



City of Madison

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

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Monday, May 9, 2016

5:30 PM

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

CALL TO ORDER/ROLL CALL

- Present:** 9 - Ledell Zellers; Sheri Carter; Ken Opín; Maurice C. Sheppard; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and James E. Polewski
- Excused:** 1 - Steve King

Ken Opín was chair from the start of the meeting through Agenda Item 19, recusing himself prior to start of Agenda Item 20. Brad Cantrell was chair starting with Agenda Item 20 through meeting adjournment.

Staff Present: Jay Wendt, Kevin Firchow, Chris Wells, and Jessica Vaughn, Planning Division; Matt Tucker, Building Inspection Division; and Chris Petykowski, Engineering Division.

PUBLIC COMMENT

There was no public input under this item.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Maurice Sheppard disclosed that he works for Madison College, the lessee for 3201 Anderson Street which is the subject property for Items 1 and 2. He stated this would not be a conflict in consideration these items.

Brad Cantrell noted that he lives within one block of the subject property of Items 6 and 7, though this would not be a conflict in considering these items.

Ken Opín disclosed he is personal friends with a principal at ULI, the applicant for Items 6 and 7, though that would not impact his ability to chair the meeting for that item. Mr. Opín noted he has a conflict of interest and would be recusing himself from Agenda Item 20 and that the Vice-Chair would be chairing the meeting at that point.

MINUTES OF THE APRIL 18, 2016 MEETING

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

SCHEDULE OF MEETINGS

May 23 and June 13, 27, 2016

ROUTINE BUSINESS

1. [42673](#) Authorizing the Mayor and the City Clerk to execute a Consent to Occupy Easement for the benefit of Dane County and MATC to permit athletic field improvements within a public sanitary sewer and water main easement at 3201 Anderson Street.

On a motion by Cantrell, seconded by Rewey, the Plan Commission recommended approval of this item.
The motion passed by voice vote/other.

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.

There were no registrations on this item.

2. [42674](#)

Authorizing the acceptance of a Permanent Limited Easement for Public Sanitary Sewer and Water Main Access Road Purposes with Dane County and MATC, pertaining to a property located at 3201 Anderson Street.

On a motion by Cantrell, seconded by Rewey, the Plan Commission recommended approval of this item.
The motion passed by voice vote/other.

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.

There were no registrations on this item.

3. [42675](#)

Authorizing the acceptance of a Quit Claim Deed, at no cost to the City of Madison, dedicating land located at 603 E. Wilson Street from the City Engineering Division for public right of way purposes.

On a motion by Cantrell, seconded by Rewey, the Plan Commission recommended approval of this item.
The motion passed by voice vote/other.

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.

There were no registrations on this item.

4. [42688](#)

Determining a Public Purpose and Necessity and adopting a Transportation Project Plat No. 5992-09-81 - 4.08 CTH M - Prairie Hill Road to Cross Country Road for the acquisition of Plat of Land Interests required. Located in part of the NW ¼ of the NE ¼ of Section 3, T6N, R8E.

On a motion by Cantrell, seconded by Rewey, the Plan Commission recommended approval of this item.
The motion passed by voice vote/other.

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.

There were no registrations on this item.

NEW BUSINESS

5. [42717](#)

Authorizing the Planning Division and City Engineering Division to submit a request to the Capital Area Regional Planning Commission for a major amendment to the Environmental Corridor map to remove the approved The Turn at Cherokee subdivision and to allow grading within a wetland vegetative buffer, and to impose a building setback line on a proposed lot in the approved subdivision.

On a motion by Cantrell, seconded by Ald. Zellers, the Plan Commission recommended approval of this item. The motion passed by voice vote/other.

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

There were no registrations on this item.

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.

Zoning Map Amendments & Related Requests

Note: Items 6 and 7 are related and were considered together.

- 6. [42317](#) Creating Section 28.022 - 00230 of the Madison General Ordinances to change the zoning of property located at 613-621 West Doty Street, 4th Aldermanic District, from DR-2 (Downtown Residential 2) District to UMX (Urban Mixed-Use) District to facilitate development of adjacent land at 222 South Bedford Street.

