



City of Madison

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

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Monday, September 19, 2016

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 5:30 p.m.

Present: 8 - Steve King; Ledell Zellers; Sheri Carter; Ken Opin; Maurice C. Sheppard; Melissa M. Berger; Michael W. Rewey and Bradley A. Cantrell

Excused: 2 - James E. Polewski and Fatima Bendada

Opin was chair for this meeting.

Staff present: Natalie Erdman, Secretary; Heather Stouder and Tim Parks, Planning Division; Matt Tucker, Zoning Administrator; Eric Knepp, Kay Rutledge, Janet Schmidt and Mike Sturm, Parks Division; JIm O'Keefe, Community Development Division, and; Doug Voegeli, Madison-Dane County Public Health.

PUBLIC COMMENT

There were no registrants for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

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

MINUTES OF THE AUGUST 29, 2016 REGULAR MEETING

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

MINUTES OF THE SEPTEMBER 8, 2016 SPECIAL MEETING

A motion was made by Cantrell, seconded by Zellers, to Approve the Minutes. The motion passed by voice vote/other, with Rewey abstaining.

SCHEDULE OF MEETINGS

Regular Meetings: Monday, October 17, 2016

Plan Commission Bus Tour of west side project sites: September 22, 2016 (Bus departs at 5:30 p.m. sharp; agenda and itinerary are included with your materials for the September 19 meeting)

ROUTINE BUSINESS

1. [44132](#) Amending the 2016 Capital Budget of Sewer Utility in the amount of \$20,000 and Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and

maintenance of improvements for a public sanitary sewer serving the plat of Willows II and other future lands for development. Being part of Lot 2, CSM No. 6407 located in part of the NW ¼ of the NW ¼ of Section 21, T7N, R8E, in the Town of Middleton. (9th AD)

A motion was made by Cantrell, 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.

- 2. [44172](#) Authorizing the Mayor and Clerk to execute a Satisfaction of Real Estate Use Restrictions by the City of Madison on lands originally platted within Menard Commercial Park.

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

- 3. [44226](#) Authorizing the City of Madison to accept ownership from the Bram's Addition Neighborhood Association of a neighborhood entrance sign to be located in the public right-of-way near the intersection of S. Park Street and Beld Street.

A motion was made by Cantrell, 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.

- 4. [44244](#) Amending the 2016 Capital Budget of Engineering-Major Streets in the amount of \$8,000 and Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of improvements for a public street. Located in part of the SW ¼ of the SW ¼ of Section 16, T7N, R8E, in the Town of Middleton. (9th AD)

A motion was made by Cantrell, 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.

NEW BUSINESS

- 5. [44093](#) Authorizing the Mayor and City Clerk to enter into an Early Attachment and Revenue Sharing Agreement with the Town of Madison to facilitate the attachment and future development of the Town parcel located at 506 E. Badger Road.

On a motion by Cantrell, seconded by Rewey, the Plan Commission recommended approval of the agreement by voice vote/ other.

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

There were no registrants on Items 1-5.

- 6. [43500](#) Amending Sections 16.23(5)(h)1., 16.23(8)(f), 20.04, 20.09(3), and 20.16(5), repealing Sections 20.08(2) and (6), and recreating Section 20.08(2) of the Madison General Ordinances to recreate a combined park impact fee and update the park and open space land dedication requirements for the City of Madison.

On a motion by Cantrell, seconded by Ald. King, the Plan Commission recommended approval of the ordinance to the Board of Estimates by voice vote/ other.

A motion was made by Cantrell, seconded by King, 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 ordinance were Matt Brink, Smart Growth Madison of E. Washington Avenue, and Robert C. Procter of E. Mifflin Street, representing the Realtors Association of South Central Wisconsin.

Registered in support and available to answer questions was Helen Bradbury of Sherman Avenue , representing Stone House Development.

Registered in opposition and available to answer questions was Andrew Disch of N . High Point Road, representing the Apartment Association of South Central Wisconsin .

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

- 7. [41731](#) Consideration of a conditional use for limited production and processing at an existing coffeehouse in TSS (Traditional Shopping Street District) zoning at 961 S. Park Street; Urban Design Dist. 7; 13th Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission found that the standards were not met and denied the requested conditional use.

In denying this conditional use, the Plan Commission specifically cited that the request did not meet standards 1, 3, 4 and 16 as outlined in Section 28.183(6) of the Zoning Code. Members of the Commission noted that they did not feel that the use was appropriate at the subject site due to the adjacent residential uses; that the odors emitted had a negative effect on surrounding properties , and the the requested conditional use negatively impacted, the uses, values and enjoyment of surrounding properties.

The motion to deny the conditional use request passed by voice vote/ other.

