



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved PLAN COMMISSION

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Monday, August 26, 2013

5:30 PM

210 Martin Luther King, Jr. Blvd.
Room 201 (City-County Building)

CALL TO ORDER/ROLL CALL

Present: 10 -

Steve King; Ledell Zellers; Scott J. Resnick; Ken Opin; Eric W. Sundquist; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Excused: 1 -

John L. Finnemore

Opin was chair for this meeting.

Ald. Resnick arrived at 5:35 p.m. during consideration of Item 3.

Heifetz arrived at 6:05 p.m. during consideration of Item 14 and left prior to consideration of Item 18.

Ald. King left prior to consideration of Item 18.

Staff present: Katherine Cornwell, Rebecca Cnare and Tim Parks, Planning Division; Scott Langer, Traffic Engineering Division; Christy Bachmann, City Engineering Division; Dan Rolfs, Office of Real Estate Services; Natalie Erdman, Community Development Authority, and; Matt Tucker, Zoning Administrator.

Other members of the Common Council present: Ald. Larry Palm, 12th District; Ald. Sue Ellingson, 13th District, and; Ald. David Ahrens, 15th District.

PUBLIC COMMENT

There were no registrants for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Berger stated that she lives in the Greenbush neighborhood adjacent to the boundary of proposed TID 43 (Item 4) and despite stating that she felt that she could consider that matter objectively, recused herself from consideration of that item. She stated that her residency in Greenbush would not affect her ability to participate on Item 18.

Ald. King disclosed that he works for St. Mary's Hospital and is the hospital's representative on the housing partnership group and that he would be recusing himself on Items 4 and 18.

Heifetz disclosed that he worked for Dean Healthcare and that he would be recusing himself on Item 18.

MINUTES OF THE AUGUST 5, 2013 MEETING

**A motion was made by Cantrell, seconded by Berger, to Approve the Minutes.
The motion passed by the following vote:**

Ayes: 5 -

Ledell Zellers; Eric W. Sundquist; Melissa M. Berger; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Abstentions: 2 -

Steve King and Michael W. Rewey

Excused: 2 -

Scott J. Resnick; Michael G. Heifetz and John L. Finnemore

Non Voting: 1 -

Ken Opin

SCHEDULE OF MEETINGS

September 16, 30 and October 14, 2013

ROUTINE BUSINESS

- 1. [31021](#) Authorizing the execution of a Public Sanitary Sewer Access Easement Agreement with Krupp-Grove LLC pertaining to property located at 5225 University Avenue.

A motion was made by Rewey, seconded by Cantrell, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

- 2. [31084](#) Authorizing the acceptance of ownership from Meadowood Neighborhood Association of a "Little Free Library" located within Meadowood Park at 5800 Thrush Lane.

A motion was made by King, seconded by Hamilton-Nisbet, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.

- 3. [31102](#) Authorizing the execution of an easement to the City of Sun Prairie for public pedestrian/bicycle path purposes across lands within the City of Madison's North-East Greenspace and adjacent Stormwater Utility lands, located south of Hoepker Road and west of U.S. Highway 151.

A motion was made by Rewey, seconded by Cantrell, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

PUBLIC HEARING-6:00 p.m.

Note: Public Hearing items may be called at any time after the beginning of the public hearing. Those wishing to speak on an item must fill out a registration slip and give it to the Secretary. The Plan Commission uses a consent agenda, which means that the Commission can consider any item at 6:00 p.m. where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

Tax Increment Financing Districts

- 4. [31073](#) Approving the Creation of and the Project Plan and Boundary for Tax Incremental District (TID) #43 (Park / Drake), City of Madison.

A motion was made by Cantrell, seconded by Sundquist, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

Speaking in opposition to the proposed tax increment district was Duane Steinhauer of Erin Street.

- 5. [31076](#) Approving the Creation of and the Project Plan and Boundary for Tax Incremental District (TID) #44 (Royster Clark), City of Madison.

A motion was made by Zellers, seconded by Resnick, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

Registered in support of the proposed tax increment district were: Bill White of Lakeland Avenue and Kyle Adams of Autumn Leaf Lane, both representing Ruedebusch Development Company.

Registered neither in support nor opposition to the tax increment district was Richard Dinkel of Tree Lane, representing Walgreens.

