



City of Madison

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

Meeting Minutes - Approved PLAN COMMISSION

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Monday, September 21, 2015

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 8 - Ledell Zellers; Sheri Carter; Ken Opin; Maurice C. Sheppard; Melissa M. Berger; Michael W. Rewey; Bradley A. Cantrell and James E. Polewski
Excused: 2 - Steve King and Michael G. Heifetz

Opin was chair for the meeting.

Staff Present: Katherine Cornwell, Bill Fruhling, Rick Roll, Heather Stouder, and Kevin Firchow, Planning Division; Dan Rolfs, Office of Real Estate Services; Kay Rutledge, Parks Division; Doran Viste, Attorney's Office, and Matt Wachter, Community Development Authority.

PUBLIC COMMENT

There was no public comment under this item.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Ald. Zellers disclosed that she had been contacted by two owners of homes within the area described in agenda item 5 and stated this would not impact her ability to impartially review this item.

Brad Cantrell requested that a temporary vice chair be appointed for the the meetings of October 19, November 2, and November 16 while Chair Opin will be away and he will be chairing the meeting. On a motion by Cantrell, seconded by Rewey, Melissa Berger was appointed vice chair upon the unanimous vote of the Commission.

MINUTES OF THE AUGUST 24, 2015 MEETING

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

Ayes: 6 - Ledell Zellers; Sheri Carter; Maurice C. Sheppard; Michael W. Rewey; Bradley A. Cantrell and James E. Polewski

Abstentions: 1 - Melissa M. Berger

Recused: 1 - Ken Opin

Excused: 2 - Steve King and Michael G. Heifetz

SCHEDULE OF MEETINGS

Regular Meetings: October 5, 19 and November 2, 16, 2015

ROUTINE BUSINESS

1. [39838](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of the City Water Utility Well #20 property located at 2829 Prairie Road.

A motion was made by Cantrell, seconded by Zellers, to Return to Lead with the Recommendation for Approval to the WATER UTILITY BOARD. The motion passed by voice vote/other.

There were no registrations on this item.

2. [39839](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of the City Water Utility Well #31 property located at 4901 Tradewinds Parkway.

The motion passed by voice vote/other.

A motion was made by Cantrell, seconded by Zellers, to Return to Lead with the Recommendation for Approval to the WATER UTILITY BOARD. The motion passed by voice vote/other.

There were no registrations on this item.

3. [39905](#) Authorizing the Mayor and the City Clerk to execute a Release of Water Main Easement and to grant a Water Main Easement for existing facilities over a portion of the property located at 1701 Wright Street.

A motion was made by Cantrell, seconded by Zellers, to Return to Lead with the Recommendation for Approval to the WATER UTILITY BOARD. The motion passed by voice vote/other.

There were no registrations on this item.

4. [39914](#) Authorizing the Mayor and City Clerk to execute a lease with Madison Mutual Housing Association, Inc. of City-owned property held for future transportation purposes.

The motion passed by voice vote/other.

A motion was made by Cantrell, seconded by Zellers, 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.

5. [40068](#) Determination of Necessity of Taking for Downtown Park at W. Mifflin Street and N. Bassett St. and Authorizing the Condemnation of the Properties in the Schedule of Acquisitions

The motion passed by voice vote/other.

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

Speaking in opposition to this item was Patti Coffey of Elizabeth Street; Michael J. Lawton of South Pinckney Street, representing Goldleaf Development; Chad Fedler of University Avenue; Lindsay Fedler of North Blount Street; Bailey Fedler of Autumn Leaf Lane; and Ron Fedler of University Avenue.

Registered in opposition and not wishing to speak were Josh Lamp of Conservancy Place, DeForest, and Loleta Snow of University Avenue.

Speaking in support of this item was Ald. Mike Verveer of Doty Street representing Aldermanic District 4.

NEW BUSINESS

- 6. [39421](#) Accepting the Greening America’s Capitals: Brittingham - Triangle Green Project Report and authorizing staff to further study the concepts and actions contained in the Report during future planning and infrastructure activities within the project area.

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.

- 7. [39668](#) Accepting the report and recommendations of the Housing Strategy Committee - Market Rate Rental Report.

