



City of Madison

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

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Monday, June 23, 2014

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; Ken Opin; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Maurice C. Sheppard

Excused: 2 - Scott J. Resnick and Eric W. Sundquist

Opin was chair for this meeting.

Staff present: Steve Cover, Secretary; Katherine Cornwell, Heather Stouder and Tim Parks, Planning Division; and Matt Tucker, Zoning Administrator.

PUBLIC COMMENT

There were no registrants for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Members of the Plan Commission noted that they had received the e-mail invitation from T Wall & Associates regarding the groundbreaking for 900 John Nolen Drive, a copy of which was in the meeting materials.

Ald. Zellers disclosed that her son worked for Vierbicher Associates, Inc., who were be involved with applications on this agenda, but that her relationship would not impact her ability to consider any of those items.

Cantrell noted that he lived near the subject site for Items 2 and 3, but that it would not affect his ability to consider that project.

Opin, Berger, Cantrell, Ald. Zellers and Hamilton-Nisbet noted that they had toured the building at 502 W. Main Street prior to the meeting.

Berger disclosed that she managed a property near the 1344-1356 E. Washington Avenue site, but that would not impact her ability to consider Item 7.

MINUTES OF THE JUNE 9, 2014 MEETING

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

SCHEDULE OF MEETINGS

July 7, 28 and August 11, 25, 2014

ROUTINE BUSINESS

1. [34432](#) Authorizing the execution of a Temporary Limited Easement Agreement for Construction and Restoration Purposes with Atwood Courtyard, LLC for an easement within a portion of the unimproved bicycle and pedestrian path located at 109 South First Street.

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

PUBLIC HEARING-6:00 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 6:00 p.m. where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

Zoning Map Amendments & Related Requests

2. [33845](#) Creating Section 28.022 - 00128 of the Madison General Ordinances to change the zoning of property located at 504 West Main Street, 4th Aldermanic District, from DR-2 (Downtown Residential 2) District to UMX (Urban Mixed Use) District to construct a mixed-use building at 502 and 504 West Main Street containing 3,200 square feet of retail space and 18 apartments.

On a motion by Heifetz, seconded by Ald. King, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 33845) to the Common Council and approved the demolition of the buildings (ID 33675) subject to the comments and conditions contained in the Plan Commission materials and the following amended condition:

- On a motion by Cantrell, seconded by Heifetz, the Commission approved a second amendment to the main motion to require that the building at 502 W. Main Street be relocated by August 30, 2014. The motion to amend the amended main motion passed on the following 5-4 vote: AYE: Ald. King, Cantrell, Heifetz, Opin, Sheppard; NAY: Ald. Zellers, Berger, Hamilton-Nisbet, Rewey; EXCUSED: Ald. Resnick, Sundquist.

An earlier motion by Ald. Zellers, seconded by Rewey to amend the main motion by requiring the building at 502 W. Main Street to be relocated [without a date specified] passed on the following 5-3 vote: AYE: Ald. Zellers, Berger, Hamilton-Nisbet, Rewey, Sheppard; NAY: Ald. King, Cantrell, Heifetz; NON-VOTING: Opin; EXCUSED: Ald. Resnick, Sundquist.

The main motion to approve the project with the second amended condition passed on the following 5-4 vote: AYE: Ald. King, Cantrell, Heifetz, Opin, Sheppard; NAY: Ald. Zellers, Berger, Hamilton-Nisbet, Rewey; EXCUSED: Ald. Resnick, Sundquist.

A motion was made by Heifetz, seconded by King, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - RECESSED PUBLIC HEARING. The motion passed by the following vote:

Ayes: 5 - Steve King; Ken Opin; Michael G. Heifetz; Bradley A. Cantrell and Maurice C. Sheppard

Noes: 4 - Ledell Zellers; Melissa M. Berger; Michael W. Rewey and Tonya L. Hamilton-Nisbet

Excused: 2 - Scott J. Resnick and Eric W. Sundquist

3. [33675](#)

Consideration of a demolition permit to allow demolition of a single-family residence and a mixed-use building and construction of a new mixed-use building containing 3,200 square feet of commercial space and 18 apartments at 502-504 W. Main Street; 4th Ald. Dist.

