



City of Madison

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

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Monday, March 23, 2015

5:30 PM

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

CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:35 p.m.

Present: 9 - Steve King; Ledell Zellers; Scott J. Resnick; Eric W. Sundquist; Melissa M. Berger; Michael W. Rewey; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Maurice C. Sheppard

Excused: 2 - Ken Opin and Michael G. Heifetz

Cantrell was chair for this meeting.

Ald. Resnick arrived at 6:05 p.m. during the hearing on Item 5.

Staff present: Heather Stouder, Jay Wendt, Rick Roll and Tim Parks, Planning Division, and; Matt Tucker, Zoning Administrator.

PUBLIC COMMENT

There were no registrations for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

There were no communications, disclosures or recusals by members of the Commission.

MINUTES OF THE MARCH 9, 2015 MEETING

A motion was made by Sundquist, seconded by Berger, to Approve the Minutes. The motion passed by voice vote/other.

SCHEDULE OF MEETINGS

Regular Meetings: April 6, 20 and May 4, 18, 2015

Special Meetings to discuss Zoning Code revisions: Tuesday, April 14 and Tuesday, May 12, 2015; 5:00-7:00 p.m.; both meetings will be held in Room 260 of Madison Municipal Building.

ROUTINE BUSINESS

1. [37235](#) Discontinuing/Vacating of a portion of an unnamed alley, from the existing southwesterly right-of-way of Nakoma Road extending southwesterly 125 feet to the current point of termination, being part of plat of Blocks 1 to 11 Nakoma, located in the Northeast 1/4 of the Southwest 1/4 of Section 28, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (10th AD)

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

2. [37572](#) Approving the sale of a vacant parcel of land located at 4208 Milwaukee Street to Matrix Milwaukee Street, LLC.

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

3. [37610](#) Vacation/Discontinuance of a portion of Evan Acres Road and a portion of Savannah Road and repealing RES-12-00227.

On a motion by Rewey, seconded by Sundquist, the Plan Commission recommended approval of the vacation to the Board of Public Works with the following comment / condition:

- That concurrence on the vacation be granted by the Wisconsin Department of Transportation , whose right of way the Plan Commission determined the proposed vacation abutted.

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

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

NEW BUSINESS

4. [37652](#) Authorizing the Planning Division to submit an application to the Capital Area Regional Planning Commission to amend the Central Urban Service Area to include lands within the Pioneer Neighborhood Development Plan's Development Phasing Area C west of South Point Road.

A motion was made by Rewey, seconded by Hamilton-Nisbet, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

PUBLIC HEARING-5:45 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 5:45 p.m. where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

Conditional Use & Demolition Permits

5. [36997](#) Consideration of a demolition permit and conditional use to allow demolition of a warehouse and construction of a 179-unit apartment building at 114 N. Bedford Street; 4th Ald. Dist.

On a motion by Sundquist, seconded by Rewey, 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 and the following conditions:

- That condition 1b of the March 23 staff report addendum be revised to state that there shall be 39 moped parking stalls for the project based on the plans presented at the meeting; the applicant is still encouraged to include one or more parking stalls for a shared car;
- That condition 2a of the March 23 staff report addendum be revised to clarify that a modular brick pattern shall be provided;
- That the management plan be revised to state that the parking addendum will be provided to all tenants, and the hours and days that building management will be on site;
- That the applicant install "Bassett"-style pedestrian lighting fixtures along W. Mifflin Street adjacent to the project;
- Bedford Street is a heavily used pedestrian corridor. The applicant shall expect to use construction methods above and beyond normal construction to maintain sidewalk along Bedford Street after excavation and utility installation are completed;
- The applicant shall designate a small area that could flex between automobile and moped parking, based on tenant needs.

The motion was approved by voice vote/ other.

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

Speaking in support of the development were: Tom Chinnock, Shepley Bulfinch of N. Central Avenue, Phoenix, Arizona; Melissa Huggins, Urban Assets, LLC of N. Carroll Street; and Joe Porter, Ken Saiki Design of S. Paterson Street, both representing the applicant, CA Ventures; Ryan Shaul and Christopher Johnson, CA Ventures of N. Clark Street, Chicago, Illinois; and Ald. Mike Vermeer, 614 W. Doty Street, representing the 4th District.

