



City of Madison

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

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Monday, December 17, 2012

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; Marsha A. Rummel; Chris Schmidt; Nan Fey; Anna Andrzejewski; Michael W. Rewey; Bradley A. Cantrell; Melissa M. Berger and Tonya L. Hamilton-Nisbet

Excused: 3 -

Eric W. Sundquist; Michael G. Heifetz and John L. Finnemore

Fey was chair for this meeting.

Staff present: Steve Cover, Secretary; Brad Murphy & Tim Parks, Planning Division, and; Dan McCormick, Traffic Engineering Division.

PUBLIC COMMENT

There were no registrants for public comment.

DISCLOSURES AND RECUSALS

Ald. Schmidt disclosed that he had been provided an update by Carol Schaeffer regarding Items 15 & 16.

MINUTES OF THE DECEMBER 3, 2012 MEETING

The Plan Commission approved the minutes subject to any necessary corrections being made.

Staff did not identify any such revisions to the December 3 minutes.

A motion was made by Schmidt, seconded by Rummel, to Approve the Minutes. The motion passed by the following vote:

Ayes: 6 -

Steve King; Marsha A. Rummel; Chris Schmidt; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Abstentions: 2 -

Anna Andrzejewski and Melissa M. Berger

Excused: 2 -

Eric W. Sundquist; Michael G. Heifetz and John L. Finnemore

Non Voting: 1 -

Nan Fey

SCHEDULE OF MEETINGS

January 14, 28 and February 4, 18, 2013

ROUTINE BUSINESS

- 1. [28541](#) Vacation/Discontinuance of a portion of Elderberry Road in both the Northwest and Southeast quadrants of the current N. Pleasant View Rd intersection, being located in part of the Northwest one-quarter (1/4) of the Southwest one-quarter (1/4) of Section 22, and part of the Northeast one-quarter (1/4) of the Southwest one-quarter (1/4) of Section 22, Town 07 North, Range 08 East, City of Madison (formerly Township of Middleton), Dane County, Wisconsin, and

Authorizing the Mayor and City Clerk to accept dedication of land area from the University of Wisconsin Regents equal to the land area vacated by the City for the relocation of Elderberry Road, and

Authorizing the Mayor and City Clerk to accept dedication of land area owned from Attic Angel Prairie Point Inc. for the relocation of Elderberry Road. (9th AD)

A motion was made by Schmidt, 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.

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.

Conditional Use/ Demolition Permits

- 2. [28586](#) Consideration of a demolition permit and conditional use to allow a retail building to be demolished and a new multi-tenant retail building to be constructed with a drive-up service window at 5225 University Avenue; 19th Ald. Dist.

The Plan Commission found the standards met and granted approval subject to the the comments and conditions contained in the Plan Commission materials.

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

Speaking in support of the proposed development was Ald. Mark Clear, 110 Shiloh Drive, representing the 19th Ald. Dist.

Registered in support of the project and available to answer questions was the applicant, Joe Krupp, 2020 Eastwood Drive.

- 3. [28587](#) Consideration of a demolition permit and conditional use to allow a restaurant to be demolished and a new multi-tenant retail building to be constructed with a drive-up service window at 1401 Emil Street; 14th Ald. Dist.

The Plan Commission referred this matter to January 14, 2013 at the request of the applicant.

A motion was made by King, seconded by Andrzejewski, to Refer to the PLAN COMMISSION and should be returned by January 14, 2013. The motion passed by voice vote/other.

There were no registrants on this item.

4. [28588](#)

Consideration of a demolition permit to allow an existing fire-damaged single-family residence to be demolished and a new residence to be constructed at 413 S. Midvale Boulevard; 11th Ald. Dist.

The Plan Commission found the standards met and granted approval subject to the the comments and conditions contained in the Plan Commission materials.

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

Registered in support of the request and available to answer questions was the applicant, Tom Hansen, 413 S. Midvale Boulevard.

5. [28589](#)

Consideration of a major alteration to an existing conditional use planned commercial site to allow construction of a building at 1127 N. Sherman Avenue in Northgate Shopping Center; 12th Ald. Dist.

