



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes - Approved PLAN COMMISSION

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse Channel 99 or at www.madisoncitychannel.tv.

Monday, March 11, 2024

5:30 PM

****Virtual Meeting****

CALL TO ORDER/ROLL CALL

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

Present: 8 - Yannette Figueroa Cole; John W. Duncan; Derek Field; Ledell Zellers; Kathleen L. Spencer; Arnold (Gabe) Mendez; Patrick W. Heck and Christopher T. McCahill

Excused: 2 - Nicole A. Solheim and Bob Soldner

Zellers was chair for this meeting.

Staff Present: Heather Stouder, Bill Fruhling, and Tim Parks, Planning Division; Eric Knepp, Parks Superintendent; Dan Rolfs, Office of Real Estate Services; and Katie Bannon, Zoning Administrator.

Also Present: Ald. Regina Vidaver, Dist. 5; Ald. Marsha Rummel, Dist. 6.; Ald. Tag Evers, Dist. 13

PUBLIC COMMENT

1. [60306](#) Plan Commission Public Comment Period

There were no registrants to speak during public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

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

MINUTES OF THE FEBRUARY 26, 2024 REGULAR MEETING

A motion was made by Heck, seconded by Field, to Approve the Minutes. The motion passed by voice vote/other, with McCahill Abstaining.

SCHEDULE OF MEETINGS

Regular Meetings:

- Monday, March 25 and April 8, 2024 at 5:30 p.m. (Virtual Meetings)

Special Meeting:

- Thursday, March 14, 2024 at 5:00 p.m. (Room 215, Madison Municipal Building)

AGENDA NOTE:

Note: Hearing items may be called at any time after the beginning of the meeting. Those wishing to speak on an item must register with the Secretary. The Plan Commission uses a consent agenda, which means that the Commission can consider any item where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

ROUTINE BUSINESS

2. [82281](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for Engineering Project No. 13812 established for the reconstruction of Knutson Drive public street and utility improvements from Green Ave to Northport Dr. (District 18)
A motion was made by Heck, seconded by Mendez, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

3. [82283](#) Authorizing the negotiation and execution of a Purchase and Sale Agreement between the City of Madison and VH Acquisitions, LLC, or its successors and assigns, for the City's acquisition of multiple parcels of land near the intersections of Marty Road, Mid Town Road, and Raymond Road, and Amending the adopted 2024 Engineering-Major Streets and 2024 Stormwater Utility Capital Budgets. (District 1 and District 20)
A motion was made by Heck, seconded by Mendez, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.

4. [82312](#) Determining a Public Purpose and Necessity and adopting Transportation Project Plat Number: 12777-3-4.06 - Amendment 1 (District 19)
A motion was made by Heck, seconded by Mendez, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

PUBLIC HEARINGS**Tax Incremental Financing Districts**

5. [82259](#) Approving the Amendment to the Project Plan for Tax Incremental District (TID) #36 (Capitol Gateway), City of Madison. (District 6, District 12)
A motion was made by Heck, seconded by Mendez, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.

6. [82261](#) Approving the Amendment to the Project Plan for Tax Incremental District (TID) #42 (Wingra), City of Madison. (District 13, District 14)
A motion was made by Heck, seconded by Figueroa Cole, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.

- 7. [82262](#) Approving the Amendment to the Project Plan for Tax Incremental District (TID) #44 (Royster Clark), City of Madison. (District 3, District 15, District 16)
A motion was made by Heck, seconded by Figueroa Cole, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.

- 8. [82264](#) Approving the Amendment to the Project Plan and Boundary for Tax Incremental District (TID) #50 (State and Lake), City of Madison. (District 2, District 4, District 8)
A motion was made by Heck, seconded by Figueroa Cole, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.

