



## Legislation Text

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**File #:** 29108, **Version:** 1

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### Title

Reconsideration of a conditional use (ID 28791) to allow construction of an addition and major exterior alterations to an existing office building with an outdoor eating area for future restaurant tenant at 25 W. Main Street; 4th Ald. Dist.

### Body

On February 4, 2013, the Plan Commission found the standards met and granted approval of this conditional use by voice vote/ other subject to the comments and conditions contained in the Plan Commission materials and the following condition:

- That the applicant explore the addition of public art or wall display cases to the W. Doty Street wall of the parking structure to enliven and add visual interest to that facade.

A motion by Ald. King, seconded by Cantrell to revise condition #45 of the staff report to now read "The Applicant shall reimburse the City of Madison Parking Utility \$39,550 for ~~each~~ a maximum of one metered on-street parking space lost due to the proposed development. This is to compensate the Parking Utility for the lost revenue stream of the parking space. Please contact Thomas Woznick at 266-4761 if you have any questions" failed due to the following 4-4 vote: AYE: Ald. King, Sundquist, Heifetz, Cantrell; NAY: Ald. Schmidt, Ald. Rummel, Berger, Rewey; NON-VOTING: Fey, Hamilton-Nisbet; EXCUSED: Andrzejewski, Finnemore.

Section 28.12(11)(i) of the 1966 Zoning Code under which the conditional use application was reviewed states, in part:

"However, reconsideration shall only occur following written notification of intent to reconsider by a Commission member to the Commission Secretary no later than ten (10) days after said initial action. Thereupon, the notice requirements of Section 28.12(11)(f) shall be complied with before the Commission reconsiders such initial action, except that the notice by publication shall be a Class 1 Notice."

Written notification of intent to reconsider was received by the Plan Commission secretary on February 8, 2013 (attached).

If reconsideration is approved, the matter shall be referred to allow for the required public hearing notices to be sent as outlined above prior to the Plan Commission taking action on the reconsidered conditional use application.