Zoning & Other Ordinance Text Amendments

- 6. [30888](#) SUBSTITUTE. Amending Section 28.132(1) and creating Section 28.132(2) (e) of the Madison General Ordinances to allow unheated porches no larger than 14' x16' to encroach into the rear yard setback.

The Plan Commission recommended approval of the substitute ordinance for this zoning text amendment by voice vote/ other.

A motion was made by Cantrell, seconded by Resnick, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

There were no registrants on this item.

- 7. [31086](#) Amending Section 28.151 and Section 7.51(2) of the Madison General Ordinances to allow for larger Bed and Breakfast establishments.

The Plan Commission recommended approval of this zoning text amendment by voice vote/ other.

A motion was made by Zellers, seconded by Resnick, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

Registered in support of the proposed text amendment and available to answer questions was Bob Klebba of E. Gorham Street.

- 8. [31098](#) Amending Sections 28.151 and 28.211 of the Madison General Ordinances to create a definition and regulations for ATMs in the Zoning Code.

The Plan Commission recommended approval of this zoning text amendment by voice vote/ other.

A motion was made by Cantrell, seconded by Rewey, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice

vote/other.

There were no registrants on this item.

- 9. [31108](#) Amending Sections 28.142 and 28.211 of the Madison General Ordinances to update various landscaping and screening requirements and create a definition for hedges.

The Plan Commission recommended approval of this zoning text amendment by voice vote/ other.

A motion was made by Cantrell, seconded by Resnick, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

There were no registrants on this item.

- 10. [31110](#) Amending Section 33.24(4)(f) of the Madison General Ordinances to eliminate overlap between the Big Box Ordinance and the new zoning code.

The Plan Commission recommended approval of this text amendment by voice vote/ other.

In recommending approval of this ordinance, the Plan Commission requested that staff review MGO Sections 28 and 33.24 for opportunities to synchronize those sections with regard to the regulation of large retail establishments.

A motion was made by Cantrell, seconded by Resnick, to Return to Lead with the Recommendation for Approval to the URBAN DESIGN COMMISSION. The motion passed by voice vote/other.

There were no registrants on this item.

Conditional Use/ Demolition Permits

- 11. [30664](#) Consideration of a demolition permit and conditional use to allow demolition of a retail building and construction of a restaurant with vehicle access service window at 698 S. Whitney Way; 19th Ald. Dist.

The Plan Commission found that the standards were met and approved the demolition permit and conditional use subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Cantrell, seconded by Rewey, to Approve. The motion passed by the following vote:

Ayes: 6 -

Ledell Zellers; Scott J. Resnick; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey and Bradley A. Cantrell

Noes: 2 -

Eric W. Sundquist and Steve King

Non Voting: 2 -

Ken Opin and Tonya L. Hamilton-Nisbet

Speaking in opposition to the proposed use was Robin Kotit of S. Whitney Way.

Registered in support of the project and available to answer questions was Hans Justeson, JSD Professional Services of Horizon Drive in Verona.

- 12. [30134](#) Consideration of a demolition permit and conditional use to allow two single-family residences located at 1701 and 1713 Schlimgen Avenue and existing Water Utility Well No. 7 at 1613 N. Sherman Avenue to be demolished and a new, larger Well 7 to be constructed; 12th Ald. Dist.

The Plan Commission found that the standards were met and approved the demolition permit and conditional use subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Hamilton-Nisbet, seconded by Resnick, to Approve. The motion passed by voice vote/other.

Registered in support of the project and available to answer questions were the applicant Al Larson of the Madison Water Utility and Andy Mullendore, Strand Associates, Inc. of W. Wingra Drive, representing the Water Utility.

13. [31017](#)

Consideration of a conditional use to allow construction of an accessory building exceeding 800 square feet of floor area on a SR-C2-zoned property with a home occupation at 1634 Baker Avenue; 19th Ald. Dist.

The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Rewey, seconded by Cantrell, to Approve. The motion passed by voice vote/other.

Registered in support of the project and available to answer questions were the applicants, Heather & Michael Krakora of Baker Avenue and Randy Ziebarth of E. Brigham Road, Blue Mounds.

Registered in support but not wishing to speak was Richard Day of Baker Avenue.

14. [31018](#)

Consideration of a demolition permit to allow existing greenhouse and retail buildings to be demolished with no proposed alternative use at 2600 W. Beltline Highway; 14th Ald. Dist.

The Plan Commission found that the standards were met and approved the demolition permit subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Cantrell, seconded by Heifetz, to Approve. The motion passed by voice vote/other.

