DRAFT MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS
PLAN COMMISSION

The Tuesday, June 11, 2024 meeting of the Plan Commission via Zoom was called to order at 7:02 pm by Chair John Imes. Members present were: Mr. Imes, Mark Lederer, Earl Munson, Tessa Martin, Craig Weinhold and Cara Faris. Jim Etmanczyk joined the meeting at about 7:10 pm and Craig Weinhold joined the meeting at about 7:35 pm. Also present was resident Interim Administrator Karl Frantz, Scott Harrington of Vandewalle and Administrative Services Coordinator David Sykes. Representatives from UW Health, EUA (Epstein Uhen Architects), D'Onofrio Kottke, and JP Cullen.

Mr. Sykes confirmed the meeting had been properly posted and noticed.

Approval of Minutes – May 14, 2024 Minutes
Ms. Coburn Faris moved and Mr. Lederer second a motion to approve the minutes from May 14, 2024 as presented. The motion carried unanimously.

Public Comment: None.

Public Hearing on UW Health Hospital Module Addition Application for Conditional Use Permit
Mr. Imes called the public hearing to order at 7:05 pm.
Mike McKay of UW Health provided an overview of the proposed D2 Module Addition to the UW Hospital & Clinics. The ~101,500 sq ft addition would include six floors (two below grade) and an fully enclosed mechanical penthouse on level seven. The addition is located behind the Children's Hospital near the UW Medical Foundation Centennial Building (1685 Highland Ave). It will add facility support space and an ED expansion (below grade), a Surgery & Diagnostic Imaging Pre-Post expansion, 48 inpatient beds on three floors above ground, plus the enclosed penthouse. The goal is to qualify for LEED 4.0 Certification. The addition will be attached to the main hospital and will not require any new entrances or new utilities to be installed.
Joh Ford of EUA provided specifics on the site plan, landscape restoration and stormwater retention during and after construction.
Tom Pertzborn of JP Cullen provided details on construction logistics. It will be a 24 months project and there will be a tower crane present for about half the project. A temporary access lane into the construction area will be needed and the area restored following construction. They will be taking measures to keep vibration and noise low in deference to the hospital patients and staff and Village residents. They will be coordinating truck deliveries to avoid busy times of the day and will be shuttling workers to the jobsite to reduce the need for parking.
Mr. Imes closed the public hearing at 7:39 pm.

Commission deliberation and possible recommendation to Village Board on UW Health Hospital Module Addition Application for Conditional Use Permit
Scott Harrington of Vandewalle, the Village's planning consultant, reviewed the CF (Community Facility) Zoning standards that need to be met for the Conditional Use Permit to be approved. In his findings, the plan meets all of the standards criteria applicable in the Village's zoning code.

Commission members had concerns about traffic on University Bay Drive/Highland Ave during construction and the impact of the Madison Sewer project in 2025 which will shut down the Highland Ave ramps at Campus Drive for three months.
The Commission reviewed each of the nine standards in the zoning code and found that the CUP application satisfies all of the applicable standards.
Ms. Martin moved and Mr. Lederer seconded a motion to recommend to the Board the approval of the Conditional User Permit application based on the findings of the Commission at tonight's meeting and the condition that the applicant file a written construction management plan with the Village Administrator that is consistent with the representations made at the May 14, 2024 Plan Commission meeting. Motion carried unanimously.

Discussion/possible action regarding development of an ordinance for Accessory Dwelling Units (ADUs)
Village attorney Derek Punches provided a memo with a number of zoning regulations that the Commission should think about if it chooses to pursue an ordinance allowing ADUs.
Mr. Harrington indicated that Vandewalle does have code experts on staff that have developed ADU ordinances for other communities. Vandewalle may be able to provide a variety of examples/options related to things like size, attached vs. detached ADUs, requiring owner occupancy, or different regulations in different zoning districts.
Allowing ADUs was a recommendation that was included in the latest Village Comprehensive Plan.
Some Commission members had concerns about people taking advantage of the opportunity, the process of rule making and public comment, and the cost to develop an ordinance. They asked to have the Board of Trustees for guidance on their desire to pursue an ADU ordinance.

Future Agenda Items (includes items that will be considered at a future meeting):
Electric Vehicles Ordinance
Fence Ordinance referral from Zoning Board of Appeals
Locust Drive Multi-Use Path

Next Meeting Dates
The Plan Commission next regularly scheduled meeting is July 9, 2024 at 7:00 pm.

