



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

*This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at [www.madisoncitychannel.tv](http://www.madisoncitychannel.tv).*

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Monday, November 15, 2010

5:30 PM

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

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### ZONING CODE REWRITE SPECIAL MEETING

**Note: Please disregard the note above about this meeting being televised live. This meeting will be steamed live, replayed on Television, and available on the Web.**

#### CALL TO ORDER/ROLL CALL

**Present:** 8 -

Julia S. Kerr; Nan Fey; Eric W. Sundquist; Judy K. Olson; Michael G. Heifetz; Judy Bowser; Michael A. Basford and Tim Gruber

**Excused:** 3 -

Michael Schumacher; Lauren Cnare and Anna Andrzejewski

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

Fey was chair of the meeting. The meeting was called to order by Fey at 5:30 p.m.

#### CORRECTION OF August 2, 2010 MINUTES

A motion was made by Sundquist, seconded by Gruber, to Correct the Minutes of the August 2, 2010 special meeting of the Plan Commission. The following actions were added to the corrected minutes:

- Motion by Cnare, second by Bowser to approve the staff recommendation for page 33 #58 in Memorandum 1. Motion approved by voice vote/other.
- Motion by Bowser, second by Andrzejewski to approve the staff recommendation for page 33 #60 in Memorandum 1. Motion approved by voice vote/other.

The motion passed by voice vote/other.

#### PUBLIC COMMENT

Kevin Little representing the Greater Madison Chamber of Commerce. Mr. Little spoke about the proposed parking standards discussed in memo prepared by Eric Sundquist. Mr. Little is concerned about the proposed parking maximums.

#### DISCLOSURES AND RECUSALS UNDER THE ETHICS CODE

None.

## 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**

##### ***Staff Memo--Plan Commission Zoning Code Special Meeting Action Items for November 15, 2010***

Motion by Kerr, second by Basford to refer page 190, Section 28.164 (2) to the Urban Agriculture Sub-Committee and the Dane County and City of Madison Department of Health for further itemization and details regarding what the plan should or shouldn't have. Motion Withdrawn by Kerr.

Substitute Motion by Kerr, second by Olson to add to page 190, Section 28.164(2)(a) change (a) to submission of a plan to the zoning administrator, Department of Health, area Alderperson, business and neighborhood associations addressing the criteria outlined in the City's policies and guidelines for community and market gardens for the components listed below 1. - 6 .

Substitute motion by Olson, second by Basford to remove "community garden" from page 190 Section 28.164 (2) and (2) (a)(red-lined draft) but leave in the remainder of (2) (a) 1.-6., with the additional requirement that a Management Plan shall be submitted to the Zoning Administrator, area Alder, Department of Health, neighborhood and business associations. The motion passed as follows: Ayes: Kerr, Sundquist, Olson, Gruber, Basford, Bowser. Noes: Heifetz.

Motion by Sundquist, second by Bowser to refer Page 43 #45 (Memo 1-Green) to post-adoption of the zoning code text, pre-map. Motion approved by voice vote/other.

Motion by Kerr, second by Sundquist to not add additional supplemental regulations for food and beverages in the agricultural district (Page 31 #41 in Memo 1-Green). Motion approved by voice vote/other.

##### ***Staff Memo-Follow-up Frontage and Parking (Memo 2-#38 "Final Clause")***

Motion by Bowser, second by Gruber to approve staff recommendation for page 3 1. a. b. and c. in the staff memo titled Follow-up Frontage and Parking (Memo 2 #38 "Final Clause"). Motion passed by voice vote/other.

Motion by Sundquist, second by Bowser to approve staff recommendation on page 3 2. and 3. in the staff memo titled Follow-up Frontage and Parking (Memo 2-#38 "Final Clause"). Motion passed by voice vote/other.

Motion by Kerr, second by Sundquist to refer page 27 #91 (Memo 2-Blue) to post-adoption of the zoning code text, pre-map. Motion passed by voice vote/other.

##### ***Staff Memo--Vending Machines***

Motion by Olson, second by Bowser to approve the staff recommendations on page 14 #41 c) (Memo 2-Blue) per staff memo on vending machines dated November 8, 2010 and adding "... a minimum of 50 feet from a property line." (last bullet page 2)

Amendment to original motion by Gruber, second by Olson to approve the staff recommendation on page 14 #41 c) (Memo 2-Blue) per staff memo on vending machines dated November 8, 2010 and add "... a minimum of 50 feet from a property

line unless behind a fence or other obstruction to prevent public use” (last bullet page 2) and to strike “shall not be oriented toward any abutting street or adjacent properties.” . Motion approved by voice vote/other.

*Staff Memo--Building Height Measurement*

Motion by Basford, second by Bowser to approve the staff recommendation (last bullet point on page 2 of the Building Height Measurement Memo-Tucker memo) and leave accessory building height at 15 feet. Motion approved by voice vote/other.