Registered in support and available to answer questions were Ryan Sadowy, CA Ventures of N. Clark Street, Chicago, Illinois, and Angie Black, Whyte Hirschboeck Dudek, SC of E. Main Street, representing CA Ventures.

6. [37222](#)

Consideration of a conditional use to allow construction of an addition to Water Utility Well No. 12 at 801 S. Whitney Way; 10th Ald. Dist.

On a motion by Rewey, seconded by Ald. King, 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 King, to Approve. The motion passed by voice vote/other.

Registered in support of the project and available to answer questions was Doug Hursh, Potter Lawson, Inc. of University Row, representing the Madison Water Utility, the applicant.

7. [37223](#)

Consideration of a demolition permit and conditional use alteration to allow a single-family residence at 105 Merrill Crest Drive to be razed to create additional open space and parking for an adjacent place of worship at 110 N. Whitney Way. 19th Ald. Dist.

On a motion by Rewey, seconded by Ald. King, 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 Rewey, seconded by King, to Approve. The motion passed by voice vote/other.

Registered in support of the project and available to answer questions were William Skiera of Halvorson Road, Stoughton, representing the applicant, Mount Olive Lutheran Church, and Capt. Paul Ripp of the Madison Fire Department.

- 8. [37224](#) Consideration of a conditional use to allow construction of accessory buildings exceeding 1,000 gross square feet in area and 10% of the lot area at 4108 Maher Avenue; 15th Ald. Dist.

On a motion by Rewey, seconded by Ald. King, 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 King, to Approve. The motion passed by voice vote/other.

Registered in support of the request and available to answer questions was the applicant, George Stulgaitis of Maher Avenue.

- 9. [37358](#) Consideration of a demolition permit to allow a single-family residence at 4016 Mineral Point Road; 11th Ald. Dist, to be demolished to accommodate the future construction of a police station.

On a motion by Rewey, seconded by Ald. King, 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 Rewey, seconded by King, to Approve. The motion passed by voice vote/other.

Present on behalf of the project but not registered was the applicant, Capt. Jay Lengfeld of the Madison Police Department.

Subdivision

- 10. [37221](#) Re-approving the preliminary plat and final plat of First Addition to 1000 Oaks generally located at 702 South Point Road; 9th Ald. Dist.

On a motion by Rewey, seconded by Ald. King, the Plan Commission recommended re-approval of this subdivision subject to the conditions contained in the April 10, 2014 approval letter by voice vote/ other.

A motion was made by Rewey, seconded by King, 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 Brian Munson, Vandewalle & Associates of E. Lakeside Street, representing the applicant, Veridian Homes.

Zoning Text Amendments

- 11. [37325](#) Amending Section 28.082(1) of the Madison General Ordinances to allow place of worship as a permitted use in Traditional Employment, Suburban Employment, Suburban Employment Center and Employment Campus Districts.

On a motion by Rewey, seconded by Ald. King, the Plan Commission recommended approval of the proposed zoning text amendment by voice vote/ other.

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

- 12. [37326](#) Amending Sections 28.061, 28.072, and 28.082 of the Madison General Ordinances to allow private ambulance service as a conditional use in various Mixed-Use Commercial and Downtown and Urban Mixed Districts and as a permitted use in all Employment Districts.

On a motion by Rewey, seconded by Ald. King, the Plan Commission recommended approval of the proposed zoning text amendment by voice vote/ other.

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

13. [37327](#)

Amending Sections 28.211 and 28.031(4) of the Madison General Ordinances to combine and clarify the definitions of floor area throughout the zoning code.

On a motion by Rewey, seconded by Ald. King, the Plan Commission recommended approval of the proposed zoning text amendment by voice vote/ other.

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

14. [37397](#)

Amending Section 28.098 of the Madison General Ordinances to clarify and improve various provisions of the Planned Development District Ordinance.