On a motion by Heifetz, seconded by Ald. King, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 33845) to the Common Council and approved the demolition of the buildings (ID 33675) subject to the comments and conditions contained in the Plan Commission materials and the following amended condition:

- On a motion by Cantrell, seconded by Heifetz, the Commission approved a second amendment to the main motion to require that the building at 502 W. Main Street be relocated by August 30, 2014. The motion to amend the amended main motion passed on the following 5-4 vote: AYE: Ald. King, Cantrell, Heifetz, Opin, Sheppard; NAY: Ald. Zellers, Berger, Hamilton-Nisbet, Rewey; EXCUSED: Ald. Resnick, Sundquist.

An earlier motion by Ald. Zellers, seconded by Rewey to amend the main motion by requiring the building at 502 W. Main Street to be relocated [without a date specified] passed on the following 5-3 vote: AYE: Ald. Zellers, Berger, Hamilton-Nisbet, Rewey, Sheppard; NAY: Ald. King, Cantrell, Heifetz; NON-VOTING: Opin; EXCUSED: Ald. Resnick, Sundquist.

The main motion to approve the project with the second amended condition passed on the following 5-4 vote: AYE: Ald. King, Cantrell, Heifetz, Opin, Sheppard; NAY: Ald. Zellers, Berger, Hamilton-Nisbet, Rewey; EXCUSED: Ald. Resnick, Sundquist.

A motion was made by Heifetz, seconded by King, to Approve. The motion passed by the following vote:

Ayes: 5 - Ken Opin; Michael G. Heifetz; Bradley A. Cantrell; Steve King and Maurice C. Sheppard

Noes: 4 - Ledell Zellers; Melissa M. Berger; Michael W. Rewey and Tonya L. Hamilton-Nisbet

Excused: 2 - Scott J. Resnick and Eric W. Sundquist

The following were registered on Items 2 and 3, which were considered together:

Speaking in support of the proposed development were: Robert H. Keller, Keller Real Estate Group of W. Washington Avenue, the applicant; Patrick Rynes of W. Main Street; Scott R. Haumersen of W. Washington Avenue, and; Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Speaking in opposition to the proposed development were Paul Schoeneman of S. Musket Ridge Drive, Sun Prairie, and Michael May of W. Main Street.

Speaking neither in support nor opposition to the proposed development was Gary Tipler of Jenifer Street.

Registered in support and available to answer questions was Edward Lynville of E. Wilson Street, representing the Keller Real Estate Group.

Registered in support but not wishing to speak were: Thomas Keller, Keller Real Estate Group of W. Washington Avenue; William Jacobsen of Price Place; Victor Villacrez of Sunset Drive, Verona; Jeff Vercauteren of S. Carroll Street; Dan Keller of S. Hamilton Street; Scott Vukobrat of Dawley Drive, and; Katie Bulgrin of W. Main Street.

Registered in opposition but not wishing to speak was Franny Ingebritson of Wisconsin Avenue.

4. [34182](#)

Creating Section 28.022 - 00132 of the Madison General Ordinances to amend the Planned Development District - General Development Plan for Grandview Commons Town Center to expand the list of potential future uses

of Lot 649; 6004 Gemini Drive, 3rd Aldermanic District.

On a motion by Ald. King, seconded by Ald. Zellers, the Plan Commission found the standards met and recommended approval of the amended general development plan for this site. The recommendation to approve passed by voice vote/ other.

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

Registered in support of the amendment and available to answer questions was Brian Munson, Vandewalle & Associates of E. Lakeside Street, representing Veridian Homes.

Registered in opposition to the amendment but not wishing to speak and not present when the matter was called on the consent agenda was Michael Skwarok of Gemini Drive.

Conditional Use/ Demolition Permits

- 5. [33685](#) Consideration of a conditional use to allow an addition to an existing apartment building to be constructed creating 117 total dwelling units at 626 Langdon Street; 8th Ald. Dist.

On a motion by Ald. Zellers, seconded by Heifetz, 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 and the plans presented to the Plan Commission at the meeting. With regard to the building setback behind the proposed addition and balcony relocations, final plans submitted for staff review and approval shall be consistent with plans presented to the Plan Commission on June 23, 2014.

The motion to approved passed on the following 6-2 vote: AYE: Ald. King, Ald. Zellers, Berger, Hamilton-Nisbet, Heifetz, Sheppard; NAY: Cantrell , Rewey; NON-VOTING: Opin; EXCUSED: Ald. Resnick, Sundquist.