Motion by Gruber, second by Olson to approve staff recommendations on page 2 of the Building Height Measurement memo except third bullet shall be revised so that the measurement of height is an average of all building facades. Motion approved as follows: Ayes: Kerr, Sundquist, Olson, Gruber, Basford, Bowser. Noes: Heifetz.

Amendment by Sundquist, second by Gruber that no individual façade shall be higher than 15% of the maximum height of the zoning district. The motion passed by voice vote/other.

*Staff Memo--Plan Commission Zoning Code Special Meeting Action Items for November 15, 2010*

Motion by Kerr, second by Olson to refer page 23 #44 (Memo 1-Green) back to the Urban Design Commission with a note that these are not zoning code ordinance rewrite items, but rather are Urban Design Commission administration issues for the Urban Design Commission to consider and make changes as they feel are appropriate. Motion approved by voice vote/other.

Motion by Sundquist, second by Basford to address in supplemental materials, the Urban Design Commission question on page 31 #45 (Memo 1-Green) regarding what an Urban Design District is. Motion approved by voice vote/other.

Motion by Bowser, second by Kerr to approve the staff recommendation for page 35 #75 (Memo 1-Green). Motion approved by voice vote/other.

Motion by Bowser, second by Gruber to refer page 45 #55-57 (Memo 1-Green) until there is more information from the Economic Development Commission. Motion approved by voice vote/other.

Motion by Kerr, second by Gruber to approve the staff recommendation for page 26#86 (Memo 2-Blue). Motion approved by voice vote/other.

Motion by Basford, second by Sundquist to approve the staff recommendation for page 19 #65 (Memo-2-Blue). Motion approved by voice vote/other.

Motion by Kerr, second by Basford that signs be posted at least 21 days prior to the public hearing (Page 216 redlined draft-top of page) Motion approved by the following vote: Ayes: Kerr, Olson, Bowser, Sundquist, Basford. Noes: Gruber, Heifetz

Motion by Sundquist, second by Olson to handle items on page 53 #15-16 (Memo 1-Green) outside of zoning at the staff level. Motion approved by voice vote/other.

Motion by Kerr, second by Sundquist to approve the staff recommendation for page 27 #90 in Memo 2-Blue) with the addition of “or Landmarks Commission” after Urban Design Commission in the text. Motion approved by voice vote/other.

*Staff Memo-Relationships between the Comprehensive Plan, Neighborhood Plans and the Zoning Code*

Motion by Sundquist, second by Kerr to approve the staff recommendation in the Relationships between the Comprehensive Plan, Neighborhood Plans and the Zoning

Code staff memo. Motion approved by voice vote/other.

Motion by Kerr, second by Basford to add applicant's history of compliance to the conditional use standards on pages 221- 222 of the red-lined draft of the zoning code. Under the conditional use standards, the following shall be added: that the Plan Commission can give consideration to overdue taxes and/or fees and the applicant's history of compliance with relevant ordinances and approvals, including but not limited to building and minimum housing code, zoning code and zoning approvals, and alcohol license provisions and approvals. Motion approved by voice vote/other.

The Commission asked staff to write a memo on conditional use standards for building height expansions. This memo should be written before post adoption of the zoning code text, pre-map.

Motion by Kerr, second by Basford to add the same language the Plan Commission added to the conditional use standards regarding non-compliance to the Planned Development District standards for approval found on page 96 of the red-lined draft of the zoning code. Motion approved by voice vote/other.

Motion by Gruber, second by Sundquist to add the same non-compliance text that was added to conditional use permits and Planned Developments to zoning map amendments as deemed appropriate by the City Attorney's office. Motion approved by voice vote/other.

*Parking Maximums Discussion-Page 147 Red-Lined Draft*

Motion by Sundquist, second by Basford to adjust the maximum parking standard for offices, including medical facilities, to one stall per 250 square feet. Motion passed: Ayes: Gruber, Sundquist, Basford, Bowser, Olson. Noes: Kerr. Abstain: Heifetz.

Amendment by Gruber, second by Bowser to include medical facilities (clinic, medical, dental or optical, etc.) in the original motion. Motion passed: Ayes: Gruber, Sundquist, Basford, Bowser, Olson. Noes: Kerr. Abstain: Heifetz.

Kerr said it is important that when the code goes to the Common Council, it be accompanied by a cover memo that outlines the process that both the Zoning Code Rewrite Advisory Committee took and the Plan Commission took and an offer by Planning staff to brief each alder individually before it is taken up on the floor and before it goes up on Legistar. Basford added that the memo should detail how much time the Plan Commission and other committees have taken up on it.

The Commissioners requested that the City Attorney's office draft language that sends the code from the Plan Commission and to the Commission Council. Request that this be done for the next Plan Commission meeting.

## UPCOMING MEETINGS

## ADJOURNMENT

A motion was made by Bowser, seconded by Gruber, to Adjourn at 9:00 p.m. The motion passed by voice vote/other.