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

Speaking in support of the proposed conditional use were Matt Weygandt , Barriques of Madison Street, the applicant, and David Vogel of N. Wingra Drive, the property owner.

Speaking in opposition to the proposed conditional use were: Tom Ulrich of West Shore Drive; Rita Rumbelow of South Shore Drive; Kraig Byron of von Briesen & Roper of E. Doty Street, representing the Bay Creek Neighborhood Association; Helen Kitchel of Potter Street, representing the Bay Creek Neighborhood Association; Ron Shutvet of Lake Court; Michael Lamont of South Shore Drive; Stephen Vanko of South Shore Drive; Sue Hoffenberg of West Shore Drive; Jane Elmer of South Shore Drive; Ryan Thompson of West Shore Drive, and; Tim Correll of West Shore Drive.

Registered in opposition and available to answer questions were: Mike Mack of S. Brooks Street; Joanne Pedder of West Shore Drive; Cynthia Hoffman of Clarence Court; Cynthia McAllum of South Shore Drive.

Registered in opposition but not wishing to speak was Sally S. Ulrich of West Shore Drive.

8. [43793](#)

Consideration of a demolition permit and conditional use to demolish a two-family residence and construct a single-family residence with accessory dwelling unit at 940 E. Dayton Street; 2nd Ald. Dist.

On a motion by Cantrell, seconded by Berger, the Plan Commission found that the standards were met and approved the demolition permit and conditional use subject to comments and conditions contained in the Plan Commission materials and the following condition:

- The applicant shall provide bicycle parking on site as agreed upon at the Plan Commission meeting. This included providing five bicycle stalls within the detached garage as well as a bicycle rack at the rear of the property, adjacent to the accessory dwelling unit. The applicant shall work with City Staff to finalize the bicycle parking prior to the issuance of permits for the project.

This motion passed by voice vote / other.

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

Speaking in support of the project were Adam Gorman of Whalen Road , Oregon, the applicant, and Ben Doran of E. Johnson Street.

Speaking in opposition to the project were Richard Freihoffer of E. Dayton Street and Kathy Rinzel of E. Dayton Street.

Speaking neither in support nor opposition to the project were Patty Prime of Sidney Street and June Goglio of E. Dayton Street.

9. [44170](#)

Consideration of a conditional use to allow construction of an accessory building with an accessory dwelling unit at 2022 Monroe Street; 13th Ald. Dist.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission found that the standards were met and approved the conditional use subject to comments and conditions contained in the Plan Commission materials. This motion passed by voice vote / other.

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

Speaking in support of the project was Eric Nelson of Kings Lynn Road , Stoughton, representing the applicant, Joe Bodily, who was registered in support and available to answer questions.

Speaking in opposition to the project were: Paul Kent of West Lawn Avenue; Diane Jenkins of West Lawn Avenue, and; Mark Landgraf of West Lawn Avenue.

10. [44171](#)

Consideration of a conditional use for an animal daycare in an existing building at 3120 Syene Road; 14th Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission found that the standards were met and approved the conditional use subject to comments and conditions contained in the Plan Commission materials. This motion passed by voice vote / other.

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

Registered in support and wishing to speak if taken off of the consent agenda was Amy Hasselman of E. Dayton Street.

- 11. [44173](#) Consideration of a demolition permit to demolish a single-family residence and construct a printing and publishing business at 3226 Commercial Avenue; 15th Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission found that the standards were met and approved the demolition permit subject to comments and conditions contained in the Plan Commission materials. This motion passed by voice vote / other.

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

There were no registrants on this matter.

- 12. [44174](#) Consideration of a conditional use to convert an existing accessory building into a single-family detached dwelling in the Traditional Shopping Street (TSS) zoning district at 2725 Atwood Avenue; 6th Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission referred this request to October 17, 2016 at the request of the applicant.

A motion was made by Cantrell, seconded by Rewey, to Refer to the PLAN COMMISSION and should be returned by October 17, 2016. The motion passed by voice vote/other.

There were no registrants on this matter.

- 13. [44176](#) Consideration of a demolition permit to allow a single-family residence to be demolished with no proposed future use at 6510 Cottage Grove Road; 3rd Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission found that the standards were met and approved the demolition permit subject to comments and conditions contained in the Plan Commission materials. This motion passed by voice vote / other.

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

Registered in support of the project and available to answer questions were Vic Villacrez , Hovde Properties, of W. Washington Avenue, the applicant, and Division Chief Tracy Burns of the Madison Fire Department.

- 14. [44177](#) Consideration of a demolition permit to allow demolition of a motel and construction of an auto sales facility at 910 Ann Street; 14th Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission found that the standards were met and approved the demolition permit subject to comments and conditions contained in the Plan Commission materials. This motion passed by voice vote / other.