An earlier motion by Cantrell, seconded by Rewey, to find that the conditional use standards were not met and to place the conditional use on file failed on the following 2-6 vote: AYE: Cantrell , Rewey; NAY: Ald. King, Ald. Zellers, Berger, Hamilton-Nisbet, Heifetz, Sheppard; NON-VOTING: Opin; EXCUSED: Ald. Resnick, Sundquist.

A motion was made by Zellers, seconded by Heifetz, to Approve. The motion passed by the following vote:

Ayes: 6 - Steve King; Ledell Zellers; Melissa M. Berger; Michael G. Heifetz; Tonya L. Hamilton-Nisbet and Maurice C. Sheppard

Noes: 2 - Michael W. Rewey and Bradley A. Cantrell

Excused: 2 - Scott J. Resnick and Eric W. Sundquist

Non Voting: 1 - Ken Opin

Speaking in support of the proposed development were: Josh Wilcox, Gary Brink & Associates, LLC of Elmwood Avenue, Middleton; Jason Bollig, Ideal Builders of Emil Street, and; Angela Black, Whyte, Hurshbeck Dudek, SC of E. Main Street, all representing the applicants, Roundhouse Apartments, LLC.

Registered in support and available to answer questions were Dave Martin, Ideal Builders of Emil Street; Curtis Brink of Acadia Drive; Rick Schober, MacTagart's Market and Deli of Summer Ridge Drive; Joe Korb of N. Paterson Street, and; Nancy Jensen of PO Box 303, Waunakee.

- 6. [33909](#) Consideration of a demolition permit and conditional use to allow an office building to be demolished and a mixed-use building containing 1,300 square feet of commercial space and 30 apartment units to be constructed at 330 E. Wilson Street; 6th Ald. Dist.

The Plan Commission referred this request to July 28, 2014 pending a recommendation by the Urban Design Commission by voice vote other.

A motion was made by King, seconded by Zellers, to Refer to the PLAN COMMISSION and should be returned by July 28, 2014. The motion passed by

voice vote/other.

There were no registrants on this matter.

7. [34160](#) Consideration of a conditional use to construct a restaurant in the TE-Traditional Employment zoning district with an outdoor seating area at 1344-1356 E. Washington Avenue; 2nd Ald. Dist.
- 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 by voice vote/ other.
- A motion was made by King, seconded by Zellers, to Approve. The motion passed by voice vote/other.**
- Registered in support of the project and available to answer questions were: Brad Mullins, Mullins Group of N. Carroll Street; Ben Roberts of Phil Lewis Way, Middleton, and; Seth Wilson of Sheldon Street.
8. [34161](#) Consideration of a conditional use to construct an outdoor eating area and non-accessory temporary outdoor event area for a restaurant at 912 Regent Street; 8th Ald. Dist.
- 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 by voice vote/ other.
- A motion was made by Rewey, seconded by Zellers, to Approve. The motion passed by voice vote/other.**
- Registered in support of the project and available to answer questions was the applicant, Tyler Soukup of Monona Drive.
9. [34162](#) Consideration of a conditional use for a cheerleading instruction (arts/ technical/ trade) school in the IL (Industrial-Limited) zoning district at 4009 Felland Road; 17th Ald. Dist.
- 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 by voice vote/ other.
- A motion was made by King, seconded by Zellers, to Approve. The motion passed by voice vote/other.**
- Registered in support of the project and available to answer questions were Andrew Petersen of Myrtle Street, representing the applicant, Fury Athletics, and Dustin Avelski of James Drive, Hartland.
10. [34163](#) Consideration of a conditional use to allow construction of a rehabilitation hospital in the American Center at 5115 N. Biltmore Lane; 17th Ald. Dist.
- 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 by voice vote/ other.
- A motion was made by Cantrell, seconded by Berger, to Approve. The motion passed by voice vote/other.**
- Registered in support of the proposed development were: Ralph Turner, University of Wisconsin Hospitals and Clinics Authority of Highland Avenue, the applicant; Jason Lietha of Corporate Drive, representing the applicant; Jim Yehle of Colony Drive, representing J.H. Findorff & Son, Inc.; Matt Manning of West End Avenue, Nashville, Tennessee, and; John Lichtenheld of E. Badger Road.
11. [34338](#) Consideration of a demolition permit to allow a single-family residence at 8839 Ancient Oak Lane to be demolished as part of the implementation of the Ripp Addition to Linden Park subdivision; 1st Ald. Dist.
- The Plan Commission found that the standards were met and approved the demolition permit for the residence (ID 34338) and recommended approval of the final plat (ID 34166) to the Common Council subject to the comments and conditions contained in the Plan Commission materials by voice vote/ other.
- A motion was made by King, seconded by Zellers, to Approve. The motion passed by voice vote/other.**

