



City of Madison

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

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Monday, July 2, 2018

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 8 - Steve King; Ledell Zellers; Sheri Carter; James F. Oeth; Michael W. Rewey; Bradley A. Cantrell; James E. Polewski and Jason S. Hagenow

Excused: 2 - Melissa M. Berger and Andrew J. Statz

Non Voting: 1 - Ken Opin

Ken Opin was chair for the meeting.

Staff Present: Kevin Firchow, Chris Wells, Brian Grady and Ben Zellers, Planning Division; Matt Tucker, Building Inspection; Chris Petykowski, Engineering; and Dan Kennelly, Economic Development.

Also: Ald. Verveer; Ald. Palm; and Ald. Ahrens.

PUBLIC COMMENT

There were no registrants for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

There were no comments, disclosures, or recusals under this item.

MINUTES OF THE JUNE 18, 2018 REGULAR MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings: July 16, 30 and August 20, 2018

Special Meetings on the Comprehensive Plan: July 11, 2018 (if necessary - 5:00 p.m. in Room GR-27, City-County Building)

ROUTINE BUSINESS

1. [52061](#) Creating Sections 20.08(1) and 20.08(6) of the Madison General Ordinances to establish the West Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee and the Westside Drainage Improvement Impact Fee.
A motion was made by Cantrell, seconded by Polewski, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.
2. [52069](#) Determining a Public Purpose and Necessity and adopting a Relocation

Order for the acquisition of land interests required for flood mitigation in association with a stormwater overflow drainage way and storm sewer within Lot 170, Hawk's Landing Golf Club, in the City of Madison, Dane County, Wisconsin.
(1st AD)

A motion was made by Cantrell, seconded by Polewski, 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 registrants for the Routine Business items.

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.

Adopting the "Imagine Madison" Comprehensive Plan

3. [51349](#) Adopting the City of Madison Comprehensive Plan.

On a motion by Cantrell, seconded by Rewey, the Plan Commission recessed the public hearing and recommended that it be re-referred to the July 16, 2018 Plan Commission meeting. The motion passed by voice vote/other.

As part of this item, staff led a discussion regarding formal comments received by Boards, Committees, and Commissions, as well as public comments on the Comprehensive Plan Draft, including the plan narrative and the Generalized Future Land Use Map.

Plan Commissioners discussed and provided feedback to staff regarding specific recommended changes raised by registrants, in written comments to the Commission, and by other Boards, Committees, and Commissions.

A motion was made by Cantrell, seconded by Rewey, to RECOMMEND TO COUNCIL TO RE-REFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION and should be returned by 7/16/2018. The motion passed by voice vote/other.

The public hearings for items 3 & 4 were considered together. The registrants are listed under item 4.

4. [51391](#) Plan Commission resolution recommending adoption of the City of Madison Comprehensive Plan

On a motion by Cantrell, seconded by Rewey, the Plan Commission recessed the public hearing and referred it to the July 16, 2018 Plan Commission meeting.

As part of this item, staff led a discussion regarding formal comments received by Boards, Committees, and Commissions, as well as public comments on the Comprehensive Plan Draft, including the plan narrative and the Generalized Future Land Use Map.

Plan Commissioners discussed and provided feedback to staff regarding specific recommended changes raised by registrants, in written comments to the Commission, and by other Boards, Committees, and Commissions.

A motion was made by Cantrell, seconded by Rewey, to Refer to the PLAN COMMISSION and should be returned by 7/16/2018. The motion passed by voice vote/other.

The public hearings for items 3 & 4 were considered together.

Registered in support was Brian Standing of James Street. Registered in support and available to answer questions was Nan Fey of W. Wilson Street representing the Madison Food Policy Council - Comprehensive Plan Working Group.

Speaking in opposition were Margaret Fagerholm of S. Brittingham Place; Mark Blank of S. Brittingham Place; Sarah Jarosz of Rodney Court; and Anne Walker of Winnebago Street.

Speaking neither in support nor opposition were Rodney Schreiner of S. Brittingham Place; Colleen Berchard of Clark Court; Linda Lehnertz of S. Paterson Street; and Thomas Wilson of Clark Court. Speaking neither in support nor opposition and available to answer questions were Jared Pelski of W. Main Street, representing the Monona Bay Neighborhood Association; and Robin Dorthitt of S. Brittingham Place.