Zoning Text Amendments

- 9. [81952](#) Amending Sections 28.151 and 28.211 of the Madison General Ordinances to allow Accessory Dwelling Units for properties with up to eight dwelling units and remove owner-occupancy requirement for ADUs.
On a motion by Heck, seconded by Mendez, the Plan Commission recommended re-referral of the proposed zoning text amendment to April 8, 2024 (April 16, 2024 Common Council meeting) to allow consideration of the proposed amendment by the Housing Strategy Committee on March 28, 2024. The motion to recommend re-referral passed by voice vote/ other.
A motion was made by Heck, seconded by Mendez, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.

- 10. [81965](#) Amending Sections within Chapter 28 of the Madison General Ordinances related to drive-through windows.
On a motion by Ald. Field, seconded by Ald. Duncan, the Plan Commission recommended re-referral of the proposed zoning text amendment to April 8, 2024 (April 16, 2024 Common Council meeting) to allow further discussion of the proposed changes. The motion to recommend re-referral passed by voice vote/ other.
A motion was made by Field, seconded by Duncan, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 4/8/2024. The motion passed by voice vote/other.

- 11. [81966](#) SUBSTITUTE: Amending Section 28.185 of the Madison General Ordinances related to Approval of Demolition and Removal to expand considerations for properties with historic value or significance.
On a motion by Ald. Duncan, seconded by Mendez, the Plan Commission recommended approval of the zoning text amendment to the Common Council. The motion to recommend approval passed by voice vote/ other.
A motion was made by Duncan, seconded by Mendez, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

Urban Design Commission Ordinance Amendment

- 12. [81908](#) Amending Section 33.24(15)(e)5.a. of the Madison General Ordinances related to Urban Design Landscaping and Open Space to remove the minimum terrace width requirement with Urban Design District No. 8.
 On a motion by Ald. Duncan, seconded by Mendez, the Plan Commission recommended approval of the ordinance amendment. The motion to recommended approval passed by voice vote/ other.

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

Land Divisions

- 13. [81560](#) Approving a Certified Survey Map of property owned by 1908 Arlington Place, LLC located at 1908 Arlington Place, University Heights Historic District (District 5).
 On a motion by Ald. Figueroa Cole, seconded by Ald. Field, the Plan Commission recommended approval of the land division to the Common Council subject to the comments and conditions in the Plan Commission materials and the following additional condition:

 - On a motion by Heck, seconded by Mendez, the motion was amended to include the following condition:

 "The approval of the proposed CSM shall not be effective until after the consideration of the February 21, 2024 appeal of the Landmarks Commission's approval of a certificate of appropriateness for a land division at 1908 Arlington Place in the University Heights Historic District by the Common Council and the certificate of appropriateness is approved by the Council."

 The motion to approve the amendment to add the above condition passed by voice vote/ other, with Ald. Figueroa Cole voting No.

 The motion to recommend approval of the land division with the amended conditions of approval passed by voice vote/ other.

A motion was made by Figueroa Cole, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

- 14. [81564](#) Approving a Certified Survey Map of property owned by United Herrling Land LLC located at 10252 Mineral Point Road (District 9).
 On a motion by Heck, seconded by Mendez, the Plan Commission recommended approval of the proposed land division to the Common Council 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 Heck, seconded by Mendez, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

- 15. [81941](#) Approving a Certified Survey Map of property owned by Yellowstone Apartments, LLC located at 426 S Yellowstone Drive and releasing City enforcement of a platted restriction (District 19).
 On a motion by Heck, seconded by Mendez, the Plan Commission recommended approval of the proposed land division and removal of the platted restriction to the Common Council 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 Heck, seconded by Mendez, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

Development-Related Requests

- 16. [78634](#) 139 W Wilson Street (District 4): Consideration of a demolition permit to demolish a four-story apartment building

On a motion by Heck, seconded by Mendez, the Plan Commission referred the demolition permit to a future meeting (no specific date) at the request of the applicant. The motion to refer passed by voice vote/ other.