The Plan Commission found the standards met and granted approval subject to the the comments and conditions contained in the Plan Commission materials.

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

Registered in support of the proposed development and available to answer questions were Ellen Barnard, 925 Burning Wood Way, the applicant, and Mark Lane, Iconica, 901 Deming Way, representing the applicant.

Planned Unit Development Alteration

6. [28471](#)

Consideration of an alteration to an approved Planned Unit Development - Specific Implementation Plan to amend the zoning text to increase the occupancy of units in an existing apartment building at 1329 W. Dayton Street; 8th Ald. Dist.

The Plan Commission granted approval of the proposed alteration subject to the 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.

There were no registrants on this item.

Zoning Text Amendment

7. [28424](#)

Amending Chapter 28 of the Madison General Ordinances to correct various errors in the recently adopted Zoning Code.

The Plan Commission recommended approval of the substitute ordinance by voice vote/ other.

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

There were no registrants on this item.

Zoning Map Amendments & Related Requests

8. [28120](#) Creating Section 28.06(2)(a)3637. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District; in the Zoning Code effective January 2, 2013, creating Section 28.022--00006 of the Madison General Ordinances rezoning property from C2 General Commercial District to PD(GDP) Planned Development (General Development Plan) District; creating Section 28.06(2)(a)3638. rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District; and in the Zoning Code effective January 2, 2013, creating Section 28.022-00007 rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PD(SIP) Planned Development (Specific Implementation Plan) District. Proposed Use: Demolish two residences to allow construction of a mixed-use building containing 2,000 square feet of first floor of retail space and 42 apartments; 4th Aldermanic District: 313-315 North Frances Street.

On a motion by Cantrell, seconded by Ald. Rummel, the Plan Commission recommended approval of the planned unit development subject to the comments and conditions in the Plan Commission materials and the following finding and conditions:

- The Plan Commission found that the criteria for the two bonus stories in Downtown Design Zone 2 were met with the proposed development, specifically noting that configuration of the site was unique given the presence of public rights of way on three sides of the property.
- The applicant shall submit a management plan for approval by the Planning Division Director following a recommendation from the Building Inspection Division. The property owner and management company shall abide by the terms of the Plan. The property owner shall submit for approval any changes to management procedures or the management company. The management plan shall be referenced in the zoning text and recorded as part of the PUD.
- That the family definition for the PUD be revised to specifically limit the occupancy of each dwelling unit to one occupant per bedroom plus one additional occupant [e.g. a four-bedroom dwelling unit would be limited to five total occupants] (revises condition #1 of the attached December 3, 2012 staff report).
- That condition #5 of the December 3 staff report is modified to allow lighting and landscaping for the project to be provided in the N. Frances Street right of way if maintenance and encroachment agreements are approved for the project.

The motion to recommend approval passed 7-1 on the following vote: AYE: Ald. King, Ald. Rummel, Andrzejewski, Berger, Cantrell, Hamilton-Nisbet, Rewey; NAY: Ald. Schmidt; NON-VOTING: Fey; EXCUSED: Finnemore, Heifetz, Sundquist.

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

- Ayes:** 7 -
Marsha A. Rummel; Anna Andrzejewski; Michael W. Rewey; Bradley A. Cantrell; Melissa M. Berger; Tonya L. Hamilton-Nisbet and Steve King
- Noes:** 1 -
Chris Schmidt
- Excused:** 2 -
Eric W. Sundquist; Michael G. Heifetz and John L. Finnemore
- Non Voting:** 1 -
Nan Fey

9. [28462](#)

Consideration of a demolition permit to allow 2 residences to be demolished as part of a Planned Unit Development rezoning at 313-315 N. Frances Street; 4th Ald. Dist.

The Plan Commission found the demolition permit standards met and granted approval subject to the conditions for the related planned unit development (ID 28120).

The motion to approve passed 7-1 on the following vote: AYE: Ald. King, Ald. Rummel, Andrzejewski, Berger, Cantrell, Hamilton-Nisbet, Rewey; NAY: Ald. Schmidt; NON-VOTING: Fey; EXCUSED: Finnemore, Heifetz, Sundquist.

