



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes - Approved UNIVERSITY HILL FARMS AD HOC STEERING COMMITTEE

Thursday, June 5, 2014

6:30 PM

Mount Olive Lutheran Church
110 North Whitney Way

CALL TO ORDER / ROLL CALL

Present: 7 - Joseph R. Keyes; Jaclyn D. Lawton; Thomas R. Favour; Christopher P. Klein; Bradley Campbell; Brian W. Ohm and David R. Ault

Excused: 1 - Thomas Mooney

Governmental Staff/Consultants: Melissa Huggins, Urban Assets; Emma Schumann, Urban Assets; Milena Bernardinello, Planning Division; Jule Stroick, Planning Division; Angela Puerta, Planning Division; Matt Tucker, Zoning Administration

APPROVAL OF May 15, 2014 MINUTES

Correction to paragraph 1, pg 3: replace the sentence to read " Steering committee should ~~discuss if the plan should~~ **determine the level of detail/support to include in the plan** on ADU's.

A motion was made by Lawton, seconded by Favour, to Approve the Minutes of May 15, 2014 with correction. The motion passed by voice vote/other.

PUBLIC COMMENT

None.

DISCLOSURES AND RECUSALS

None.

NEW BUSINESS

1. [29906](#) Updates

Jule explained post cards announcing the public open house have been sent to property owners within 200 feet of Van Hise/Hamilton and all neighborhood parks. In addition, the managers and landlords of multifamily buildings were notified as well as all property owners in the focus areas. Joe explained an announcement was made in the neighborhood newsletter.

2. [29905](#) Plan Development

-Discussion with Matt Tucker, Zoning Administrator, regarding Accessory Dwelling Unit
Matt Tucker, City of Madison Zoning Administrator, discussed the purpose of and regulations for accessory dwelling units (ADUs). In the City of Madison Zoning Ordinance, ADUs are required to be owner-occupied, single family dwelling units that can be detached structures, attached to the main house, placed over the garage, or a part of the house (e.g. in the basement). ADUs are limited to a maximum of a 700 square foot floor area (in this planning

area) and are limited in occupancy, as five unrelated individuals cannot live in an ADU. An ADU or its primary property must be continuously occupied by the property owner.

Matt discussed the five applications submitted to the City of Madison since ADUs were permitted in the new zoning code (as of January, 2013). He explained that of the five applications, four approvals have been issued, but no ADUs have been built to date. However, he anticipates a few will be built within the next year.

Matt indicated building an ADU can cost a property owner up to six figures. He indicated most property owners who apply for an ADU conditional use permit are not interested in "densifying" the neighborhood, but have a unique need that an ADU would serve. He referenced one application in which the proposed ADU was meant for the caregiver of the property owner's disabled child.

When asked how the ADUs are maintained if the owner sells the property, Matt explained any buyer of that property will need to maintain it as an ADU, unless they would like to convert it to a workshop or an accessory shed, for example. He indicated that once a "dependency living situation" goes on the market, the kitchen must be removed if the new owner does not want to maintain it as an ADU.

When asked what happens to the ADU if the property owner passes away, Matt explained the property would need to be sold into another owner occupancy situation. Any tenant of the ADU would need to find somewhere else to live, unless the new buyer permits them to continue renting.

A question was asked if a ADU was a "fancy name for a duplex." Matt indicated an ADU is different from a duplex in that either the ADU or the main structure must be occupied by the property owner, while an owner of a duplex can rent out both units.

When asked about the process of repealing a conditional use, Matt explained a complaint can be issued against an owner of an ADU if the terms of the conditions are not met. The complaint would be reviewed by the Plan Commission for validity. If deemed valid, the City could bring the conditional use application back to the Plan Commission for review.

Matt discussed some of the standards and design requirements for ADUs established in the City zoning code. He explained that if the neighborhood wanted to speak to a request for an ADU conditional use application, the best avenue to take is to include design guidelines in the plan that would be considered by the Plan Commission. For example, the design guidelines could include:

- Attached versus detached structures
- Placement of ADU on the property (front yard and rear yard setbacks)
- Orientation of ADU with neighboring property (e.g., bedroom)
- Roof Style
- Exterior Finish
- Topography issues
- Impact on mature trees

When asked about the maximum allowance of individuals in an ADU, Matt explained family members - anyone related by blood, marriage, or adoption - are permitted to occupy an ADU. However, there is a limitation on the number of individuals allowed to occupy a 700 square foot space.

Several questions were raised regarding 1) whether the ADUs would need to match the neighborhood deed restrictions; or 2) concern for long term maintenance or use of ADUs. The

steering committee had a lengthy discussion regarding the suspected issues that would be raised by neighbors: increase density, noise, and maintenance.