On a motion by Cantrell, seconded by Heifetz, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 42317) and approved the demolition permit and conditional use (ID 42317) subject to the comments and conditions contained in the Plan Commission materials with the following modification:

- That condition 2 in the May 9, 2016 Planning Division Staff Report be revised as follows: "That the applicant shall reduce the depth of the two most southern balconies (labeled as sections "C" and "E") to provide a minimum distance of two feet between the furthest projecting balcony edge and railing to the back of the sidewalk."

The motion passed by the following 6:2 vote: AYE: Ald. Carter, Sheppard, Berger, Heifetz, Rewey, and Cantrell; NO: Ald. Zellers and Polewski; NON-VOTING, Opin.

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

Ayes: 5 - Sheri Carter; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey and Bradley A. Cantrell

Noes: 2 - Ledell Zellers and James E. Polewski

Excused: 1 - Steve King

Non Voting: 2 - Ken Opin and Maurice C. Sheppard

Speaking in support of Agenda Items 6 and 7 were the applicant Anne Neujahr Morrison of Keyes Avenue and Doug Hursh, Potter Lawson Inc. of University Row, both representing Urban Land Interests. Registered in support and available to answer questions and representing Urban Land Interests was Andy Laufenberg, Potter Lawson Inc. of University Row. Speaking in opposition of these items was Peter Ostlind of West Main Street.

- 7. [42145](#) Consideration of a demolition permit and conditional use to allow an office building to be demolished and a 88-unit apartment building to be constructed

at 222 S. Bedford Street; 4th Ald. Dist.

On a motion by Cantrell, seconded by Heifetz, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 42317) and approved the demolition permit and conditional use (ID 42317) subject to the comments and conditions contained in the Plan Commission materials with the following modification:

- That condition 2 in the May 9, 2016 Planning Division Staff Report be revised as follows: "That the applicant shall reduce the depth of the two most southern balconies (labeled as sections "C" and "E") to provide a minimum distance of two feet between the furthest projecting balcony edge and railing to the back of the sidewalk."

The motion passed by the following 6:2 vote: AYE: Ald. Carter, Sheppard, Berger, Heifetz, Rewey, and Cantrell; NO: Ald. Zellers and Polewski; NON-VOTING, Opin; and EXCUSED: Ald. King.

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

Ayes: 6 - Sheri Carter; Maurice C. Sheppard; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey and Bradley A. Cantrell

Noes: 2 - Ledell Zellers and James E. Polewski

Excused: 1 - Steve King

Non Voting: 1 - Ken Opin

Speaking in support of Agenda Items 6 and 7 were the applicant Anne Neujahr Morrison of Keyes Avenue and Doug Hursh, Potter Lawson Inc. of University Row, both representing Urban Land Interests. Registered in support and available to answer questions and representing Urban Land Interests was Andy Laufenberg, Potter Lawson Inc. of University Row. Speaking in opposition of these items was Peter Ostlind of West Main Street.

8. [42462](#)

Creating Section 28.022 - 00231 of the Madison General Ordinances to amend a Planned Development District at property located at 601 Langdon Street, 8th Aldermanic District, to approve an Amended General Development Plan, and creating Section 28.022 - 00232 to amend a Planned Development District to approve a Specific Implementation Plan.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission recommended that the Common Council re-refer this item to the May 23, 2016 Plan Commission meeting. This motion passed by voice vote/other.

A motion was made by Cantrell, seconded by Sheppard, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 5/23/2016. The motion passed by voice vote/other.

There were no registrations on this item.

9. [42298](#)

Consideration of a conditional use for a walk-up service window at 601 Langdon Street; 8th Ald. Dist.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission recommended that the Common Council re-refer this item to the May 23, 2016 Plan Commission meeting. This motion passed by voice vote/other.

A motion was made by Cantrell, seconded by Sheppard, to Refer to the PLAN COMMISSION and should be returned by 5/23/2016. The motion passed by voice vote/other.

There were no registrations on this item.