A motion was made by Rewey, seconded by Zellers, to Return to Lead with the Recommendation for Approval to the HOUSING STRATEGY COMMITTEE. The motion passed by voice vote/other.

There were no registrations on this item.

- 8. [40092](#) Approving the Redevelopment Plan and District Boundary for the Judge Doyle Square Redevelopment District.

NOTE: 14 VOTES REQUIRED TO ADOPT 40092

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

There were no registrations on this item.

- 9. [40129](#) Update by the Planning Division on expanded boundaries for the forthcoming Yahara Hills Neighborhood Development Plan.

Rick Roll, Planning Division, provided an update. No action taken by the Plan Commission.

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

- 10. [39891](#) Creating Section 28.022-00184 of the Madison General Ordinances to change

the zoning of properties located at 3520-3546 East Washington Avenue, 15th Aldermanic District, from CC-T (Commercial Corridor - Transitional) District to TR-C3 (Traditional Residential-Consistent 3) District.

The Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 39891) and approved the related demolition permit and conditional use request (ID 38734) in item 11.

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

The public hearings for items 10 and 11 were held together. Speaking in support of items 10 and 11 were Dan Bertler of Marketplace Drive, Tate Walker of North Broom Street; Carole Schaeffer of Olin Avenue, all representing the applicant, PDQ Food Stores, Inc. Also speaking in support of these items were Ald. David Ahrens representing Aldermanic District 15.

Speaking in opposition to these items were Diane Calhoun of Concord Avenue representing the Hawthorne Neighborhood Association and Nancy Troxel-Hoehn of Graceland Avenue.

Speaking in support of Item 10 (Zoning Map Amendment) and in opposition to Item 11 (Demolition Permit and Conditional Use) was S. Michael Shivers of Ridgeway and Avenue and Jackie Shivers of Ridgeway Avenue.

11. [38734](#)

Consideration of a demolition permit and conditional use to allow demolition of a restaurant and construction of an auto service station, convenience store and car wash at 3520-3546 E. Washington Avenue; Urban Design District 5; 15th Ald. Dist.

The Plan Commission found the standards met and approved the demolition permit and conditional use request subject to the comments and conditions in the Plan Commission materials with the following additional comments:

- That the fence north of the parking lot be extended eastward as far as Zoning and Traffic Engineering will allow;
- That original recommended Condition #48 from the Madison Fire Department be replaced as recommended in the email from Bill Sullivan, Madison Fire Department dated September 21, 2015;
- That LED lighting on the canopy only be allowed on the East Washington -facing side;
- That deliveries shall not be from Ridgeway Avenue; and
- That the hours of operation for the car wash be from 6:00 am - 10:00 pm on Monday-Friday and from 8:00 am to 10:00 pm on Saturday and Sunday.

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

The public hearings for items 10 and 11 were held together. Speaking in support of items 10 and 11 were Dan Bertler of Marketplace Drive, Tate Walker of North Broom Street; Carole Schaeffer of Olin Avenue, all representing the applicant, PDQ Food Stores, Inc. Also speaking in support of these items were Ald. David Ahrens representing Aldermanic District 15.

Speaking in opposition to these items were Diane Calhoun of Concord Avenue representing the Hawthorne Neighborhood Association and Nancy Troxel-Hoehn of Graceland Avenue.

Speaking in support of Item 10 (Zoning Map Amendment) and in opposition to Item 11 (Demolition Permit and Conditional Use) was S. Michael Shivers of Ridgeway and Avenue and Jackie Shivers of Ridgeway Avenue.

12. [39301](#)

Creating Section 28.022 -- 00180 of the Madison General Ordinances to change the zoning of properties located at 115-117 South Bassett Street, 4th Aldermanic District, from PD(GDP-SIP) (Planned Development- General Development Plan-Specific Implementation Plan) District to Amended

PD(GDP-SIP) Amended Planned Development (General Development Plan-Specific Implementation Plan) District.

This item was referred pending a recommendation by the Urban Design Commission.

A motion was made by Cantrell, seconded by Zellers, to RECOMMEND TO COUNCIL TO RE-REFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.