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

Ayes: 7 -

Anna Andrzejewski; Michael W. Rewey; Bradley A. Cantrell; Melissa M. Berger; Tonya L. Hamilton-Nisbet; Steve King and Marsha A. Rummel

Noes: 1 -

Chris Schmidt

Excused: 2 -

Eric W. Sundquist; Michael G. Heifetz and John L. Finnemore

Non Voting: 1 -

Nan Fey

The following were registered on Items 8 & 9, which were considered together:

Speaking in support of the proposed planned unit development were: Scott Faust, Boardwalk Investments, 210 N. Bassett Street, the applicant; Randy Bruce, Knothe Bruce Architects, LLC, 7601 University Avenue, Suite 201, Middleton, and Carole Schaeffer, 282 Alpine Meadow Circle, Oregon, and Ron Trachtenberg, Murphy Desmond, SC, 33 E. Main Street, Suite 500, all representing the applicant; John Magniko, 423 N. Carroll Street, representing the State-Langdon Neighborhood Association, and; Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th Ald. Dist.

Registered in support of the project and available to answer questions was Harold Langhammer, 370 E. Lakeside Street.

10. [28121](#)

Creating Section 28.06(2)(a)3639. of the Madison General Ordinances rezoning property from R3 Single-Family and Two-Family Residence District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District; in the Zoning Code effective January 2, 2013, creating Section 28.022--00008 of the Madison General Ordinances rezoning property from R3 Single-Family and Two-Family Residence District and C3 Highway Commercial District to PD(GDP) Planned Development (General Development Plan) District; creating Section 28.06(2)(a)3640. rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District; and in the Zoning Code effective January 2, 2013, creating Section 28.022--00009 rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PD(SIP) Planned Development (Specific Implementation Plan) District. Proposed Use: Demolish vacant bakery and single-family residence to allow construction of a mixed-use building containing 6,500 sq. ft. of first floor retail space and 40 apartments; 13th Aldermanic District: 448 South Park Street and 914 Drake Street.

On a motion by Ald. Schmidt, seconded by Rewey, the Plan Commission recommended approval of the planned unit development subject to the comments and conditions in the Plan Commission materials, the revised site plan and lower level floorplans dated December 17, 2012, and the following findings and conditions:

- The Plan Commission found that the exceptional design of the project warrants the additional building height above four stories and an exception to the required stepback above three stories in Urban Design District 7.

- That condition #5 of the staff report be revised to require bike parking at all of the retail entrances instead of the prescribed number of stalls in the staff condition.

- That condition #36 of the staff report be deleted.

- That a condition of approval for this project shall be that a maximum of 15 residential parking permits shall be issued for this development. This restriction shall be noted in the final zoning text for the PUD and in the residential dwelling unit leases, with a copy of the residential lease to be provided with the final plans for the project.

- That the Traffic Engineering Division review turning movements into and out of the project to limit or mitigate impacts on the public alley.

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

A motion was made by Schmidt, seconded by Rewey, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.

11. [28465](#)

Consideration of a demolition permit to allow a single-family residence and vacant bakery to be demolished as part of a Planned Unit Development rezoning at 448 S. Park Street and 914 Drake Street; 13th Ald. Dist.

The Plan Commission found the demolition permit standards met and granted approval subject to the conditions for the related planned unit development (ID 28121).

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

The following were registered on Items 10 & 11, which were considered together:

Speaking in support of the proposed development was Ald. Sue Ellingson, 1922 Vilas Avenue, representing the 13th Ald. Dist.

Speaking in opposition to the proposed development were: Amy Moran, 926 Emerald Street; Cynthia Williams, 1001 Drake Street, and; Stuart Eckes, 417 S. Brooks Street.

Speaking neither in support nor opposition to the project was Zaccai Lewis, 1137 Emerald Street.