Zoning Text Amendment

- 5. [51574](#) Amending Sections 28.211, 28.032, 28.061, 28.072, 28.082, 28.091, and 28.151 of the Madison General Ordinances to allow free-standing vending as a permitted use in most non-residential districts and as a conditional use in residential districts.

On a motion by Cantrell, seconded by Rewey, the Plan Commission recommended approval of the substitute version of the zoning text amendment. 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 - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.

Speaking in support was Ald. Michael Verveer of W. Doty Street, representing Madison's 4th Aldermanic District.

Speaking neither in support nor opposition was Linda Lehnertz of S. Paterson Street.

Conditional Use & Demolition Permits

- 6. [51552](#) Consideration of an alteration to an approved conditional use for a residential building complex to allow construction of 169 apartments in five buildings on land generally addressed as 5501 Spring Tide Way (Lot 520, Village at Autumn Lake Replat); 17th Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission referred the conditional use to July 16, 2018 at the request of the applicant. The motion to refer passed by voice vote/other.

A motion was made by Cantrell, seconded by Rewey, to Refer to the PLAN COMMISSION and should be returned by 7/16/2018. The motion passed by voice vote/other.

There were no registrants on this item.

- 7. [51764](#) Consideration of a demolition permit to demolish a single-family residence with no proposed use at 105 E. Lakeview Avenue; 15th Ald. Dist.

On a motion by Cantrell, seconded by Zellers, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials and the following condition:

- As a future use was not presented at the time of application, the Plan Commission requires that the alternative future use be approved by the Plan Commission prior to the issuance of permits as allowed under Section 28.175(8)(a) MGO. The property owner shall execute a restrictive covenant prior to issuance of the demolition permit, which requires Plan Commission approval of the proposed alternative use of the property prior to issuance of building permits for any new construction. The standards for approval of the proposed alternative use shall be those in contained in Section 28.185 of the Zoning Ordinance. The form of the restrictive covenant shall be approved by the Planning Division and City Attorney's Office.

The motion to approve passed by voice vote/other.

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

Registered in support and available to answer questions was Ted Butor of Belmont Road .

8. [51765](#)

Consideration of a conditional use to construct an outdoor eating area for a restaurant-tavern at 3900 Dempsey Road; 15th 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 and the following revised condition:

- That Condition #1 of the July 2 staff report be revised to state: "The hours of operation for the outdoor eating area shall be Sunday - Thursday, 10:00 am - 10:00 pm; and Friday - Saturday, 10:00 am - 12:00 am. Future modifications to the hours of operation of the outdoor eating area may be requested by the applicant in the future as a minor alteration of the Conditional Use."

The motion to approve passed by voice vote/ other.

An earlier motion by Hagenow, seconded by Ald. King, finding the standards met and approving the conditional use subject to the comments and conditions contained in the Plan Commission materials and the original draft of Condition #1 of the July 2 staff report:

- The hours of operation for the outdoor eating area shall be 9:00 am - 1:00 am, daily. Future modifications to the hours of operation of the outdoor eating area may be requested by the applicant in the future as a minor alteration of the Conditional Use.

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

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 were Chad Corfits of Dempsey Road, representing the applicant, Mike Mitat; and Cory Gresen of Cumberland Lane.

Registered in support were Ald. David Ahrens of Major Avenue; Rico Sabatini of Claire Street; and Justin Williams of Buckeye Road.

Speaking neither in support nor opposition were Linda Lehnertz of S. Paterson Street; Anne Walker of Winnebago Street; and Kathy Soukup of Dawes Street, representing the Eastmorland Community Association.

9. [51766](#)

Consideration of a conditional use for an arts/ technical/ trade school at 84 N. Bryan Street; 6th Ald. Dist.

On a motion by Cantrell, seconded by Rewey, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials. This item 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 available to answer questions were Jim Glueck of N. Few Street and Josh Casey of Shearwater Street, both representing the applicant, Madison Circus Space. Registered in support was Brian Standing of James Street.

10. [51767](#)

Consideration of conditional uses for accessory buildings exceeding ten percent of lot area and the construction of an accessory dwelling unit at 836 Woodrow Street; 13th Ald. Dist.