On a motion by Ald. Zellers, seconded by Rewey, the Plan Commission recommended approval of the proposed zoning text amendment subject to the following revision:

- Under section (6) of the proposed ordinance, that a disagreement between the district alderperson and director on approval of a proposed "minor" alteration would cause the alteration to be submitted to the Plan Commission for review.

The motion to recommend approval with the above revision passed by voice vote/ other.

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

There were no registrants on Items 11-14.

15. [37398](#)

Amending Sections 28.211, 28.151, and 28.061 of the Madison General Ordinances to amend existing zoning regulations for tobacco retailers in the City of Madison.

On a motion by Sundquist, seconded by Ald. Resnick, the Plan Commission recessed the public hearing and recommended that the proposed zoning text amendment be re-referred to the April 6, 2015 Plan Commission meeting to allow additional information on the rationale behind the proposed regulations to be presented, and to allow staff to present maps showing different potential buffering requirements for tobacco retailers. The motion to recommend re-referral passed by voice vote/ other.

A motion was made by Sundquist, seconded by Resnick, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by April 6, 2015. The motion passed by voice vote/other.

Speaking in opposition to the proposed text amendment were: Matthew Arthur of Clover Lane; Don Muehlbauer of W. Innovation Drive, Wauwatosa, representing Durasmoke and Duratrue Brands; Jason Schutte of Highview Road, Eagle; Rick Gunderman of Cabot Lane; Kevin DeBauch of Acewood Boulevard, representing Hydra Puff Vapes; Cap O'Rourke of 10th Avenue S., Minneapolis, Minnesota, representing Infinite Vapor; Kelsey Eaton of S. 60th Street, Milwaukee; Matthew Murphy of S. Kinnickinnic Avenue, Milwaukee; Kristin Noll-Walsh of Watson Street, Antigo; and Susan Geiger, Johnson Creek Enterprises, PO Box 348, Hartland.

Registered in opposition but not wishing to speak were: John Carpenter, Jr. of Tempe Drive; Kayla Fannan of Baird Street; Chris Kern of Prides Road, Sussex; Troy Kemp of North Street; and Shark Bachmann of Bonnie Avenue.

Zoning Map Amendment & Related Requests

- 16. [37285](#) Creating Section 28.022 - 00158 and Section 28.022 - 00159 of the Madison General Ordinances to change the zoning of property generally addressed as 1710 Ariel Spring Trail, 17th Aldermanic District, from TR-C3 (Traditional Residential - Consistent 3), PD (Planned Development), and CN (Conservancy) Districts to TR-P (Traditional Residential - Planned) and TR-C3 (Traditional Residential-Consistent 3) Districts as part of the Village of Autumn Lake Replat, which will include 549 lots for 525 single-family units; 36 two-family-twin units, 8 four-unit dwellings, 58 townhouses and 296 multi-family units; 16 outlots dedicated to the public; and 12 outlots to be private.

On a motion by Rewey, seconded by Ald. King, the Plan Commission recommended that the proposed zoning map amendment (ID 37285) and preliminary plat and final plat of Village at Autumn Lakes Replat (ID 37002) be re-referred to the May 4, 2015 Plan Commission and May 19, 2015 Common Council meeting, and that the related demolition permit (ID 37330) be referred to the May 4 meeting as requested by the applicant. The motions to refer the project passed by voice vote/ other.

A motion was made by Rewey, seconded by King, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by May 4, 2015. The motion passed by voice vote/other.

- 17. [37330](#) Consideration of a demolition permit to allow a single-family residence on land addressed as 5825 Sanctuary Lane and 2009 Expedition Trail to be demolished as part of the development of the Village at Autumn Lake residential subdivision; 17th Ald. Dist.

On a motion by Rewey, seconded by Ald. King, the Plan Commission recommended that the proposed zoning map amendment (ID 37285) and preliminary plat and final plat of Village at Autumn Lakes Replat (ID 37002) be re-referred to the May 4, 2015 Plan Commission and May 19, 2015 Common Council meeting, and that the related demolition permit (ID 37330) be referred to the May 4 meeting as requested by the applicant. The motions to refer the project passed by voice vote/ other.