Registered in support of the proposed development and available to answer questions was the applicant, Joe McCormick, JD McCormick Company, 411 W. Main Street, and Joseph Lee, JLA Architects, 5325 Wall Street, Suite 2700, representing the applicant.

Registered neither in support nor opposition was Susan Antonie, 409 S. Brooks Street.

12. [28378](#)

Creating Section 28.06(2)(a)3645. of the Madison General Ordinances rezoning property from Temp A (Agriculture) District to RDC (Research and Development Center) District; in the Zoning Code effective January 2, 2013, create Section 28.022-00014 of the Madison General Ordinances rezoning property from Temp A (Agriculture) District to EC (Employment Campus) District creating Section 28.06(2)(a)3646. of the Madison General Ordinances rezoning property from Temp A (Agriculture) District to C (Conservancy) District; and in the Zoning Code effective January 2, 2013, creating Section 28.022-00015 rezoning property from Temp A(Agriculture) District to CN (Conservancy) District.

Proposed Use: 14 lots for research park/office development and 4 outlots for private open space and stormwater management. 1st Aldermanic District; 1004-1504 South Pleasant View Road.

The Plan Commission recommended approval of the zoning map amendment and preliminary plat and final plat (ID 28591) 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 Cantrell, seconded by Schmidt, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.

13. [28591](#)

Approving the preliminary plat and final plat of University Research Park-Pioneer Addition generally located at 1004-1504 S. Pleasant View Road; 1st Ald. Dist.

The Plan Commission recommended approval of the zoning map amendment (ID 28378) and preliminary plat and final plat 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 Cantrell, seconded by Schmidt, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER. The motion passed by voice vote/other.

Items 12 & 13 were considered together.

Registered in support of the proposed development and available to answer questions was the applicant, Greg Hyer, University Research Park, 510 Charmany Drive, Suite 250.

14. [28382](#)

Creating Section 28.06(2)(a)3641. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District; creating Section 28.022-00010 of the Madison General Ordinances rezoning property from PD(SIP) Planned Development (Specific Implementation Plan) District to Amended PD(GDP) Planned Development (Specific Implementation Plan) District and creating Section 28.06(2)(a)3642. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District; and creating 28.022-00011 of the Madison General Ordinances rezoning property from Amended PD(GDP) Planned Development (General Development Plan) District to PD(SIP) Planned Development (Specific Implementation Plan) District. Proposed Use: Construct previously approved 21-unit condominium building as a 36-unit apartment building following demolition of 3 residences (approved for demolition in 2007). 13th Aldermanic District; 2628 Arbor Drive.

On a motion by Ald. Schmidt, seconded by Rewey, the Plan Commission recommended approval of the amended planned unit development subject to the comments and conditions in the Plan Commission materials and the following condition:

- That condition #25 of the staff report be revised as follows: "That the applicant work with Traffic Engineering Division and Planning Division staff to provide a [private] sidewalk from Monroe Street to Arbor Drive along the easterly property line." [The Commission's recommended condition acknowledges the presence of an electrical transformer along this property line that could impact the implementation of this walkway.]

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

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

Speaking in support of the proposed development were James Corcoran; J. Michael Real Estate; 2707 Monroe Street, the applicant, and Randy Bruce; Knothe Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton, representing the applicant.

Registered in support of the project and available to answer questions was Ald. Sue Ellingson, 1922 Vilas Avenue, representing the 13th Ald. Dist.

15. [28414](#) Creating Section 28.06(2)(a)3643. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District; in the Zoning Code effective January 2, 2013, creating Section 28.022-00012 of the Madison General Ordinances rezoning property from DR2 Downtown Residential 2 District to PD(GDP) Planned Development (General Development Plan) and creating Section 28.06(2)(a)3644. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District; and in the Zoning Code effective January 2, 2013, creating Section 00013 rezoning property from PD(GDP) Planned Development (General Development Plan) District to PD(SIP) to Planned Development (Specific Implementation Plan) District. Proposed Use: Demolish 3 apartment buildings at 619-625 N. Henry Street and 145 Iota Court to construct 84-unit apartment building; renovate apartment buildings at 140 Iota Court and 150 Langdon Street. 2nd Aldermanic District; 619-625 N. Henry Street; 140 and 145 Iota Court; and 150 Langdon Street.
- The Plan Commission recessed the public hearing and recommended re-referral to January 14, 2013 pending a recommendation on the planned unit development by the Urban Design Commission.
- A motion was made by King, seconded by Andrzejewski, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by January 14, 2013. The motion passed by voice vote/other.**

