



# City of Madison

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

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Monday, November 5, 2018

5:30 PM

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

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### CALL TO ORDER/ROLL CALL

- Present:** 6 - Ledell Zellers; Melissa M. Berger; James F. Oeth; Michael W. Rewey; Bradley A. Cantrell and Jason S. Hagenow
- Excused:** 5 - Steve King; Sheri Carter; Ken Opin; James E. Polewski and Andrew J. Statz

The meeting was called to order at 5:30 p.m.

Cantrell chaired the meeting. Alder Carter was excused during the discussion of agenda items 6 and 7.

Staff Present: Heather Stouder, Sydney Prusak, Pat Empey, and Ben Zellers, Planning Division; Matthew Tucker, Building Inspection.

### PUBLIC COMMENT

Edwin Sibert of West Lawn Avenue spoke in opposition to the potential development of a new football stadium at Edgewood High School.

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

There were no communications, disclosures, or recusals.

### MINUTES OF THE OCTOBER 15, 2018 REGULAR MEETING

**A motion was made by Rewey, seconded by Oeth, to Approve the Minutes. The motion passed by voice vote/other.**

### SCHEDULE OF MEETINGS

Regular Meetings: November 19 and December 3, 17, 2018

### SPECIAL ITEM OF BUSINESS

1. [53646](#) Planning Division update on the amended Nelson Neighborhood Development Plan  
Ben Zellers of the Planning Division provided the Plan Commission an update on the scope of the plan amendment for the Nelson Neighborhood Development Plan.  
There were no registrants on this item.

**ROUTINE BUSINESS**

- 2. [53369](#) Authorizing the City's acceptance of a Permanent Limited Easement for grading and sloping purposes granted to the City by Alabaster Holdings, LLC over and across a portion of the property located at 3116 Commercial Avenue. (15th A.D.)

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

There were no registrants on this item.

- 3. [53370](#) Authorizing the acceptance of a Public Storm Sewer Easement with Alabaster Holdings, LLC, a Wisconsin limited liability company on a portion of the property located at 3116 Commercial Ave. (15th A.D.)

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

There were no registrants on this item.

- 4. [53597](#) Authorizing the City of Madison's Mayor and Clerk to grant a Permanent Limited Easement for Public Water Main Purposes to the City of Fitchburg over a portion of Huegel Park located at 5902 Williamsburg Way. (20th A.D.)

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

There were no registrants on this item.

- 5. [53614](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a public sidewalk connecting existing sidewalks along the east side of American Parkway. Located in part of the NW ¼ of the SW ¼ and SW ¼ of the NW ¼ of Section 14, T8N, R10E. (17th AD)

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

There were no registrants on this item.

**PUBLIC HEARING-5:45 p.m.**

**Zoning Map Amendments & Related Requests**

- 6. [52663](#) Creating Section 28.022 -- 00341 of the Madison General Ordinances to change the zoning of properties located at 1314 and 1318 East Washington Avenue, 2nd Aldermanic District, from CC-T (Commercial Corridor -

Transitional) and TR-V1 (Traditional Residential-Varied 1) Districts to TE (Traditional Employment) District.

On a motion by Berger, seconded by Zellers, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 52663) and approved the demolition permit and conditional use (ID 52572) subject to the comments and conditions contained in the Plan Commission materials and the following conditions:

- That Condition #19 included in the Plan Commission materials be removed.
- That Condition #31 included in the Plan Commission materials be edited to include traffic calming features as a potential use of the development security deposit to Traffic Engineering.
- That the applicant provide fencing between the nursery school and around the play area that consists of a solid eight foot wall or fence, and that the applicant provide fencing along the property line between the play area and East Washington Avenue that consists of six to eight foot tall solid wall or fence. The exact height shall be determined following discussions with neighboring property owners.
- That a sidewalk and bike lane be maintained along East Washington Avenue throughout construction.

The motion to recommend approval passed by voice vote/ other.

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

Registered in support and wishing to speak were Nicole Solheim and Mark Smith of Main Street, Oregon, Wisconsin, representing Gorman and Company; Patty Prime of Sidney Street; and Michael A. Dufer of East Washington Avenue.