A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.
- 17. [78635](#) 139 W Wilson Street (District 4): Consideration of a conditional use in the UMX (Urban Mixed-Use) District for a multi-family dwelling with greater than eight (8) dwelling units; consideration of a conditional use in the UMX District for a new building greater than 20,000 square feet and more than four stories; and consideration of a conditional use pursuant to MGO Section 28.134(3) for projections into the Capitol View Preservation Limit; to construct 16-story apartment building with 320 units

On a motion by Heck, seconded by Mendez, the Plan Commission referred the conditional use to a future meeting (no specific date) at the request of the applicant. The motion to refer passed by voice vote/ other.

A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.
- 18. [80686](#) 529 University Avenue (District 2): Consideration of a demolition permit to demolish a restaurant-tavern.

The demolition permit was withdrawn by the applicant. On a motion by Heck, seconded by Mendez, the Plan Commission placed the demolition permit on file without prejudice. The motion passed by voice vote/ other.

A motion was made by Mendez, seconded by Heck, to Place On File Without Prejudice. The motion passed by voice vote/other.
- 19. [81558](#) 529 University Avenue (District 2): Consideration of a conditional use in the Urban Mixed-Use (UMX) District for a new building greater than 20,000 square feet and more than four stories to allow construction of a 12-story mixed-use building with approximately 1,450 square feet of commercial space and 33 apartments.

The conditional use request was withdrawn by the applicant. On a motion by Heck, seconded by Mendez, the Plan Commission placed the conditional use request on file without prejudice. The motion passed by voice vote/ other.

A motion was made by Heck, seconded by Mendez, to Place On File Without Prejudice. The motion passed by voice vote/other.
- 20. [81917](#) 626 Langdon Street (District 2): Consideration of a conditional use in the Downtown Residential 2 (DR2) District for general retail and a coffee shop tenant in a multi-family dwelling.

On a motion by Heck, seconded by Mendez, the conditional use was referred to March 25, 2024 to allow public hearing notices to be mailed as required by MGO Section 28.181. The motion to refer

passed by voice vote/ other.

A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.

- 21. [81918](#) 204 W Sunset Court (District 5): Consideration of a demolition permit to demolish the street-facing wall of a single-family residence.
On a motion by Heck, seconded by Mendez, the demolition permit was referred to March 25, 2024 to allow public hearing notices to be mailed as required by MGO Section 28.181. The motion to refer passed by voice vote/ other.

A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.

- 22. [81919](#) 1002 Erin Street (District 13): Consideration of a demolition permit to demolish a two-family residence.
On a motion by Heck, seconded by Mendez, the demolition permit was referred to March 25, 2024 to allow public hearing notices to be mailed as required by MGO Section 28.181. The motion to refer passed by voice vote/ other.

A motion was made to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.

- 23. [81920](#) 4701 Ellestad Drive (District 16): Consideration of a demolition permit to demolish a single-family residence.
On a motion by Heck, seconded by Mendez, the demolition permit was referred to March 25, 2024 to allow public hearing notices to be mailed as required by MGO Section 28.181. The motion to refer passed by voice vote/ other.

A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.

- 24. [81921](#) 5454 Buttonwood Drive/ 4902 Amcenter Drive (District 17): Consideration of a conditional use in the Commercial Center (CC) District for a vehicle access sales and service window to allow construction of a multi-tenant commercial building with a vehicle access sales and service window.
On a motion by Heck, seconded by Mendez, the conditional use was referred to March 25, 2024 to allow public hearing notices to be mailed as required by MGO Section 28.181. The motion to refer passed by voice vote/ other.

A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.

- 25. [81565](#) 428-444 State Street (District 2): Consideration of a demolition permit to demolish three mixed-use buildings.
On a motion by Heck, seconded by Mendez, the demolition permit was referred to March 25, 2024 to allow public hearing notices to be mailed as required by MGO Section 28.181. The motion to refer passed by voice vote/ other.

A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.

