



# City of Madison

## Master

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

**File Number: 07736**

**File ID:** 07736

**File Type:** Ordinance

**Status:** Passed

**Version:** 1

**Reference:**

**Controlling Body:** PLAN  
COMMISSION

**Lead Referral:** PLAN COMMISSION

**File Created Date :** 10/09/2007

**File Name:** REC FROM FLOOR rezoning 1022 West Johnson St.

**Final Action:** 01/08/2008

**Title:** Creating Section 28.06(2)(a)3318. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3319. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District; Proposed Use: Demolish 2 Houses to Construct 14-Story, 162-Unit Apartment Building; 8th Aldermanic District: 1022 West Johnson Street.

**Notes:** 4274wjohnson/KCN

**CC Agenda Date:** 01/08/2008

**Agenda Number:** 9.

**Sponsors:** Common Council By Petition

**Enactment Date:** 01/08/2008

**Attachments:** 07736 Notice of Public Hearing.pdf ,Maps&Plans.pdf ,Comments.pdf ,UDC File 07295 ,Landmarks File 07794 ,Add Comments 120307.pdf ,Revised Staff Report 120507.pdf ,Letter 121307 & Revised Intent.pdf ,Add Comments 121707.pdf

**Enactment Number:** ORD-08-00002

**Author:** Katherine Noonan

**Hearing Date:**

**Entered by:** Janice Pena 608-261-9159

**Published Date:**

### Approval History

Version	Date	Approver	Action
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### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	10/09/2007	Approved As To Form				
1	Attorney's Office	10/09/2007	Fiscal Note Required / Approval	Comptroller's Office/Approval Group	10/10/2007	10/10/2007	

1	Comptroller's Office/Approval Group	10/10/2007	Approved Fiscal Note By The Comptroller's Office	Attorney's Office		10/10/2007	
	<b>Notes:</b>	Knepp					
1	Attorney's Office	10/10/2007	Referred for Introduction				
	<b>Notes:</b>	Plan Commission; Public Hearings November 5 PC, November 20 CC					
1	COMMON COUNCIL	10/16/2007	Refer For Public Hearing	PLAN COMMISSION	11/20/2007	12/17/2007	Pass
	<b>Action Text:</b>	A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Refer For Public Hearing to the PLAN COMMISSION and should be returned by 11/20/2007. The motion passed by voice vote/other.					
	<b>Notes:</b>	Due back at the 11/20/07 Common Council Meeting.					
1	PLAN COMMISSION	11/19/2007	RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING	PLAN COMMISSION		12/17/2007	Pass
	<b>Action Text:</b>	A motion was made by Olson, seconded by Heifetz, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.					
	<b>Notes:</b>	This matter was referred pending a recommendation by the Urban Design Commission.					
1	COMMON COUNCIL	11/20/2007	Rerefer for Recessed Public Hearing	PLAN COMMISSION		12/17/2007	Pass
	<b>Action Text:</b>	A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.					
	<b>Notes:</b>						
1	PLAN COMMISSION	12/03/2007	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING	PLAN COMMISSION		12/17/2007	Pass
	<b>Action Text:</b>	A motion was made by Olson, seconded by Cnare, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION. The motion passed by the following vote:					
	<b>Notes:</b>	This matter was referred to allow the applicant time to resolve relocation plans for the existing structures and to provide a plan for additional moped parking on the site.					
		<p>The approved motion was a substitute motion that replaced an earlier motion by Olson, seconded by Boswer, to refer the item to the Urban Design Commission to further consider the design and materials used on the top of the building. On a motion by Olson and seconded by Cnare, the substitute replaced the original motion by the following vote: Aye: Cnare, Bowser, Kerr, Whitaker, Boll, and Olson; Nay: Basford and Heifetz; Abstain: Gruber; Non-Voting: Fey. (6-2)</p>					
		<p>Ayes: 8 Lauren Cnare; Julia S. Kerr; Judy K. Olson; James C. Boll; Judy Bowser; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz</p>					
		<p>Abstentions: 1 Tim Gruber</p>					
		<p>Non Voting: 1 Nan Fey</p>					
1	COMMON COUNCIL	12/04/2007	Rerefer for Recessed Public Hearing	PLAN COMMISSION		12/17/2007	Pass
	<b>Action Text:</b>	A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by the following vote:					
	<b>Notes:</b>	Excused: 3 Paul E. Skidmore; Tim Bruer and Larry Palm					

Ayes: 17 Jed Sanborn; Brenda K. Konkel; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Brian L. Solomon; Satya V. Rhodes Conway; Julia S. Kerr; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele and David J. Cieslewicz

Abstentions: 1 Tim Gruber

1 PLAN COMMISSION 12/17/2007 RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING Pass

**Action Text:** A motion was made by to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by the following vote:

**Notes:** Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:

- That condition #4 of the Planning Division report be revised as follows: "The building at 307-309 N. Mills Street shall be preserved and relocated. All land use approvals and permits for the relocation shall be approved prior to recording the PUD. The applicant shall make every effort to relocate the building at 1022 W. Johnson Street. If the building cannot be relocated by March 15, 2008, the building may be demolished. The applicant shall provide a report to the Plan Commission on their efforts to relocate the building."