There were no registrations on this item.

13. [39711](#)

Creating Section 28.022 -- 00182 of the Madison General Ordinances to change the zoning of property located at 2524 Winnebago Street, 6th Aldermanic District, from PD(SIP) Planned Development (Specific Implementation Plan) District to Amended PD(SIP) Amended Planned Development (Specific Implementation Plan) District.

The Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 39711) subject to the comments and conditions in the Plan Commission materials with the following additional comments:

- That the last sentence of comment 2c of the Planning Division report be amended to state: "That details of the treatment of the art wall or living wall provided along Milwaukee Street shall be provided." The preceding language of that comment shall remain.
- That bike parking be provided at all major entrances.

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

Speaking in support of this item and representing the applicant were Mark M. Smith of Gregory Street and Marc Ott of North Main Street, Oregon, WI.

14. [39896](#)

Creating Section 28.022 -- 00183 of the Madison General Ordinances to change the zoning at properties located at 702-750 University Row, 19th Aldermanic District, from PD (GDP) Planned Development (General Development Plan) District to PD (SIP) Planned Development (Specific Implementation Plan) District.

The Plan Commission found the standards met and recommended approval of the zoning map amendment subject to the comments and conditions contained within the Plan Commission materials.

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

Registered in support and available to answer questions were Doug Hursh of University Row, Michael Grady of Highland Avenue, and Dan Day of Westward Way, all representing the applicant.

Requests Related to 1313 Regent Street

15. [39647](#)

Approving a Certified Survey Map of property owned by FCS Plan B, LLC located at 1313 Regent Street; 13th Ald. Dist.

Items 15-17 were referred to the October 5, 2015 meeting at the applicant's request. The motion to refer passed by voice vote/other.

A motion was made by Cantrell, seconded by Zellers, to Refer to the PLAN

COMMISSION and should be returned by 10/5/2015. The motion passed by voice vote/other.

There were no registrations on this item.

16. [39089](#)

REVISED - Consideration of a conditional use to allow an auto repair shop at 1313 Regent Street; 13th Ald. Dist. to be converted into a restaurant-brewpub and reception hall with outdoor eating area and a conditional use parking reduction.

Items 15-17 were referred to the October 5, 2015 meeting at the applicant's request. The motion to refer passed by voice vote/other.

A motion was made by Cantrell, seconded by Zellers, to Refer to the PLAN COMMISSION and should be returned by 10/5/2015. The motion passed by voice vote/other.

There were no registrations on this item.

17. [39648](#)

Consideration of a conditional use to allow construction of a 26-unit multi-family dwelling on land tentatively addressed as 1314 Bowen Court; 13th Ald. Dist.

Items 15-17 were referred to the October 5, 2015 meeting at the applicant's request. The motion to refer passed by voice vote/other.

A motion was made by Cantrell, seconded by Zellers, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

There were no registrations on this item.

Subdivision

18. [39480](#)

Approving the revised preliminary plat and final plat of Tennyson Ridge on land addressed as 1818-1910 Tennyson Lane; 12th Ald. Dist.

The Plan Commission found that the standards were met and recommended approval subject to the comments and conditions contained within the Plan Commission materials. This motion passed by voice vote/other.

A motion was made by Cantrell, seconded by Berger, 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.

Registered in support was the applicant, Thomas Keller of West Washington Avenue, and Paul Skidmore of Red Maple Trail, representing the applicant.

Alterations to Planned Development Districts

19. [39485](#)

Consideration of an alteration to an approved Planned Development (General Development Plan-Specific Implementation Plan) to eliminate one floor from an approved place of worship and student center at 723 State Street; 8th Ald. Dist

The Plan Commission found the standards met and approved the Planned Development alteration subject to the comments and conditions contained within the Plan Commission materials.

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 were Ron Trachtenberg of East Doty Street and Randall Milbrath, both representing the applicant.

20. [40127](#)

Reconsideration of approval of an alteration to an approved Planned Development (Specific Implementation Plan) to allow a front yard parking space for an existing residence at 403 W. Doty Street (ID 38933); 4th Ald. Dist.