A motion was made by Rewey, seconded by King, to Refer to the PLAN COMMISSION and should be returned by May 4, 2015. The motion passed by voice vote/other.

- 18. [37002](#) Approving the preliminary plat and final plat of Village at Autumn Lake Replat generally located on multiple platted lots located along and north of Lien Road on both sides of Felland Road; 17th Ald. Dist.

On a motion by Rewey, seconded by Ald. King, the Plan Commission recommended that the proposed zoning map amendment (ID 37285) and preliminary plat and final plat of Village at Autumn Lakes Replat (ID 37002) be re-referred to the May 4, 2015 Plan Commission and May 19, 2015 Common Council meeting, and that the related demolition permit (ID 37330) be referred to the May 4 meeting as requested by the applicant. The motions to refer the project passed by voice vote/ other.

A motion was made by Rewey, seconded by King, to Refer to the PLAN COMMISSION and should be returned by May 4, 2015. The motion passed by voice vote/other.

There were no registrants on Items 16-18.

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Tim Parks summarized the upcoming matters.

- Upcoming Matters - April 6, 2015

- 1-9 Cherbourg Court - SR-V2 to TR-C3 and Preliminary Plat and Final Plat - Delores Lillge Subdivision, creating 6 single-family lots
- 9803 Old Sauk Road - Demolition Permit - Demolish single-family residence as part of the implementation of The Willows plat
- Smart Growth America discussion with Plan Commission re: Fiscal Impact Analysis prepared for the Pioneer Neighborhood Development Plan [Note: This discussion will occur following the completion of the public hearing items and regular Commission business and is anticipated to last approximately 1-1.5 hours.]

- Upcoming Matters - April 20, 2015

- 4103-4119 Portage Road - Temp. A to SR-V2 and Conditional Use and Certified Survey Map Referral - Construct residential building complex containing 284 apartments in 3 buildings with pool and clubhouse and create 3 lots for the residential development
- 467-507 North Star Drive 452 & 504 Pluto Street - PD(SIP) to Amended PD(GDP-SIP) and Final Plat - Grandview Commons Replat No. 2, replatting 6 lots approved for two-family dwellings-twin into 12 single-family lots
- 5110 High Crossing Boulevard - Conditional Use and Certified Survey Map Referral - Create 2 lots to allow construction of a 60,650 square-foot health club and 106-room hotel as a planned multi-use site
- 710 E. Miffilin Street and 124 N. Livingston Street - Conditional Use - Construct 189-unit apartment building (referred to Urban Design Commission for advisory recommendation)
- 633 W. Main Street and 624 W. Doty Street - DR-2 to UMX, Conditional Use and Certified Survey Map Referral - Rezone existing office building and surface parking lot to conforming district, re-approve accessory parking facility, and combine parcels into 1 commercial lot
- 1101 Feather Edge Drive and 9807-9856 Hawks Nest Drive - Conditional Use Alteration - Construct undeveloped portion of Hawks Woods Condominiums with 22 single-family residences
- 3414 Monroe Street - Demolition Permit and Conditional Use - Demolish office building to construct a mixed-use building with 3,500 square feet of commercial space and 19 apartments
- 4701 American Parkway - Conditional Use - Construct auto service station, convenience store and car wash
- 9803 Old Sauk Road - Final Plat - The Willows, creating 35 single-family lots and 1 outlet for public stormwater management
- 7202 Mineral Point Road - Demolition Permit and Conditional Use - Demolish restaurant and construct new restaurant with vehicle access sales and service window
- 3637 Dawes Street - Conditional Use - Construct accessory building exceeding 576 square feet in TR-C1 zoning
- 3502 E. Washington Avenue - Conditional Use - Construct outdoor eating area for restaurant

ANNOUNCEMENTS

Ald. Zellers indicated that she would not be present for the May 4 regular meeting or May 12 special meeting.

Ald. King indicated that he would not be present for the April 14 special meeting.

ADJOURNMENT

A motion was made by Rewey, seconded by Hamilton-Nisbet, to Adjourn at 8:40 p.m. The motion passed by voice vote/other.