Adjourn
Ms. Martin moved and Ms. Coburn Faris second a motion to adjourned at 8:56 pm.

Respectfully submitted,

David Sykes
Administrative Services Coordinator

Current

Proposed

From: Aaron Williams <aaron.williams@wisc.edu>
Sent: Tuesday, August 27, 2024 1:29 PM
To: Brian Mooney <BMooney@shorewood-hills.org>; John Imes <jimes@shorewood-hills.org>; Carol Barford <cbarford@shorewood-hills.org>
Subject: UW-Madison WIMR East Wedge Cyclotron Expansion Project

Village of Shorewood Hills,

The following information is related to a project currently in development at the School of Medicine & Public Health located between WIMR I & II in the area we are calling the 'East Wedge'. The project is split 50/50 between the Village and City. We will be pursuing a C-I District Master Plan amendment which will include Plan Commission and Common Council approval. Our intent was to simultaneously meet with the City and Village at similar times during the process so as to avoid significant rework. This means we would invite the Village (please identify who is most appropriate) to City meetings and vice versa invite the City to Village meetings. Just because we are inviting does not mean participating is required or will work with schedules, but by extending the invites and ensuring both entities have the same schedule there will be less opportunity for confusion.

Note, we are also working on getting a meeting with Vandewalle to discuss the CF zoning district and amending that accordingly.

If this seems amenable, I'd consider you reviewing the schedule below and letting me know what submittal requirements are necessary for the VOSH meetings. Is there an opportunity to introduce the project at the 9/10/24 VOSH Plan Commission meeting?

PROJECT OVERVIEW:
WIMR is located at 1111 Highland Avenue, Madison WI. WIMR is the flagship research complex for the University of Wisconsin School of Medicine and Public Health. The design is based on an existing East Wedge Cyclotron and Expansion Pre-Design delivered through the UW Managed program. The East Wedge Cyclotron and Expansion project will be located on the University of Wisconsin-Madison campus between WIMR I and WIMR II towers on a site referred to as the "East Wedge. The following programmatic uses are anticipated as follows:

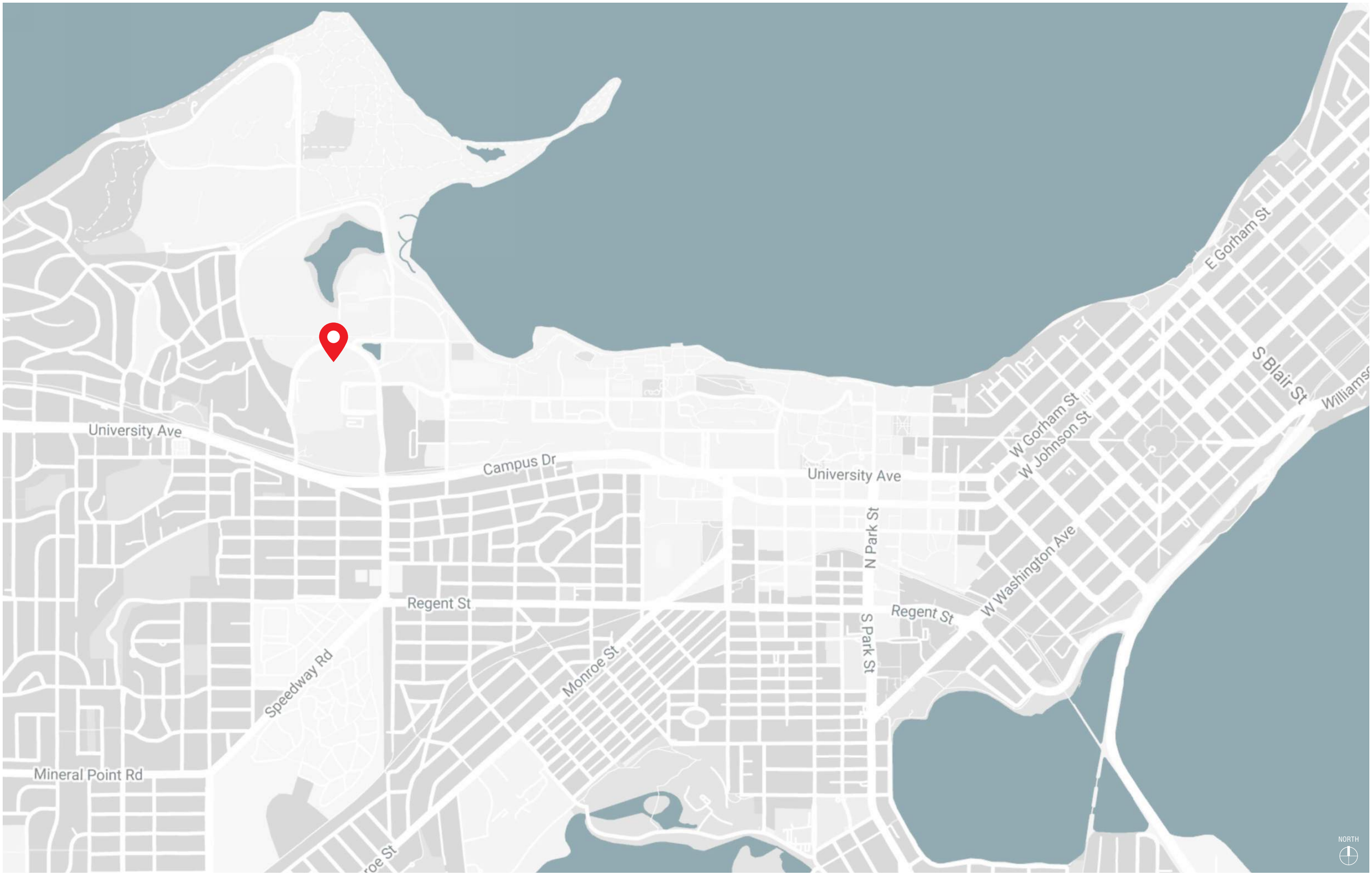
- **Basement** - will house a new, commercial, 30 MeV cyclotron.
- **First Level** - a new BSL2 laboratory, space for offices and building mechanicals.