On a motion by Cantrell, seconded by Ald. Carter, the Plan Commission did not find the standards were met and denied the Conditional Use. In regards to the Conditional Use Approval Standards, the Plan Commission did not find Standard #3 (28.183(6)(a)3) was met due to the proposal resulting in three buildings with accessory structure coverage resulting in 14-percent lot coverage, exceeding the 10% standard allowed by code without conditional use approval. This was stated to be a significant departure from the standards as it would have a detrimental impact it would have on the adjoining properties. The motion passed by voice vote/other.

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

Speaking in support were the applicants, Andrew Cusick and Likki Lemmon, of Woodrow Street. Registered in support was Meri Yepper of Colgate Road, representing the applicants.

Speaking in opposition were Caroline Gilles of Woodrow Street and Maria Rattunde of Woodrow Street.

11. [51947](#)

Consideration of a demolition permit to allow an abandoned well building at 212 N. First Street, 12th Ald. Dist. to be demolished for the future reconstruction and widening of E. Johnson Street and N. First Street.

On a motion by Cantrell, seconded by Polewski, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials and the following condition:

- City Engineering shall explore opportunities to salvage parts of the building as part of the bid process.

The motion to approve passed by voice vote/other.

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

Speaking in support and available to answer questions was Chris Petykowski, representing the applicant, City of Madison Engineering.

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Kevin Firchow summarized the upcoming matters for the Plan Commission.

- Upcoming Matters - July 16, 2018

- 2430 Frazier Avenue - TR-V1 to CC-T and Conditional Use - Construct bank with vehicle access sales and service window in Urban Design Dist. 1
- 754-904 Felland Road - A to SR-C1, SR-C3, SR-V2 and TR-U1 and Preliminary Plat - Jannah Village, creating 49 single-family lots, four lots for two-family twin homes, four lots for future four-unit townhouses, two lots for future multi-family housing, two outlots for public stormwater management, and one outlot for a public park
- 2013 N. Sherman Avenue - Conditional Use - Construct outdoor eating area for coffee shop
- 101 N. Hamilton Street - Conditional Use - Construct outdoor eating area for restaurant-tavern

- 17 Colorado Court - Conditional Use - Create home occupation (salon) in single-family residence
- 3914 Winnemac Avenue - Demolition Permit - Demolish single-family residence to construct new residence
- 2901 Atwood Avenue - Demolition Permit and Conditional Use - Demolish five-unit apartment building to construct nine-unit apartment building
- 1602 Parkside Drive - Conditional Use - Construct private parking facility
- 1014 E. Washington Avenue - Conditional Use - Allow arts/technical/trade school tenant (barre/fitness) in mixed-use building

- Upcoming Matters - July 30, 2018

- 209-261 Junction Road - Amended PD(GDP) and PD(SIP) - Amend General Development Plan for Prairie Town Center and approve Specific Implementation Plan to construct 8,233 square-foot commercial building and add vehicle access sales and service window to existing 12,000 square-foot commercial building
- 9951 Old Sauk Road - Final Plat - Chapel View, creating 43 single-family lots, two lots for single-family cottage development, one lot for a daycare center, and three outlots for public stormwater management
- 2406 Waunona Way - Demolition Permit and Conditional Use - Demolish portion of single-family residence to construct addition to residence on lakefront parcel and accessory building exceeding 800 square feet
- 1374 Williamson Street - Conditional Use - Construct outdoor eating area for restaurant-tavern
- 2017-2025 Fisher Street - Demolition Permit - Demolish two single-family residences to create open space for place of worship
- 4214 Doncaster Drive - Demolition Permit - Demolish single-family residence with no proposed use
- 8210 Watts Road - PD Alteration - Allow winery tenant in existing commercial building with outdoor eating area
- 442 Sidney Street - Conditional Use - Construct accessory building exceeding 576 square feet and ten percent of lot area
- 803 E. Washington Avenue - Conditional Use - Allow restaurant-nightclub in mixed-use building with outdoor eating areas
- 5380 Shaw Court - Demolition Permit - Demolish single-family residence to construct new residence

ANNOUNCEMENTS

Jason Hagenow informed the Plan Commission that he would not be at the July 30th meeting.
James Polewski informed the Plan Commission that he would not be at the July 11th meeting.

ADJOURNMENT

**A motion was made by King, seconded by Hagenow, to Adjourn at 10:36 pm.
The motion passed by voice vote/other.**