Bradley stated that ADUs could provide positive aspects to the neighborhood and that the concerns might not be an issue since the property is monitored by the property owner. Chris explained a concern of the committee is not just maintenance of an ADU, but its proximity to a neighbor's house and yard. Matt reiterated that an owner of an ADU will need to meet the City's standards, but that the neighborhood could present guidelines for ADUs.

Bradley reiterated that an individual could apply and build an ADU based on the City's zoning code. As the neighborhood does not have any directions or guidelines, an ADU could be built to the minimum requirements established by the City. In addition, he questioned if the neighborhood association would want to be in the position of bringing enforcement and bear the cost of a suit against property-owners.

When asked about the regulations for ADUs located in local and national historic districts, Matt explained the City's Landmarks Commission would review ADU applications located in local districts. He indicated an attached ADU may pose challenges in attempts to receive tax credits for a national district. A steering committee indicated an ADU shouldn't look like a "fake addition" to an existing structure.

When asked about the process of applying for a conditional use permit, Matt explained there is a 30 day process for the City to review the intent of the application. Once the application is submitted, a notice is sent to the alderperson, neighborhood associations, and property-owners within 200' of the project..

When asked if the City must follow the regulations established in a deed restriction, Matt indicated it does not. He explained covenants are enforced by neighbors and not by the City.

Brian shared with the committee a report and a set of FAQs on ADUs developed by Susan Thering, Executive Director, Design Coalition Institute. He explained the report indicates that after construction, utility, costs, and impact fees, ADUs can cost over \$100,000. One of the costs with ADUs is the payment of park impact fees, which could cost \$4,500 per unit. Matt affirmed waiving impact fees can be a complicated process, but it can be done. Jacki indicated that a recent approval at Board of Public Works denied park impact fee waiver. Melissa referenced the City of Portland's work on reducing impact fees to permit ADUs.

-Review of Draft/Plan Recommendations

The committee discussed draft plan recommendations for accessory dwelling units. Jacki expressed support for addressing the topic in the plan, but indicated the concept should not be emphasized or endorsed. The plan should include standards for ADUs. For example, they should be attached to the primary house, should match local architecture, and should honor the setback requirements.

Tom expressed concern over the overemphasis of ADUs in the plan. For example, the first bullet on page 47, which indicates the neighborhood covenants should be reviewed and revised. Joe pointed out that the bottom of the first column on page 13 references ADUs. With regard to page 13, Melissa indicated this reference to ADUs is under existing conditions - this section explains the factual difference between zoning approval and the UHF covenants. She explained the language could be softened in the plan, but indicated it would be a mistake to set up a situation in which individuals could be in violation of the covenants by legally developing an ADU on their property.

Joe expressed support for developing design guidelines in the plan. He suggested recommending that the ADUs be approved/reviewed through the neighborhood's architectural

review board.

Bradley expressed support for developing guidelines, as they would prevent the neighborhood from fighting potential ADUs that are architecturally undesirable, for example. Melissa stated that the city-consultant team would prepare draft guidelines for review by the committee.

Tom indicated he is willing include in the plan language that explains that the City's conditional use permit would trump the neighborhood deed restrictions. He explained, however, that the plan should not put too much focus on ADUs, as there have only been five applications within the past 1.5 years.

The committee discussed draft plan recommendations for community facilities and connections. Brian discussed the plan's references to Van Hise/Hamilton open space. He indicated the plan appears to suggest that the open space is not used often. However, the fields are used continuously throughout the day and evening. He recommended working with those user stakeholders, including West High and MSCR, to develop ideas for programming and paying for improvements. Additionally, he recommended adding language similar to "improve existing sports fields" to imply the open space is used frequently.

Jacki questioned why the plan would need to program "every inch" of open space. Melissa explained the recommendations emanate from the public process - talking with MMSD and school PTOs. She indicated that not all of the recommendations will happen. However, the recommendations provide guidelines for what should happen if interest in programming open space rises.

Brian suggested adding text about improving the existing LaCrosse fields.

The committee discussed the draft plan design guidelines. Brian presented to the committee pamphlets developed for the Westmorland neighborhood plan. He explained the handouts and pamphlets were developed as part of the planning process that included recommendations on sustainable home improvements, for example. He suggested developing similar handouts as part of the Hill Farms plan.

Brian suggested including a recommendation that new construction, particularly multi-family and commercial properties, have massing and scale that fits the neighborhood and are made with materials and architectural features that are relevant of the time. Additionally, he suggested recommending that new construction is consistent with the historic designation.