Registered in support of the request and available to answer questions was Michael J. Lawton, Boardman and Clark, LLP of S. Pinckney Street.

Extraterritorial Subdivision

15. [29710](#)

Approving the final plat of Wood Ger Development generally located at 3370 Burke Road, Town of Burke, within City of Madison's Extraterritorial Plat Approval Jurisdiction.

The Plan Commission found the criteria were met and recommended approval of the extraterritorial final plat subject to the comments and conditions contained in the Plan Commission materials including the staff report addendum.

A motion was made by Cantrell, seconded by Zellers, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER. The motion passed by voice vote/other.

Registered in support of the request and available to answer questions was Michael J. Lawton, Boardman and Clark, LLP of S. Pinckney Street.

Zoning Map Amendments & Related Requests

16. [30899](#)

Creating Section 28.022 -- 00068. of the Madison General Ordinances rezoning property from DR-2 (Downtown Residential 2) District to UMX (Urban Mixed Use) District.

Proposed Use: Demolish medical office building to construct mixed-use building containing 7,700 square feet of commercial space and 50 apartments

4th Aldermanic District

425 West Washington Avenue

The Plan Commission recommended re-referral of the zoning map amendment to the September 16, 2013 Plan Commission meeting and October 1, 2013 Common Council meeting to allow revised public hearing notices to be provided.

A motion was made by Sundquist, seconded by Rewey, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by September 16, 2013. The motion passed by voice vote/other.

17. [30974](#)

Consideration of a demolition permit and conditional use to allow an existing medical office building to be demolished to allow construction of a mixed-use building containing 7,700 square feet of commercial space and 50 apartments at 425 W. Washington Avenue; 4th Ald. Dist., which requires approval of a conditional use for additional height in Area C of the Additional Height Areas Map (Sec. 28.071(2)(b)).

The Plan Commission referred the demolition permit and conditional use to September 16, 2013 to allow revised public hearing notices to be provided.

A motion was made by Cantrell, seconded by Rewey, to Refer to the PLAN COMMISSION and should be returned by September 16, 2013. The motion passed by voice vote/other.

There were no registrants on Items 16 and 17.

18. [30952](#)

Creating Section 28.022 - 00069 of the Madison General Ordinances rezoning property from PD(SIP) Planned Development (Specific Implementation Plan) District to Amended PD (GDP) Planned Development (General Development Plan) District, and creating Section 28.022 - 00070 rezoning property from Amended PD (GDP) Planned Development (General Development Plan) District to Amended PD(SIP) Planned Development (Specific Implementation Plan) District. Proposed Use: Amend the general development plan and approve a specific implementation plan to convert Longfellow School into apartments and construct a new apartment building with 128 total units; 13th Aldermanic District: 210 South Brooks Street.

The public hearing was closed, and on a substitute motion by Rewey, seconded by Hamilton-Nisbet, the Plan Commission recommended re-referral of the zoning map amendment to the September 16, 2013 Plan Commission meeting and September 17, 2013 Common Council meeting to allow the applicant and property owner to resolve the proposed courtyard/ surface parking area, valet parking for the hospital, loading and trash collection for the project, and the potential impacts on street trees along Chandler Street. The motion to re-refer passed by voice vote/ other.

The motion to re-refer replaced a motion by Sundquist, seconded by Ald. Resnick, to recommend approval of the request subject to clarifying condition 2b of the staff report to limit the family definition for the project to the family definition in the TR-C3 zoning district, a request to reduce the courtyard parking area by 10 stalls, and combine the valet and daycare drop-off parking functions.

On a motion by Cantrell, seconded by Rewey, the original motion to recommend approval was amended to eliminate the proposed valet parking from the project. That motion was withdrawn by Cantrell.

On a motion by Ald. Zellers, seconded by Berger, a substitute amendment to the original motion was proposed to eliminate the courtyard parking area to allow the applicant and property owner some flexibility in how the remaining parking could be used. That motion was withdrawn by Ald. Zellers.

A motion was made by Rewey, seconded by Hamilton-Nisbet, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by September 16, 2013. The motion passed by voice vote/other.

Speaking in support of the proposed development were: Randall Alexander, The Alexander Company of Madison, the applicant; and John Seamon, Iconica of Madison, and Bill White of Lakeland Avenue, both representing the applicant.