16. [28592](#) Consideration of a demolition permit to allow 3 apartment buildings located at 619-625 N. Henry Street and 145 Iota Court to be demolished, and consideration of a conditional use for waterfront development as part of a proposed Planned Unit Development rezoning of 619-625 N. Henry Street, 140 and 145 Iota Court, and 148-150 Langdon Street; 2nd Ald. Dist.
- The Plan Commission recessed the public hearing and referred the demolition permit to January 14, 2013 pending a recommendation on the related planned unit development (ID 28414) by the Urban Design Commission.
- A motion was made by King, seconded by Andrzejewski, to Refer to the PLAN COMMISSION and should be returned by January 14, 2013. The motion passed by voice vote/other.**

The following were registered on Items 15 & 16, which were considered together:

Registered in support and available to answer questions were: Chris Houden, Palisades Apartments, LLC; 6417 Normandy Lane, the applicant, and; Bill White, 2708 Lakeland Avenue, and Randy Bruce; Knothe Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton, both representing the applicant.

The following were registered in opposition to the project: Stephanie Stender, 601 N. Henry Street, representing Kappa Kappa Gamma, Panhellenic House Corporation Board; Jason Tish, 2714 LaFollette Avenue, representing the Madison Trust for Historic Places; Benjamin Pierce, 556 State Street #10; Jordan Corning, 150 Iota Court, representing Chi Psi Fraternity; Tim Morgan, 146 Langdon Street, and; Colin Borden, 625 N. Frances Street.

BUSINESS BY MEMBERS

There was no business by members.

COMMUNICATIONS

There were no communications.

SECRETARY'S REPORT

Brad Murphy summarized the upcoming matters for the Commission.

- Upcoming Matters - January 14, 2013

- 5302 Tancho Drive - PUD-GDP to Amended PUD(PD)-GDP-SIP - Construct apartment complex with 263 units
- 1033 High Street - PUD-GDP to Amended PUD(PD)-GDP-SIP - Construct 67-unit apartment building
- 1360 MacArthur Road - Conditional Use - Construct 36-unit apartment building and daycare in C2 zoning

- Upcoming Matters - January 28, 2013

- 210 Langdon Street - Demolition Permit and R6 to PUD(PD)-GDP-SIP - Demolish existing fraternity house and construct new fraternity house with 33 bedrooms
- 5709 Milwaukee Street - A & PUD-SIP to Amended PUD(PD)-GDP-SIP - Amend and expand PUD for existing quarry facilities
- 302 Samuel Drive & 8552 Elderberry Road - PUD-GDP to Amended PUD(PD)-GDP - Amend the general development plan for Attic Angels-Prairie Point to increase the permitted density and future building heights for two multi-family building sites
- 4902-4908 Hammersley Road - Demolition Permit and R1 & C2 to C2(SE) - Demolish single-family residence to allow construction of an addition to office building
- 4817 Hammersley Road - Demolition Permit and Conditional Use - Demolish single-family residence to allow construction of an accessory parking lot
- 1901-1909 Freeport Road - Demolition Permit - Demolish storage buildings to allow construction of mini-storage warehouses
- 413-429 S. Yellowstone Drive - Conditional Use Alteration - Construct addition to existing community-based assisted living residential facility

ANNOUNCEMENTS

Fey reminded members that statement of interest forms were due to the City Clerk's Office.

Members of the Plan Commission expressed appreciation and congratulations to Brad Murphy on the occasion of his last meeting before his retirement from the City.

ADJOURNMENT

A motion was made by King, seconded by Hamilton-Nisbet, to Adjourn at 8:55 p.m. The motion passed by voice vote/other.