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

Speaking in support of the project was Roger Schregardus of Dead End Road, Waupun, representing the applicants, Mad City Sales.

Note: Items 15 and 16 are related and should be considered together.

- 15. [44175](#) Consideration of a conditional use to allow construction of a daycare facility on property addressed as 6906 Colony Drive; 19th Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission referred this request to October 17, 2016 at the request of the applicant.

A motion was made by Cantrell, seconded by Rewey, to Refer to the PLAN

COMMISSION and should be returned by October 17, 2016. The motion passed by voice vote/other.

Land Division

16. [44186](#) Approving a Certified Survey Map of property owned by the Korean Presbyterian Church of Madison located at 6906 Colony Drive; 19th Ald. Dist.
On a motion by Cantrell, seconded by Rewey, the Plan Commission referred this request to October 17, 2016 at the request of the applicant.

A motion was made by Cantrell, seconded by Rewey, to Refer to the PLAN COMMISSION and should be returned by October 17, 2016. The motion passed by voice vote/other.

Registered in opposition to Items 15 and 16 and wishing to speak but not present when called was Graciela W. Aubey of Acadia Drive.

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Heather Stouder summarized the upcoming Plan Commission matters and also noted the upcoming Mayor's Neighborhood Conference all day on October 8, 2016 and pre-conference cocktail hour on October 7 at 4:30 p.m. at Monona Terrace.

She also noted that the rollout of the Comprehensive Plan update was currently scheduled for December 5 and 7, 2016.

- Upcoming Matters - October 17, 2016

- Staff presentation: Assessing the Health Impact of Neighborhood Planning
- 7902 Watts Road - A to TR-U1 and Conditional Use - Construct residential building complex with 156 apartments in 2 buildings (Referred to this date at the request of applicant)
- Zoning Text Amendment - Amend Secs. 28.032(1), 28.061(1), 28.072, 28.082, & 28.091 to make outdoor recreation a conditional use when an accessory use in all districts except LMX, NMX & TSS
- Zoning Text Amendment - Amend Sections 28.061, 28.132(1), 28.151, and 28.211 to allow emergency electric generators as permitted uses in certain districts, to allow them to encroach into the side and rear yard setbacks, and to revise the supplemental regulations
- Zoning Text Amendment - Amend Section 28.151 to allow the plan commission to modify entrance orientation requirements in certain buildings located in residential building complexes as part of the conditional use approval
- Zoning Text Amendment - Amend Section 28.072(1) to allow the lease of off-street parking facility accessory to residential use to non-tenants as a permitted use in the UOR, DR1, and DR2 districts
- Zoning Text Amendment - Amend Section 28.078(3) to make the residential point system calculation in the DR-1 District the same as the residential point system calculation in the DR-2 District
- Zoning Text Amendment - Amend Sections 28.140(1)(d) and (e) to restrict when roof decks, porches, and balconies may be counted as usable open space
- 5325 Marsh Road - Detach single-family residence to Village of McFarland
- 89 East Towne Mall - Conditional Use Alteration and Certified Survey Map Referral - Convert and expand former furniture store into movie theater, brewpub and restaurant and create 3 commercial lots at East Towne Mall
- 810 E. Washington Avenue - Conditional Use Alteration - Construct 11 live-work units and 32 multi-family dwellings along E. Mifflin Street side
- 1109-1123 S. Park Street - Demolition Permit and Conditional Use - Demolish restaurant and 3 retail buildings to allow construction of mixed-use building with 9,200 square feet of commercial space and 39 apartments in Urban Design Dist. 7
- 631 W. Washington Avenue - Conditional Use - Approve private parking facility in UMX zoning
- 725 Forward Drive - Conditional Use - Construct temporary outdoor recreation facility (ice rink) in parking lot of ice arena in Urban Design Dist. 2

- 5401-25 High Crossing Blvd. - Conditional Use - Construct auto sales facility exceeding 25,000 square feet of gross floor area
- 8 N. Paterson Street/ 858 E. Washington Avenue - Conditional Use - Construct restaurant-tavern in existing mixed-used building with outdoor eating area
- 1968 Atwood Avenue - Conditional Use - Establish outdoor eating area for tavern
- 2605 Todd Drive - Demolition Permit - Demolish commercial building with no proposed use
- 202 S. Gammon Road - Conditional Use - Construct school in existing multi-tenant commercial building
- 210 E. Olin Avenue - Conditional Use - Construct school in existing multi-tenant commercial building in Urban Design Dist. 1
- 1413 Northern Court - Conditional Use - Convert existing building into distillery

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by King, seconded by Berger, to Adjourn at 9:05 p.m. The motion passed by voice vote/other.