The committee discussed recommendations relevant to expanding TID 41. Joe questioned if a TID is typically used as a development tool for blighted areas. Melissa explained the City recently rewrote the TIF rules, which establish it as a tool focused on economic development. She explained it would be appropriate to recommend engaging TIF, as the Red Cross site is already included in the TID. Additionally, she indicated that the future developer of the DOT site would likely want to expand the TID.

The committee discussed the recommendations for establishing a neighborhood association for multi-family dwellings. The steering committee indicated it "would be great" for these dwellings to have their own association.

The committee discussed the recommendations for the Church of Latter Day Saints property. Tom expressed concern for the recommendation to develop a three to four story apartment complex on the site. Melissa explained this type of development would be economically feasible. The city-consultant team suggested running numbers for a townhouse development on the site. Jacki supported the idea.

Brian explained the plan should at least ensure that the deed restrictions recommend that the site be redeveloped for single family.

Jule indicated the plan does not reference the adaptive reuse of the church building. Melissa suggested adding language about adaptive reuse that would fit within the deed restrictions.

The committee discussed the recommendations for Sheboygan Avenue. Chris indicated these recommendations, including adding a B-Cycle station, two BRT (Bus Rapid Transit) stations, and new street design will focus the "most drastic" changes on Sheboygan. He questioned how the committee can complain about the magnitude of the redevelopment of the DOT, when the plan makes its redevelopment "as attractive as possible."

Melissa explained the recommended improvements are targeted to the public infrastructure. She emphasized that the plans for the BRT station are adopted in a plan developed by the MPO (Metropolitan Planning Organization). She emphasized that once BRT is implemented, opportunities for completed streets and for TOD are created.

Tom suggested changing language that implies other bike share programs could be implemented other than B-Cycle, as it is a corporate organization.

The committee discussed the recommendation for conducting a study for a park and ride. Members of the committee expressed concern for this recommendation and suggested removing it from the plan. Melissa suggested including a recommendation for two hour parking instead. In addition, the steering committee requested that other options be explored.

Brian suggested recommending changing the speed limit to 25 mph on Segoe Road.

Jacki suggested including a recommendation for a transit circulator on Sheboygan Avenue to University Triangle and Hilldale in a continuous loop. She indicated the circulator could be subsidized by riders and area businesses.

The committee discussed the proposed concept for an limited access parkway along the southern edge of the multifamily buildings on Sheboygan (near the northern edge of Rennebohm Park). Chris and Brian raised the issue that some members of the steering committee did not fully support the concept. David explained the street would take traffic off of Sheboygan Avenue. He indicated the street could be privately maintained and limited to 10-15 mph. Bradley explained the street would be used as a tool to accommodate higher density development on Sheboygan Avenue. Melissa explained the concept is intended to create a smaller block street network. Tom indicated the concept is for the long term and would likely occur after the 15 year period for this plan. Chris requested that his opposition to the concept be on the record.

-Discussion of Final Public Open House

Melissa discussed the proposed format for the open house. She explained there will be a 30 minute presentation on the plan purpose and process. She explained the presentation could communicate how the committee came to the draft recommendations, the big vision and opportunities, and how the recommendations are divided. Meeting participants will receive a handout with questions to which they will be asked to provide answers. Public comments will be collected for two weeks.

Jule asked the committee which plan recommendations it would like the public to comment on. Bradley implied that the issue that "overwhelms" the public is the DOT, which cannot be included in the plan. Additionally he suggested highlighting the recommendations for traffic improvements, as those issues have been brought up at the past open houses.

Tom suggested posing the question, "what else should the plan be incorporating?"

Jacki suggested including boards with the plan recommendations. She suggested instructing meeting participants to put stickers on recommendations they're unhappy with. Additionally, she explained traffic, height of buildings, and massing of buildings are issues she would like to open to the public.

Jule presented to the committee the calculations for the net residential, parkland, and commercial space added as a result of the plan. When asked if the open space included in the Triangle should be included in the calculations, Melissa indicated that those open spaces are too conceptual to include in the calculations at this point.

Jacki questioned if the DOA letter should recommend adding open space for public use on its site.

3. 2014 Meeting Schedule

The Final Public Open House is scheduled for Wednesday, June 11 at Covenant Presbyterian Church, 3226 S Segoe Road, starting at 6:30 pm.

The next regularly scheduled UHF Steering Committee is June 26, Mount Olive Lutheran Church, 110 N Whitney Way starting at 6:30 pm.

4. Next Agenda

Review of the public open house comments and continue to review plan recommendations.

ADJOURNMENT

**A motion was made by Lawton, seconded by Campbell, to Adjourn at 9:26 p.m.
The motion passed by voice vote/other.**