A substitute motion by Basford, seconded by Whitaker, to approve the project with a condition requiring that the demolition of 1022 W. Johnson Street come back before the Commission as an alteration to the planned unit development failed on a vote of 2-5 (Aye: Basford, Whitaker; Nay: Ald. Cnare, Ald. Kerr, Bowser, Olson; Non-voting: Fey).

Excused: 2 James C. Boll and Michael G. Heifetz

Recused: 1 Tim Gruber

Ayes: 6 Lauren Cnare; Julia S. Kerr; Nan Fey; Judy K. Olson; Judy Bowser and Michael A. Basford

Noes: 1 Beth A. Whitaker

1 COMMON COUNCIL 01/08/2008 Adopt and Close the Public Hearing Pass

**Action Text:** A motion was made by Ald. Cnare, seconded by Ald. Compton, to Adopt and Close the Public Hearing with the following additional condition: If the proposed relocation site on East Mifflin Street is not ready to receive the relocated structure currently located at 309 North Mills Street, the applicant may record the GDP/SIP/CSM for the 1022 West Johnson Street project and may proceed with the relocation of the structure to a temporary location until it can be moved to its new permanent location. The motion passed by voice vote/other.

**Notes:** 1 Registrant(s) in support wishing to speak; 3 Registrant(s) in support not wishing to speak.

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**Text of Legislative File 07736**

**Fiscal Note**

No appropriation required.

**Title**

Creating Section 28.06(2)(a)3318. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3319. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District; Proposed Use: Demolish 2 Houses to Construct 14-Story, 162-Unit Apartment Building; 8th Aldermanic District: 1022 West Johnson Street.

**Body**

DRAFTER'S ANALYSIS: Rezoning 1022 West Johnson Street

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1. WHEREAS, a PUD(GDP) Planned Unit Development (General Development Plan) District has been duly filed for approval of the Madison Common Council and is hereby made an integral component of the zoning district regulations.

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

Paragraph 3318. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

"28.06(2)(a)3318. The following described property is hereby omitted from the R6 General Residence District and added to the PUD(GDP) Planned Unit Development (General Development Plan) District:

All of Lots 7, 8, 10, 11, and 12, and part of Lot 9, CONKLIN REPLAT, as recorded in Volume 2 of Plats, on Page 17, as Document Number 234157, Dane County Registry, located in the NW 1/4 of the NW 1/4 of Section 23, T07N, R09E, City of Madison, Dane County, Wisconsin, more fully described as follows:

Commencing at the West Quarter (1/4) corner of said Section 23; thence N00°41'22"W along the West line of the Northwest Quarter (1/4) of said Section 23, 1814.96 feet; thence N89°18'38" East, 36.53 feet to the Northwest corner of aforementioned Lot 12 and the point of beginning; thence S89°09'55" East along the North line of said Lot 12, 170.18 feet to the Northeast corner of said Lot 12; thence S00°42'01"W along the East line of said Lot 12 and its southerly extension thereof, 165.92 feet to the northerly right-of-way line of Johnson Street; thence N89°09'55"W along said northerly right-of-way line, 159.67 feet; thence N47°39'21"W, 9.73 feet to the easterly right-of-way line of North Mills Street; thence N00°27'48"W along said easterly right-of-way line of North Mills Street, 159.52 feet to the aforementioned Northwest corner of Lot 12 and the point of beginning. Said description contains 27,933 square feet or 0.6413 acres."

2. WHEREAS, a PUD(SIP) Planned Unit Development (Specific Implementation Plan) District has been duly filed for approval of the Madison Common Council and is hereby made an integral component of the zoning district regulations.

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

Paragraph 3319. of Subdivision (a) of Subsection (2) of Section 28.06 of the Madison General Ordinances is hereby created to read as follows:

"28.06(2)(a)3319. The following described property is hereby omitted from the PUD(GDP) Planned Unit Development (General Development Plan) District and added to the PUD(SIP) Planned Unit Development (Specific Implementation Plan) District:

All of Lots 7, 8, 10, 11, and 12, and part of Lot 9, CONKLIN REPLAT, as recorded in Volume 2 of Plats, on Page 17, as Document Number 234157, Dane County Registry, located in the NW 1/4 of the NW 1/4 of

Section 23, T07N, R09E, City of Madison, Dane County, Wisconsin, more fully described as follows:

Commencing at the West Quarter (1/4) corner of said Section 23; thence N00°41'22"W along the West line of the Northwest Quarter (1/4) of said Section 23, 1814.96 feet; thence N89°18'38" East, 36.53 feet to the Northwest corner of aforementioned Lot 12 and the point of beginning; thence S89°09'55" East along the North line of said Lot 12, 170.18 feet to the Northeast corner of said Lot 12; thence S00°42'01"W along the East line of said Lot 12 and its southerly extension thereof, 165.92 feet to the northerly right-of-way line of Johnson Street; thence N89°09'55"W along said northerly right-of-way line, 159.67 feet; thence N47°39'21"W, 9.73 feet to the easterly right-of-way line of North Mills Street; thence N00°27'48"W along said easterly right-of-way line of North Mills Street, 159.52 feet to the aforementioned Northwest corner of Lot 12 and the point of beginning. Said description contains 27,933 square feet or 0.6413 acres."