Zoning Text Amendments

10. [42393](#) Amending Sections 28.151, 28.211, 28.032(1), 28.061(1), and 28.072(1) of the Madison General Ordinances to provide bulk requirements for community living arrangements, housing cooperatives, and lodging houses.
- The Plan Commission found that the standards were met and recommended approval of this Zoning Text Amendment. The motion passed by voice vote/other.
- A motion was made by Cantrell, seconded by Sheppard, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.**
- There were no registrations on this item.
11. [42394](#) Amending Section 28.211 of the Madison General Ordinances to clarify the definition of Tavern and add the definition of artist, photographer studio.
- The Plan Commission found that the standards were met and recommended approval of this Zoning Text Amendment. The motion passed by voice vote/other.
- A motion was made by Cantrell, seconded by Sheppard, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.**
- Excused:** 1 - Steve King
- There were no registrations on this item.
12. [42395](#) Amending Sections 28.076(3)(b) and 28.132(1) and creating Section 28.132(2)(h) of the Madison General Ordinances to allow underground parking in any district to extend into the rear yard setback under certain conditions.
- The Plan Commission found that the standards were met and recommended approval of this Zoning Text Amendment. The motion passed by voice vote/other.
- A motion was made by Cantrell, seconded by Sheppard, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.**
- There were no registrations on this item.
13. [42396](#) Amending Section 28.141(4)(g) of the Madison General Ordinances to increase the minimum off-street parking requirements for daycare centers.
- The Plan Commission found that the standards were met and recommended approval of this Zoning Text Amendment. The motion passed by voice vote/other.
- A motion was made by Cantrell, seconded by Sheppard, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.**
- There were no registrations on this item.
14. [42397](#) Amending Section 28.098(5)(a)2. of the Madison General Ordinances to require that the concept for a planned development of a landmark, landmark site, or in a historic district be presented to the Landmarks Commission before being presented to the Urban Design Commission.
- The Plan Commission found that the standards were met and recommended approval of this Zoning Text

Amendment. The motion passed by the following 7:1 vote: AYE: Ald. Zellers, Ald. Carter; Shepard, Berger, Rewey, Cantrell, and Polewski; NO: Heifetz; NON-VOTING: Opin; and EXCUSED: Ald. King.

A motion was made by Cantrell, seconded by Rewey, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion failed by the following vote:

Ayes: 7 - Ledell Zellers; Sheri Carter; Maurice C. Sheppard; Melissa M. Berger; Michael W. Rewey; Bradley A. Cantrell and James E. Polewski

Noes: 1 - Michael G. Heifetz

Excused: 1 - Steve King

Non Voting: 1 - Ken Opin

There were no registrations on this item.

Conditional Use & Demolition Permits

- 15. [42303](#) Consideration of a demolition permit to demolish a single-family residence and construct a new single-family residence at 3303 Gregory Street; 13th Ald. Dist.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission recommended that the Common Council re-refer this item to the May 23, 2016 Plan Commission meeting. This motion passed by voice vote/other.

A motion was made by Cantrell, seconded by Sheppard, to Refer to the PLAN COMMISSION and should be returned by 5/23/2016. The motion passed by voice vote/other.

There were no registrations on this item.

- 16. [42304](#) Consideration of a conditional use to allow construction of a building (single-family residence) in excess of 10,000 square feet at 815 Big Stone Trail; 9th Ald. Dist.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission referred this matter to the May 23, 2016 Plan Commission meeting to allow the public hearing to be re-noticed. This motion passed by voice vote/other.

A motion was made by Cantrell, seconded by Sheppard, to Refer to the PLAN COMMISSION and should be returned by 5/23/2016. The motion passed by voice vote/other.

There were no registrations on this item.

- 17. [42305](#) Consideration of a conditional use for a health club in the IL (Industrial-Limited) zoning district at 2422 Pennsylvania Avenue; 12th 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 the comments and conditions contained in the Plan Commission materials.

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

Registered in support and available to answer questions was the applicant Chad Gebhardt, CAG Development LLC of Pennsylvania Avenue.

18. [42318](#) Consideration of a conditional use for an outdoor eating area for a restaurant at 2089 Atwood Avenue; 6th 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 the comments and conditions contained in the Plan Commission materials.

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

Registered in support and available to answer questions was Paul Davenport of Marquette Street representing Monty's Blue Plate.

Note: A new public hearing was noticed for Item 19 to allow the applicant and members of the public to address the Plan Commission on this matter.

19. [41673](#) Consideration of a conditional use for an outdoor eating area for a brewpub at 2439 Atwood Avenue; 6th Ald. Dist.