26. [69792](#) 428-444 State Street; 2nd Ald. Dist.: Consideration of a conditional use in the Downtown Core (DC) District for a new building; and consideration of a conditional use for nonresidential development immediately adjacent to the boundary of a City-owned public park, to allow construction of a six-story tall mixed-use building containing up to 6,445 square feet of commercial space and 26 apartments adjacent to Lisa Link Peace Park.
- A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.**
27. [81559](#) 655 W Badger Road (District 14): Consideration of a demolition permit to demolish a two-story commercial building.
- On a motion by Heck, seconded by Mendez, the demolition permit was referred to March 25, 2024 to allow public hearing notices to be mailed as required by MGO Section 28.181. The motion to refer passed by voice vote/ other.
- A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.**
28. [81954](#) Creating Section 28.022-00668 of the Madison General Ordinances to change the zoning of property located at 655 West Badger Road from SR-V2 (Suburban Residential-Varied 2) District to CC-T (Commercial Corridor-Transitional) District. (District 14)
- On a motion by Heck, seconded by Mendez, the Plan Commission recommended re-referral of the zoning map amendment to March 25, 2024 (April 16 Common Council meeting) to allow public hearing notices to be mailed as required by MGO Section 28.181. The motion to recommend re-referral passed by voice vote/ other.
- A motion was made by Heck, seconded by Mendez, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.**
29. [81562](#) Re-approving the preliminary plat of *Herring Property Subdivision* on property generally addressed as 10252-10554 Mineral Point Road (District 9).
- On a motion by Heck, seconded by Mendez, the preliminary plat was referred to March 25, 2024 to allow public hearing notices to be mailed as required by MGO Section 16.23(4)(c)5. The motion to refer passed by voice vote/ other. The subdivider has given written consent to allow review of the preliminary plat to exceed 90 days.
- A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 3/25/2024. The motion passed by voice vote/other.**

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Heather Stouder provided an overview of recent Common Council actions and upcoming Plan Commission matters.

- Recent Common Council Actions

- Amending MGO Chapter 28 to Clarify Various Underground and Site Parking Requirements - Adopted substitute ordinance on March 5, 2024 subject to Plan Commission recommendation

- Upcoming Matters – March 25, 2024

- ID 81653 - Lake Monona Waterfront Master Plan
- ID 81922 & 81944 - 2230 Pennsylvania Avenue - Conditional Use and Certified Survey Map Referral - Create two lots in IL zoning and construct four-story personal indoor storage facility on proposed Lot 2 in Urban Design Dist. 4
- ID 82113 - 620 Cedar Street - Conditional Use - Construct accessory building exceeding 1,000 square feet
- ID 82116 - 3722 Speedway Road - Conditional Use - Construct four-story mixed-use building with approximately 760 square feet of commercial space and 31 apartments
- ID 82120 - 3180 Burke Road - Extraterritorial Certified Survey Map to create two lots in the Town of Burke

- Upcoming Matters – April 8, 2024

- ID 80830, 77592 & 80433 - 5001-5105 N Sherman Ave. & 1904 Wheeler Road - A and SR-C1 to PR, Conditional Use, and Certified Survey Map Referral Create two lots by CSM to allow reconstruction and expansion of a golf driving range (outdoor recreation) adjacent to Cherokee Marsh Conservation Park-North Unit
- ID 82251 - 1254 E Washington Avenue LNDUSE-2024-00015 - Conditional Use - Convert building into single-family residence in Urban Design Dist. 8
- (Tentative) Urban Design Commission Code Update Project, Phase 1 Amendment

ANNOUNCEMENTS

Members of the Plan Commission expressed their gratitude to Heather Stouder for her service to the Commission on the occasion of her final meeting as Assistant Secretary.

ADJOURNMENT

A motion was made by Field, seconded by Duncan, to Adjourn at 7:56 p.m. The motion passed by voice vote/other.

REGISTRATIONS

A final, complete list of persons registered for items on the Plan Commission agenda will be attached to the below-listed file following adjournment of the meeting. The final list of registrations for a particular meeting will include the meeting date in the title of the file. Registrants will no longer be entered on the minutes after each item. An agenda item with no registrants will not appear on the table of registrants attached for that meeting; however, that item will still have been considered as noted in the proceedings for that meeting.

[81428](#)

Registrants for 2024 Plan Commission Meetings