The project adds 14,451 GSF to the WIMR facility, which is currently 653,867 GSF.

PROJECT VISION:
The University of Wisconsin, Madison East Wedge Cyclotron Expansion will provide the Wisconsin Institute of Medical Research (WIMR) with a state-of-the-art 30Mev cyclotron and support facilities - including Hot Labs and cGMP facilities. Recent growth in nuclear medicine applications of cyclotron-produced radionuclides has been dramatic, and demand exceeded production capacity on multiple occasions in 2022, despite the Cyclotron Group's prioritization of UW clinical and basic research needs. The new facility will add capacity in every essential area: standard and radiometal PET radionuclides, theranostic beta and Auger-emitters, and both clinical and research application-oriented research. The new machine will also enhance the efficacy of the existing PETtrace cyclotron, focusing each machine's efforts on its strengths and simultaneously supporting a nascent UW Institute for Theranostics and Particle Therapy; the Waisman Center's and Alzheimer's Disease Research Center's portfolio of neurodegenerative imaging trials; the preclinical research of PIs working on stem cell, genetic, and viral therapy development in the Imaging and Radiotherapy Facility; and the United States Department of Energy Isotope Production Network.

Aaron Williams, PLA, ASLA
University of Wisconsin-Madison
Campus Planning & Landscape Architecture