7. [52572](#)

Consideration of a demolition permit and conditional uses to allow two commercial buildings and a three-family dwelling to be demolished and construction of a five-story mixed-use building with 5,000 square feet of commercial space, including a counseling and community service organization tenant, and 59 apartments at 1314-1326 E. Washington Avenue; Urban Design Dist. 8; 2nd Ald. Dist.

On a motion by Berger, seconded by Zellers, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 52663) and approved the demolition permit and conditional use (ID 52572) subject to the comments and conditions contained in the Plan Commission materials and the following conditions:

- That Condition #19 included in the Plan Commission materials be removed.
- That Condition #31 included in the Plan Commission materials be edited to include traffic calming features as a potential use of the development security deposit to Traffic Engineering.
- That the applicant provide fencing between the nursery school and around the play area that consists of a solid eight foot wall or fence, and that the applicant provide a fencing along the property line between the play area and East Washington Avenue that consists of six to eight foot tall solid wall or fence. The exact height shall be determined following discussions with neighboring property owners.
- That a sidewalk and bike lane be maintained along east washington throughout construction.

The motion to recommend approval passed by voice vote/ other.

**A motion was made by Berger, seconded by Zellers, to Approve. The motion passed by voice vote/other.**

The registrants for item 7 are listed under item 6.

8. [53457](#) Creating Section 28.022 -- 00347 of the Madison General Ordinances to change the zoning of property located at 647 Bear Claw Way, 9th Aldermanic District, from PD (Planned Development) District to SR-V2 (Suburban Residential-Varied 2) District to provide zoning for nine-unit townhouse.
- On a motion by Berger, seconded by Zellers, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 53457) and conditional use (ID 53123) subject to the comments and conditions contained in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.

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

Registered in support and available to answer questions were Don Schroeder of University Avenue; Alex McKenzie of Hawks Ridge Drive, Verona, Wisconsin; and Donald Schroeder of University Avenue.

9. [53123](#) Consideration of a conditional use to construct a nine-unit townhouse at 647 Bear Claw Way; 9th Ald. Dist.
- On a motion by Berger, seconded by Zellers, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 53457) and conditional use (ID 53123) subject to the comments and conditions contained in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.

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

The public hearings were considered together for items 8 and 9, the registrants for item 9 are listed under item 8.

**Conditional Use & Demolition Permits**

10. [51768](#) REVISED - Consideration of a demolition permit and conditional use to allow demolition of a two-family residence and four-unit apartment building and construction of a four-story, 31-unit apartment building at 119-125 N. Butler Street; 2nd Ald. Dist.
- On a motion made by Berger, seconded by Rewey, the Plan Commission found the standards 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 Berger, seconded by Rewey, to Approve. The motion passed by voice vote/other.**

Registered in support and wishing to speak was James McFadden of Langdon Street.

Registered in support and not wishing to speak was Blake Fisher of North Franklin Street.

Registered in support and available to answer questions was Cliff Fisher of North Hancock Street.

11. [52220](#) Consideration of a demolition permit and conditional use to demolish a credit union and construct a five-story, 45-unit apartment building at 555 W. Washington Avenue; 4th Ald. Dist.
- On a motion made by Berger, seconded by Rewey, the Plan Commission found the standards met and approved the demolition permit and conditional use subject to the comments and conditions contained in the Plan Commission materials and the following edited condition:

- The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the

property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.

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

Registered in support and wishing to speak were Sean Baxter of Irish Lane; Kevin Burow of University Avenue; and Alder Mike Verveer of West Doty Street., representing District 4.

Registered in support and available to answer questions was Randy Bruce of University Avenue.

Note: Item 12 should be referred to November 19, 2018 at the request of the applicant.

- 12. [52564](#) Consideration of a demolition permit and conditional use to allow a restaurant-tavern to be demolished and construction of a four-story mixed-use building with 1,900 square feet of commercial space and 85 apartments at 1902 Bartillon Drive; 17th Ald. Dist.

On a motion by Rewey, seconded by Berger, the Plan Commission referred this request to the November 19, 2018 Plan Commission meeting at the request of the applicant.