The Plan Commission found that the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials with the following modifications:

- That condition 3b of the March 11 Addendum to the staff report be revised to state that "All doors and gates associated with the outdoor seating area shall not be kept open."

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

Registered in support and available to answer questions was the applicant, Eric Dieter of Atwood Avenue.

Speaking in neither support nor opposition was Aleia McCord of Sommers Avenue and Sarah Davis of Sommers Avenue.

Note: The Plan Commission moved to reconsider its April 4, 2016 action on Item 20 (ID 41948) at the April 18 meeting. A new public hearing was noticed for this project, which would allow for action to be taken on this project at the May 9 meeting.

20. [42776](#) Reconsideration of a demolition permit (ID 41948) to allow demolition of an existing single-family residence and construction of a new single-family residence at 201 Larkin Street; 11th Ald. Dist.

The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained within the Plan Commission materials.

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

Speaking in support was Ed Linville of East Wilson Street, representing the applicant, Nicholas Stanek and Ald. Tim Gruber of Owen Drive, representing District 11. Registered in support and available to answer questions were Nicholas Stanek of Sheboygan Avenue; John Sveum of South Butler Street. Registered in neither support nor opposition and available to answer questions was Alex Saloutos of Hammersley Avenue.

BUSINESS BY MEMBERS

There was no Business By Members.

SECRETARY'S REPORT

Jay Wendt summarized the upcoming matters.

- Upcoming Matters - May 23, 2016

- 404-410 W. Washington Avenue & 8-14 N. Broom Street - PD to DR-2, Conditional Use and Demolition Permit - Demolish 6 residential buildings to construct 85-unit apartment building
- 6302 Town Center Drive - PD(GDP) to PD(SIP) - Construct technical school and training center
- 130 E. Gilman Street - Certified Survey Map Referral - Create 1 residential lot and 1 institutional lot in Mansion Hill Historic District, including consideration of a deep residential lot
- 961 S. Park Street - Conditional Use - Allow limited production and processing in existing coffeehouse in TSS zoning
- 5317 Wayne Terrace - Demolition Permit and Conditional Use - Demolish commercial buildings to construct second building for auto body shop
- 1313 Regent Street - Conditional Use - Construct outdoor recreation area for restaurant-tavern
- 1439 Wright Street - Demolition Permit - Demolish military reserve facility with no proposed use
- 1380 Williamson Street - Conditional Use - Establish outdoor eating area for tavern
- 1444 E. Washington Avenue - Conditional Use - Establish nightclub in multi-tenant building in TE zoning
- 4341 Mineral Point Road - Demolition Permit - Demolish nonconforming single-family residence with no proposed use
- 217 N. Meadow Lane - Conditional Use - Construct accessory dwelling unit
- 1815-1817 Dondee Road - Conditional Use - Construct two-family-twin residence
- 1603-1609 Monroe Street - Demolition Permit and Conditional Use - Demolish commercial building and single-family residence to construct mixed-use building with 5,200 square feet of commercial space and 48 multi-family dwellings

- Upcoming Matters - June 13, 2016

- 425 W. Washington Avenue - Conditional Use Alteration - Approve alterations to exterior and landscaping of existing mixed-use building
- 5251 High Crossing Blvd. - Conditional Use - Construct multi-tenant commercial building with vehicle access sales & service window
- 5702-5712 Odana Road - Demolition Permit and Conditional Use - Demolish 2 commercial buildings and construct automotive sales facility in UDD 3
- 4814 Freedom Ring Road - Conditional Use - Construct a gas station with convenience store in the NMX zoning district
- 2701 Monroe Street - Conditional Use - Construct outdoor eating area for restaurant-tavern
- 906 E. Mifflin Street - Demolition Permit and Conditional Use - Demolish single-family residence and construct new single-family residence with detached accessory dwelling unit
- 2921 Landmark Place - Conditional Use - Construct office building exceeding 68 feet in height in SE zoning
- 5144 Spring Court - Conditional Use - Construct additions to single-family residence on lakefront parcel

ANNOUNCEMENTS

Ald. Zellers stated that she would be absent from the May 23, 2016 meeting.

ADJOURNMENT

**A motion was made by Rewey, seconded by Heifetz, to Adjourn at 8:06 pm.
The motion passed by voice vote/other.**