Subdivision

- 12. [34166](#) Approving the final plat of First Addition to Ripp Addition to Linden Park on land generally addressed as 8839-8947 Ancient Oak Lane; 1st Ald. Dist.
 On a motion by Ald. King, seconded by Ald. Zellers, the Plan Commission found that the standards were met and approved the demolition permit for the residence (ID 34338) and recommended approval of the final plat (ID 34166) to the Common Council subject to the comments and conditions contained in the Plan Commission materials by voice vote/ other.

A motion was made by King, seconded by Zellers, 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.
 There were no registrants on this Items 11 and 12, which were considered together.

Zoning Text Amendments

- 13. [32826](#) SUBSTITUTE Amending various sections of Chapter 28 of the Madison General Ordinances allow Mission Houses and Daytime Shelters as principal uses of land and to add a new definition for Daytime Shelter.
 On a motion by Cantrell, seconded by Rewey, the Plan Commission recommended approval of the zoning text amendment with the following revision:

 - That "storage of belongings" be added to one of the recommended elements of the management plan for daytime shelters and mission houses (accessory and principal).

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

A motion was made by Cantrell, seconded by Rewey, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.
 There were no registrants on this matter.

- 14. [34267](#) Amending Section 28.091 of the Madison General Ordinances to permit farmer's markets in the Parks and Recreation Districts.
 On a motion by Ald. King, seconded by Ald. Zellers, the Plan Commission recommended approval of the zoning text amendment by voice vote/ other.

A motion was made by King, seconded by Zellers, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.
 There were no registrants on this matter.

BUSINESS BY MEMBERS

Ald. King requested, and the Plan Commission agreed unanimously, that the start time for the Public Hearing portion of the agenda be moved to 5:45 p.m. beginning in September. Staff indicated that they would work to implement this change.

SECRETARY'S REPORT

Tim Parks summarized the upcoming matters for the Commission.

- Upcoming Matters - July 7, 2014

- 425-435 W. Johnson Street - Demolition Permit and Conditional Use - Demolish 3 existing apartment buildings to construct mixed-use building with 2,100 square feet of retail and 148 apartments (Tentative)
- 1910 Tennyson Lane - PD (GDP) to Amended PD (GDP-SIP) - Construct multi-family dwelling with 70 independent units and 60 assisted living units

- 1601 Wright Street - Demolition Permit and Conditional Use - Demolish 4 residences (containing 7 units) and construct 48 apartments in 3 buildings
- 1202 Northport Drive - Demolition Permit and Conditional Use - Demolish existing water tower and construct new water tower
- 901 Sugar Maple Lane - Conditional Use - Construct residential building complex containing 72 apartments in 2 buildings
- 1001 Sugar Maple Lane - Conditional Use - Construct residential building complex containing 180 apartments in 8 buildings
- 1601 Wright Street - Preliminary Plat and Final Plat - Truax Phase II, creating 4 residential lots for CDA Truax Park Apartments
- 2202 E. Johnson Street - Conditional Use - Construct outdoor eating area for restaurant
- 627 W. Main Street - Conditional Use - Construct outdoor eating area for restaurant-tavern
- 3801 Kipp Street - Conditional Use - Construct brewery with outdoor eating area and tasting room
- 706 Williamson Street - Demolition Permit and Conditional Use - Demolish commercial building and construct mixed-use building with 7,800 square feet of commercial space and 55 apartments

- Upcoming Matters - July 28, 2014

- 722-734 Williamson Street - TSS to PD (GDP-SIP) - Construct mixed-use building with 5,425 square feet of commercial space, 2,375 square feet of co-working space and 209 apartments
- 3315 Nelson Road - Extraterritorial Preliminary Plat - Duckart Plat, creating 6 lots in the Town of Burke
- 827 E. Gorham Street - Demolition Permit and Conditional Use - Demolish single-family residence to allow construction of a two-family residence and accessory building exceeding 576 square feet in the TR-V2 district
- 1405 Emil Street - Conditional Use - Construct outdoor eating area for restaurant-tavern

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by Heifetz, seconded by King, to Adjourn at 8:35 p.m. The motion passed by voice vote/other.