Facilities Planning & Management
21 N. Park Street, 6th Floor
Madison, Wisconsin 53715-1211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Campus Dr
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Regent St
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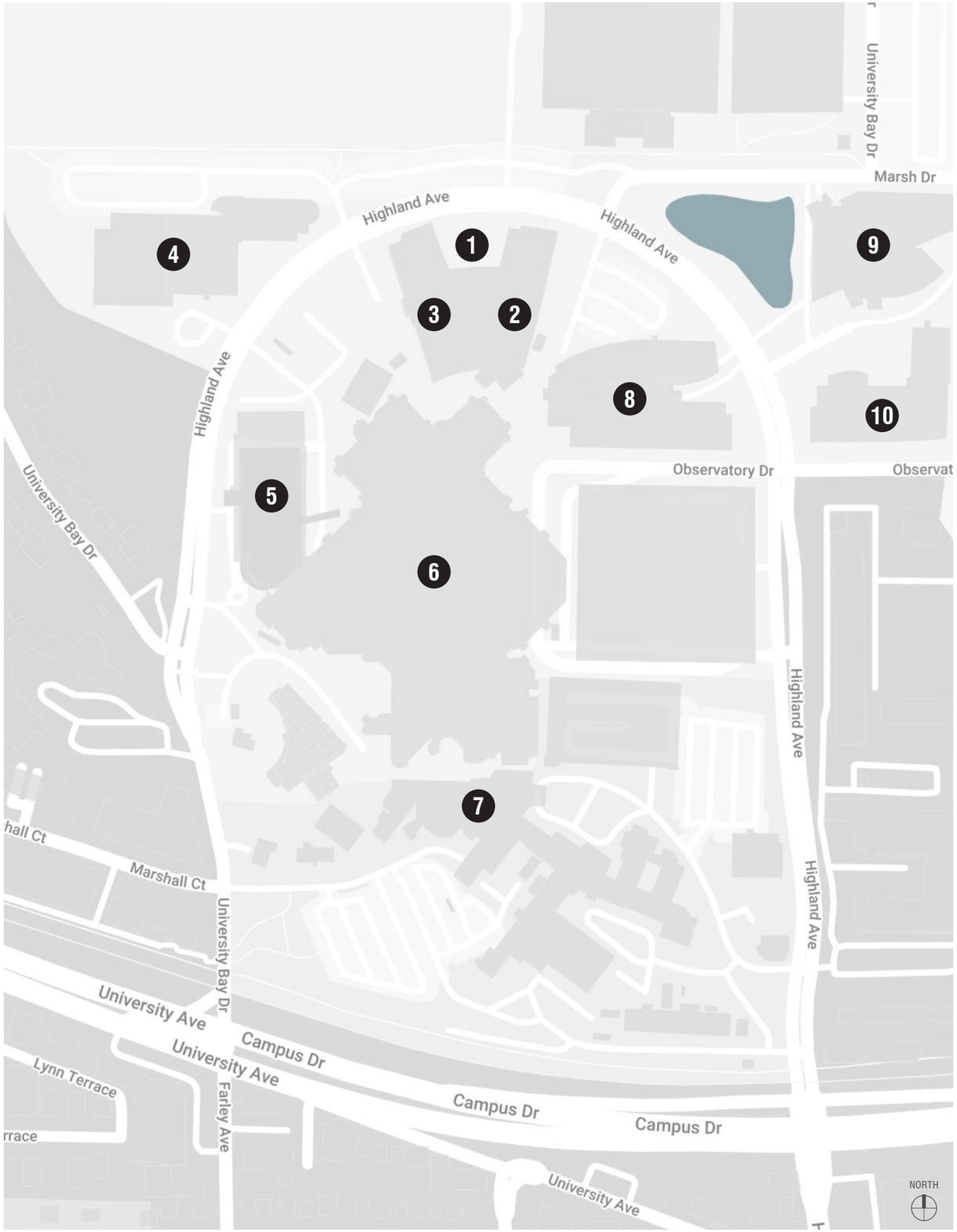
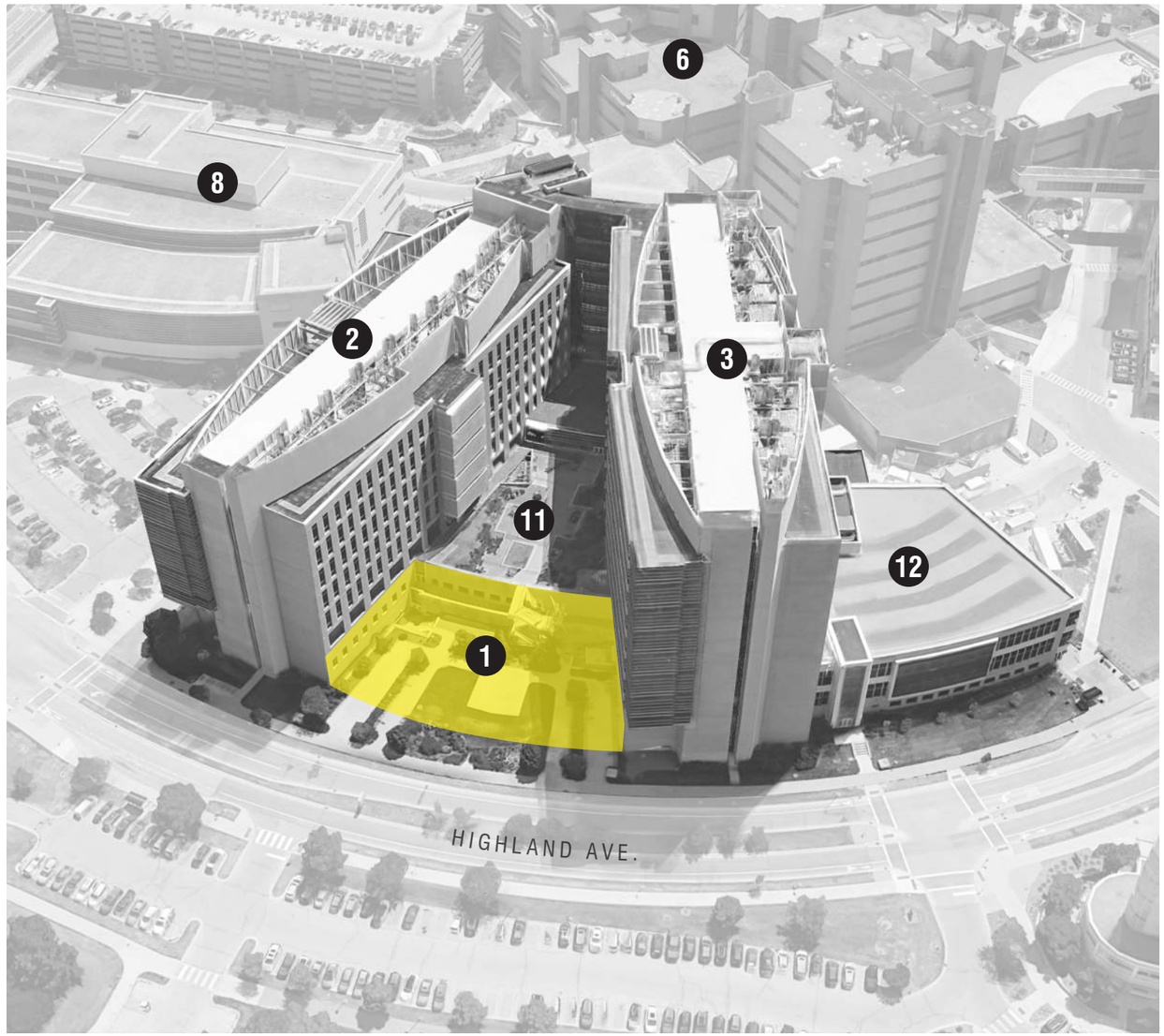
Speedway Rd
Monroe St
Mineral Point Rd
NORTH