Speaking in opposition to the proposed development were: Karen Stevenson of Vilas Avenue; Edward G. Mason of Emerald Street; Emily Miller of Emerald Street; Duane Steinhauer of Erin Street; Cynthia Williams of Drake Street; Leslie Fields of Erin Street; Cindy Koschmann of Emerald Street, and; Eric Shusta of Chandler Street.

Registered in support and available to answer questions were Gerard Rabas representing Meriter Hospital, Inc. and Jeremy Frommelt, Iconica of Madison, representing the applicant.

Registered in support but not wishing to speak was Tom Esch of Chandler Street.

Registered in opposition but not wishing to speak were Nate Warnke of Chandler Street; Joe Grande of Emerald Street; Nadia Niggli of Emerald Street; Susan Hoffenberg of West Shore Drive; James M. Sharpe of S. Orchard Street; Nicholas Derr of Chandler Street; Laurie Swimm of Chandler Street; Donald & Barbara MacCrimmon of Mound Street; Lydia A. Mulvihill of Emerald Street; Donna Antonio of Emerald Street; Michelle McKiernan of Emerald Street; Susan Antoni of S. Brooks Street, and; Jami Crespo & Aaron Seligman of Chandler Street.

Registered neither in support nor opposition to the project and available to answer questions was John Perkins of Emerald Street, representing the Greenbush Neighborhood Association.

19. [30980](#)

Creating Section 28.022 -- 00071 of the Madison General Ordinances rezoning property from CI (Campus Institutional) District to TR-C2 (Traditional Residential - Consistent District 2) District. Proposed Use: No Change; Correction to Mapping Error; 13th Aldermanic District, 1110 Edgewood Avenue.

The Plan Commission recommended approval of the proposed zoning map correction by voice vote/ other.

A motion was made by Berger, seconded by Resnick, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

There were no registrants on this item.

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Tim Parks summarized the upcoming matters and noted that an updated Plan Commission roster was provided with the member's materials.

- Upcoming Matters - September 16, 2013

- Zoning Text Amendment - Add "Tourist Rooming House" to the Zoning Code (ID 31136)
- 610 John Nolen Drive - Conditional Use - Construct 111-room hotel in planned multi-use site (in Urban Design Dist. 1)
- 2917 CTH MN - Extraterritorial Certified Survey Map - Create 4 lots in the Town of Pleasant Springs
- 1019 Jonathan Drive - Conditional Use - Animal daycare and boarding facility in an existing building
- 401 Woodward Drive - Demolition Permit and Conditional Use - Demolish single-family residence and construct new residence on lakefront property
- 2801 Atwood Avenue - Conditional Use Alteration - Request to remove a condition prohibiting sale of beer at a service station
- 1118 Sherman Avenue - Conditional Use - Construct addition to a single-family residence on lakefront property

- Upcoming Matters - September 30, 2013

- 2802 Monroe Street - Zoning Map Correction - TSS to TR-C4 - Downzone two-family residence
- 666 Crandall Street - Zoning Map Correction - TSS to TR-C4 - Downzone single-family residence

- 2820 Monroe Street - Zoning Map Correction - TSS to TR-C4 - Downzone two-family residence
- 668 Pickford Street - Zoning Map Correction - TSS to TR-C4 - Downzone single-family residence
- 2902 Monroe Street - Zoning Map Correction - TSS to TR-C4 - Downzone single-family residence
- 2502 Jeffy Trail - Conditional Use Alteration - Amend Residential Building Complex to reduce density and revise building types
- 1220-1236 Mound Street - TR-C4 to PD-GDP-SIP and Final Plat - Construct 3 new single-family residences along St. James Ct. in rear yards of existing Mound Street residences, and St. James Cottage Homes plat, creating 7 residential lots
- 105-113 S. Mills Street & 1020-1022 Mound Street - Demolition Permit and PD-SIP to Amended PD-SIP
- Demolish 6 residential structures and approve amended specific implementation plan to construct new apartment building with 74 units
- 89 East Towne Mall - Conditional Use - Construct electric vehicle charging station in East Towne Mall parking lot
- 1028 Sherman Avenue - Conditional Use - Construct new accessory building on lakefront property
- 2154 West Lawn Avenue - Conditional Use - Construct accessory building exceeding 10 percent of the area of the lot

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by Hamilton-Nisbet, seconded by Sundquist, to Adjourn at 11:00 p.m. The motion passed by voice vote/other.