the table on page 25.**

## **ROLL CALL**

**Present:** 10

Judith A. Bowser, Judy K. Olson, Nan Fey, Julia Kerr, Eric Sundquist, Michael Schumacher, Lauren Cnare, and Michael Basford

**Excused:** 2

Tim Gruber and Michael Heifetz (Heifetz left the meeting at 7:45 p.m.)

**Motion by Sundquist to approve staff recommendation on page 29 #25. Second by Bowser.**

**Substitute motion by Sundquist to lay page 29. #25 on the table. Second by Schumacher. Motion approved by voice vote/other.**

**Motion by Cnare to approve the staff recommendation on page 29. #27. Second by**

Schumacher. Motion approved by voice vote/other.

Motion by Cnare to approve staff recommendation for Page 29. #28. Second by Sundquist. Motion approved by voice vote/other.

Motion by Bowser to approve staff recommendation for page 29. #29. Second by Cnare. Motion approved by voice vote/other.

Motion by Sundquist to lay Page 29 #30-31 on the table until discussion on frontage. Second by Ms. Bowser. Motion approved by voice vote/other.

Motion by Sundquist to approve the staff recommendation on page 30. #37. Second by Schumacher. Motion approved by voice vote/other.

Motion by Bowser to approve the staff recommendation for page 31. #41. Second by Schumacher. Motion approved by voice vote other.

Motion by Schumacher to approve the staff recommendation for page 31. #42. Second by Sundquist. The motion was approved by the following vote: (7:1) AYE: Olson, Bowser, Kerr, Heifetz, Schumacher, Sundquist, Basford. NO: Cnare. NON-VOTING: Fey)

Motion by Bowser to approve the staff recommendation for page 31. #43. Second by Cnare. Motion approved by voice vote/other.

Motion by Bowser to lay page 31 #45 on the table until Memo 2 is discussed. Second by Sundquist. Motion approved by voice vote/other.

Motion by Sundquist to approve page 31. #48. Second by Olson. Motion approved by voice vote/other.

Motion by Schumacher to refer all tabled items. Second by Olson. Motion approved by voice vote/other.

## **UPCOMING MEETINGS**

Monday August 2, 5:30 p.m. Room 260 MMB  
Monday August 16, 5:30 p.m. Room 260 MMB  
Monday August 30, 5:30 p.m. Room 300 MMB

## **ADJOURNMENT**

A motion was made by Schumacher, seconded by Sundquist, to Adjourn at 8:00 p.m. The motion passed by voice vote/other.