1. **PROJECT LOCATION**
2. WIMR I
3. WIMR II
4. Waisman Center
5. American Family Children's Hospital
6. University of Wisconsin Hospital
7. VA Hospital
8. Health Sciences Learning Center
   School of Medicine and Public Health
9. School of Pharmacy Building
10. School of Nursing Building
11. East Wedge
12. West Wedge



View of WIMR, from North

View of West Wedge, from North

View (Far) looking South East

View looking North West

StaffordRosenbaum LLP
Attorneys

To Karl Frantz, Administrator

From Derek J. Punches

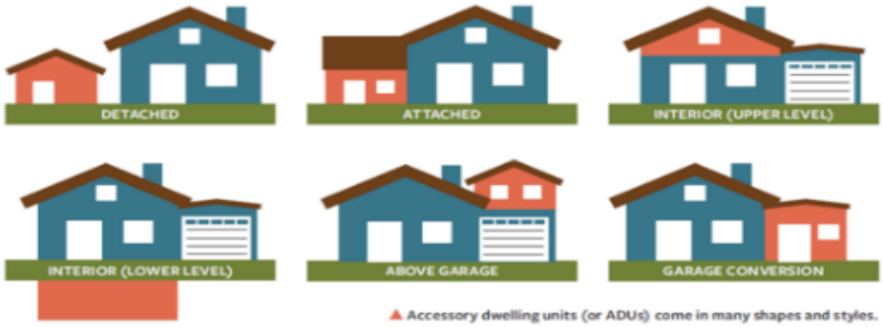
Date June 7, 2024

Re Regulation of Accessory Dwelling Units (ADUs)

The purpose of this memorandum is to provide a brief overview of accessory dwelling units (ADUs) and discuss how ADUs are handled under the Village's Zoning Code. In addition, this memorandum provides possible considerations on whether and how the Village may regulate ADUs in single-family residential and other zoning districts.

BACKGROUND

In response to a shortage of affordable housing units and the high cost of rental units, many municipalities are exploring changes to their zoning regulations and other municipal ordinances to eliminate barriers to, and incentivize the creation of, more housing in their communities. As part of this process, some communities have sought to amend their zoning regulations to allow accessory dwelling units (ADUs) within single-family and other residential districts.



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

In short, ADUs (also known as carriage houses, "mother-in-law units," or "granny flats") are small residential dwelling units that are located on the same lot as a larger, primary residence, such as a single-family dwelling or a multifamily building. By definition, ADUs are land uses that are accessory, or secondary, to the primary use of the property. As shown above, an ADU can be a separate building detached from the primary dwelling unit, or a dwelling unit constructed on or within the primary dwelling unit. This approach is especially attractive in places that may not have

capacity to support larger, more intensive development, such as new single-family subdivisions or multi-family dwelling projects.