**A motion was made by Rewey, seconded by Berger, to Refer to the PLAN COMMISSION and should be returned by 11/19/2018. The motion passed by voice vote/other.**

Note: Item 13 should be referred to November 19, 2018 to allow the request to be re-noticed as a new demolition permit and conditional use application

- 13. [53124](#) Consideration of an alteration to an approved conditional use for a mixed-use building at 5535 University Avenue; Urban Design Dist. 6; 19th Ald. Dist. to allow construction of 5,600 square feet of commercial space and 60 apartments on revised plans

On a motion by Rewey, seconded by Berger, the Plan Commission voted to refer this request to the November 19, 2018 Plan Commission meeting at the request of the applicant.

**A motion was made by Rewey, seconded by Berger, to Refer to the PLAN COMMISSION and should be returned by 11/19/2018. The motion passed by voice vote/other.**

**Zoning Text Amendment**

There were no registrants on this item.

- 14. [53221](#) SUBSTITUTE Amending Sections 28.211, 28.151, 28.061, 28.072, 28.082 and 28.091 of the Madison General Ordinances to add Tasting Room as a use and to amend the supplemental regulations of Restaurant-Nightclub and make Restaurant-Nightclub a conditional use in all districts where it is allowed.

On a motion by Rewey, seconded by Zellers, the Plan Commission recommended that the Common Council adopt the Second Substitute of the proposed zoning text amendment. The motion passed by voice vote/other.

**A motion was made by Rewey, seconded by Zellers, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by**

voice vote/other.

**BUSINESS BY MEMBERS**

There was no business by members.

**SECRETARY'S REPORT**

Heather Stouder summarized the recent Common Council actions and upcoming matters for the Plan Commission.

**- Recent Common Council Actions**

- 4699-4747 Eastpark Blvd. - Preliminary Plat and Final Plat of The American Center Eastpark Second Addition -- Adopted on October 30, 2018 with Plan Commission recommendations
- Zoning Text Amendment regarding "health/ sports club, fitness center or studio" includes yoga and martial arts studios approved on October 30, 2018
- Zoning Text Amendment to change the side yard setback requirements in the TR-C2, TR-C3, and TR-C4 zoning districts approved on October 30, 2018
- Zoning Text Amendment to simplify the loading zone requirements in the Industrial Limited (IL) and Industrial General (IG) zoning districts approved on October 30, 2018

**- Upcoming Matters - November 19, 2018**

- Adopting the Milwaukee Street Special Area Plan
- 1202 S. Park Street - Conditional Use - Construct mixed-use building with 1,200 square feet of commercial space and 58 apartments in Urban Design Dist. 7
- Zoning Text Amendment - Amend Section 28.151 to allow for the expansion of non-accessory temporary outdoor events that existed prior to January 3, 2013 (in TSS zoning district).
- 6510 Cottage Grove Road - A to CC-T and TR-U1 and Certified Survey Map Referral - Create one lot for future residential development in TR-U1 zoning, two lots for future commercial development in CC-T zoning, and one outlot for stormwater management
- 222 N. Charter Street - Demolition Permit, TR-U2 to PD, and Official Map Amendment - Demolish single-family residence and construct twelve-story, 43-unit apartment building; and reduce Official Map reservation from 17 feet to 14 feet for proposed project
- 515 Pinney Street - Conditional Use - Construct 88-unit apartment building
- 5401 Eastpark Boulevard - Certified Survey Map Referral - Create one employment lot and one outlot for stormwater management
- 2605 S. Stoughton Road - Conditional Use - Allow health/sports club in IL zoning

**- Upcoming Matters - December 3, 2018**

- 3014 Worthington Avenue and 3001 Darbo Drive - Demolition Permit and Conditional Use Alteration - Demolish six-unit residential building at 3014 Worthington to construct accessory building and expand open space for Easton Square residential building complex
- 6265 Portage Road - Extraterritorial Certified Survey Map - Create two residential lots in the Town of Burke

**ANNOUNCEMENTS**

There were no announcements.

**ADJOURNMENT**

**A motion was made by Rewey, seconded by Hagenow, to Adjourn at 7:31 p.m. The motion passed by voice vote/other.**