



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

TO: Mayor Paul R. Soglin
Madison Common Council

FROM: Natalie Erdman, Secretary of the Plan Commission

DATE: January 26, 2016

SUBJECT: Petition Objecting to Plan Commission Approval of Conditional Use for 2230 West Broadway (ID 40590)

On January 11, 2016, the Plan Commission found the standards for approval met and granted a conditional use to allow construction of a mixed-use building with 14,000 square feet of commercial space and 36 apartments at 2230 West Broadway.

Per Section 28.183(5)(b)1 of Madison General Ordinances, the Plan Commission's decision to grant the conditional use is appealable to the Common Council. Section 28.183(5)(b)2.c allows 20% or more of the property owners entitled to notice (those owning property within 200 feet of the subject property) who object to the establishment of the conditional use to file an appeal with the Secretary of the Plan Commission within 10 days of the Plan Commission's decision. Once an appeal is filed, the Secretary of the Plan Commission is required to send the appeal to the City Clerk, who is then responsible for filing it with the Common Council. If the appeal is valid, the Common Council must then set a date and time for hearing the appeal. Under the ordinance, the action of the Plan Commission shall be upheld unless it is reversed or modified by a favorable vote of two-thirds of the members of the Common Council.

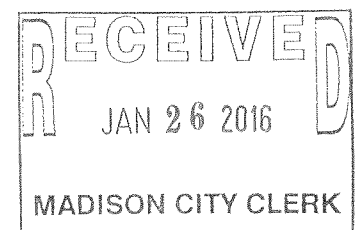
On Thursday, January 21, 2016, an appeal was filed with the Secretary of the Plan Commission of the Plan Commission's decision to grant the above-mentioned conditional use. The appeal has been filed in accordance with the provisions outlined in Section 28.183(5)(b)2.c of the Madison General Ordinances, and has been added to the legislative file.

This appeal has been reviewed by the City Attorney's Office and the Planning Division and has been found to be in compliance with Section 28.183(5)(b)2.c. In this case, there are twelve (12) parcels within 200 feet of the boundary of the subject property. The petition represents more than 20% of the property owners entitled to notice. Therefore, the Common Council must set a date and time for hearing the appeal. At that time, the action of the Plan Commission shall be upheld unless reversed or modified by a favorable vote of two-thirds (2/3) of the members of the Common Council.

If anyone has questions regarding the appeal, please let me know.

cc: (Via E-mail Only):

Michael May, City Attorney
John Strange, Assistant City Attorney
Maribeth Witzel-Behl, City Clerk
Katherine Cornwell, Planning Division Director
Tim Parks, Planning Division
Matt Tucker, Zoning Administrator
David Porterfield (Applicant dp@movin-out.org)
Joseph Hennessy (Signatory riverfish72@yahoo.com)



2230wb 071019410085
Location: 2402 W Broadway
ALSCHULER, JOAN
28 WHITE OAKS LN
MADISON WI 53711

2230wb 071019409062
Location: 2202 W Broadway
ANTLER'S TAVERN INC.
2202 W BROADWAY
MADISON WI 53713

2230wb 071019409210
Location: 2217 Lake Point Dr
ARREOLA, ERNESTO M GARCIA
2217 LAKE POINT DR
MADISON WI 53713

2230wb 071019409195
Location: 2209 Lake Point Dr
CAMPBELL, MARVIN L
2209 LAKE POINT DR
MADISON WI 53713

2230wb 071019409012
Location: 2230 W Broadway
CITY OF MADISON CDA
TELEPHONE 266-4675
PO BOX 1785
MADISON WI 53701

2230wb 071019409228
Location: 2221 Lake Point Dr
HENNESSY, JOSEPH M
2221 LAKE POINT DR
MADISON WI 53713

2230wb 071019410100
Location: 2405 Lake Point Dr
KARLS, KRISTINE M
& RONALD T OSTHOFF
2405 LAKE POINT DR
MADISON WI 53713

2230wb 071019409202
Location: 2213 Lake Point Dr
LACZKOWSKI, KENNETH J
2213 LAKE POINT DR
MADISON WI 53713

2230wb 071019409161
Location: 2109 Lake Point Dr
LAKE POINT LLC
C/O JOSEPHINE C CHO
64 KENSINGTON CIR
MANHASSET NY 11030

2230wb 071019410093
Location: 2401 Lake Point Dr
LEAL, EVA K
2401 LAKE POINT DR
MADISON WI 53713

2230wb 071019409179
Location: 2201 Lake Point Dr
MADISON AREA CLT CORP
& DIANE C ANDERSON
2201 LAKE POINT DR
MADISON WI 53713

~~2230wb 071019409161
Location: 2109 Lake Point Dr # 1
OCCUPANT
2109 Lake Point Dr # 1
MADISON WI 53713~~

~~2230wb 071019409161
Location: 2109 Lake Point Dr # 2
OCCUPANT
2109 Lake Point Dr # 2
MADISON WI 53713~~

~~2230wb 071019409161
Location: 2109 Lake Point Dr # 3
OCCUPANT
2109 Lake Point Dr # 3
MADISON WI 53713~~

~~2230wb 071019409161
Location: 2109 Lake Point Dr # 4
OCCUPANT
2109 Lake Point Dr # 4
MADISON WI 53713~~

~~2230wb 071019409161
Location: 2113 Lake Point Dr # 1
OCCUPANT
2113 Lake Point Dr # 1
MADISON WI 53713~~

~~2230wb 071019409161
Location: 2113 Lake Point Dr # 2
OCCUPANT
2113 Lake Point Dr # 2
MADISON WI 53713~~

~~2230wb 071019409161
Location: 2113 Lake Point Dr # 3
OCCUPANT
2113 Lake Point Dr # 3
MADISON WI 53713~~

~~2230wb 071019409161
Location: 2113 Lake Point Dr # 4
OCCUPANT
2113 Lake Point Dr # 4
MADISON WI 53713~~

~~2230wb 071019410085
Location: 2402 W Broadway
OCCUPANT
2402 W Broadway
MADISON WI 53713~~

~~2230wb 071019410085
Location: 2403 Lake Point Dr
OCCUPANT
2403 Lake Point Dr
MADISON WI 53713~~

~~2230wb 071019410085
Location: 2404 W Broadway
OCCUPANT
2404 W Broadway
MADISON WI 53713~~

~~2230wb 071019409236
Location: 5321 Fayette Ave
OCCUPANT
5321 Fayette Ave
MADISON WI 53713~~

2230wb 071019409187
Location: 2205 Lake Point Dr
ROTH, MICHAEL P
& LINDA L BENKOWSKI
2205 LAKE POINT DR
MADISON WI 53713

2230wb 071019409236
Location: 5321 Fayette Ave
SHERMAN, KENNETH C
5321 FAYETTE AV
MADISON WI 53713

X = Occupant
O = Accepted Signee
7/13 = 54%