Some have argued that ADUs can help ameliorate certain housing-related issues by increasing the supply of affordable housing, by providing a cost-effective means of accommodating development with a lower cost of building, operating, and maintaining new infrastructure, and by providing older homeowners, young home buyers, renters, and others a more diverse range of homes, prices, and locations. In addition, in some cases, property owners can supplement their income by renting the ADU on a short- or long-term basis.

CURRENT CODE

Under the Village's Zoning Code, ADUs are not permitted in single-family residential districts. Similarly, ADUs are not authorized as an accessory land use. *See* VOSH § 10-1-100. In general, land uses that are not expressly permitted in any zoning district are prohibited in that district. The R-1 Single Family Residence District, for example, permits the use of property for single-family dwellings. VOSH § 10-1-24(b). That classification, however, does not allow more than one dwelling unit to be situated on such lots.

The Code defines "Dwelling, Single-Family" to mean a detached dwelling containing only one dwelling unit. VOSH § 10-1-140(a)(33). A "dwelling" is a building designed or used exclusively as a residence or sleeping place, but does not include boarding or lodging houses, motels, hotels, tents, cabins or mobile homes. VOSH § 10-1-140(a)(30). A "dwelling unit" is a group of rooms constituting all or part of a dwelling, which are arranged, designed, used or intended for use exclusively as living quarters for one family. VOSH § 10-1-140(a)(34).

In turn, the Code defines "family" as an individual or two or more persons related by blood, marriage, adoption or similar legal relationship, or a group of not more than two persons not so related and their children, plus domestic staff and other persons necessary for health care of a member of the family, living together as a single housekeeping unit in a one-family dwelling or in one dwelling unit of a multi-family dwelling. VOSH § 10-1-140(a)(39). Together, these definitions effectively prevent the maintenance or construction of any additional dwelling units, including an ADU, in single-family residential districts.

REGULATORY CONSIDERATIONS

If the Village chooses to allow ADUs in one or more zoning districts, the Village has discretion to impose use-specific standards in order to ensure that ADUs are operated consistent with the intent and purpose of the Village's Zoning Code. In general, zoning and other land use regulations seek to preserve the public peace and safety by reducing the harms arising from incompatible land uses. An ordinance may be challenged if it is guided by policies that do not promote the public welfare and do not clearly address the kind of activity they seek to curtail.

The following are types of zoning regulations that the Village could consider:

A. Owner – Occupancy. The Village could require that the property owner occupy either the primary dwelling unit or the accessory dwelling unit. The City of Madison initially had an owner-occupant requirement, but recently removed that requirement to further promote the use of ADUs.

B. Number. The Village could limit the total number of ADUs permitted on any property. In most of the communities I reviewed, the regulations limited the property owner to not more than one ADU per property.

C. Size. Some communities have adopted minimum and maximum sizes for ADUs. Some regulate the interior square footage of the ADU, lot coverage (floor area ratios), bulk requirements, or any combination of the same. In some cases, the minimum/maximum size of the ADU is expressed as a percentage of the primary residence on the property (*i.e.*, the exterior square footage of the ADU may not exceed 30% of the square footage of the primary residence).

D. Location and Setbacks. Zoning ordinances typically include regulations limiting where buildings and structures can be located on any lot, including the minimum distance between any building and the side or rear yard lot lines.

E. Parking. Some communities have required that property owners provide one or more off-street parking spaces for each ADU. Depending on the size or configuration of the lot, however, additional parking spaces may not be available.

F. Short-Term Rental. The Village recently enacted an ordinance that authorizes and regulates short-term rentals as an accessory land use in residential districts. If the Village permits ADUs, the Village should consider whether and to what extent ADUs can be operated as short-term rentals.

If the Villages wishes to permit the use of ADUs, the Village should consider engaging its planner to consider whether and to what extent proposed regulations are consistent with the Village's current comprehensive plan, zoning ordinances, and neighboring land uses. For example, planning consultants are typically better positioned to identify the appropriate setbacks or bulk regulations applicable in a given zoning district.

In addition to the above, the Village should ensure that other police power regulations apply to and are enforced against any ADU in the same manner as other residential dwellings. For example, the construction of any ADU should comply with all required building code standards, and all ADUs should have access to electricity, water, and sewer.