The Plan Commission found the standards were met and approved the Planned Development Alteration subject to the comments and conditions contained within the Plan Commission materials and the following additional conditions:

- That the action by the Plan Commission approved the revised location of the driveway, now generally located on the east side of the property, as shown on the information provided to the Commission on September 21, 2015. Final details shall be approved by staff. This approval allows staff to revise formally approved conditions related to necessary easements to reflect the revised driveway location.
- That this driveway shall only be an approved driveway while the residence is owner occupied. The Plan Commission specified that they are not requiring the driveway to be physically removed should the residence not be owner occupied, though it shall no longer be a legal parking space.
- That the driveway shall be constructed of permeable pavers.

The motion passed by the following 5:1 vote: AYE: Ald. Zellers, Ald. Carter, Sheppard, Rewey, Cantrell and Polewski; NAY: Berger; NON-VOTING: Opin.

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

Ayes: 6 - Ledell Zellers; Sheri Carter; Maurice C. Sheppard; Michael W. Rewey; Bradley A. Cantrell and James E. Polewski

Noes: 1 - Melissa M. Berger

Excused: 2 - Steve King and Michael G. Heifetz

Non Voting: 1 - Ken Opin

Speaking in support of the proposal but in opposition to the reconsideration to add revised conditions were Amanda Funk and Levi Funk of West Doty Street. Speaking in support of this request with revised conditions was Ald. Mike Verveer of West Doty Street, representing Aldermanic District 4. Registered in support of the proposal and opposition of the reconsideration were John Schauf of West Doty Street and Susan Schauf of West Doty Street.

Conditional Use & Demolition Permits

21. [39483](#)

Consideration of a demolition permit and conditional use to demolish 3 commercial buildings and construct 6,700 sq. ft. of commercial space and 60 apartments at 2107-2249 Sherman Avenue; 12th Ald. Dist.

The Plan Commission found that the standards were met and approved the proposed demolition and conditional use requests subject to the comments and conditions contained within the Plan Commission materials and the following additional conditions:

- That the fifth floor be removed;
- That prior to submitting final plans for staff review and approval, the applicant shall work with Traffic Engineering and Planning Division staff to shift the Fordem Avenue driveway further to the south to de-emphasize the pass-through;
- That the applicant shall utilize dark mullions on the residential windows, as shown in the elevations provided;
- That the applicant shall utilize modular brick, rather than utility brick;
- That the final plans submitted for staff review and approval shall include no more than 60 dwelling units, and a parking ratio of no less than 1 stall in the underground parking area per dwelling unit;
- That additional bicycle parking shall be provided at all public entrances;

- That the Sherman Avenue driveway must meet vision triangle requirements ; and
- That residents living in the building will not be eligible for residential parking permits.

The Plan Commission approved the main motion on the following 5:2 vote: AYE: Ald. Zellers, Ald. Carter, Sheppard, Rewey, and Cantrell; NAY: Berger and Polewski; NON-VOTING: Opin.

The original motion, made by Cantrell and seconded by Rewey, was to approve the project (with the fifth story) and the above conditions not related to building height. That motion failed by the following 3-4 vote: AYE: Cantrell, Rewey, and Sheppard ; NO: Ald. Zellers, Ald. Carter, Berger, and Polewski ; NON-VOTING: Opin, That was followed by a motion by Ald. Carter, and seconded by Rewey to refer this item to the UDC for further consideration of the details of the parking plan and height of the building. That motion was replaced by a substitute motion made by Polewski, and seconded by Berger to place this item on file without prejudice. That motion was replaced by a substitute motion, which became the approved main motion.

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

Ayes: 5 - Ledell Zellers; Sheri Carter; Maurice C. Sheppard; Michael W. Rewey and Bradley A. Cantrell

Noes: 2 - Melissa M. Berger and James E. Polewski

Excused: 2 - Michael G. Heifetz and Steve King

Non Voting: 1 - Ken Opin

Speaking in support of this item and representing the applicant, McKenzie Place LLC, was Kirk Keller or Crossroads Drive. Registered in support available to answer questions were John Fish of Lakewood Avenue, Jeff Lee of Fuller Drive, and Jim Joehnk of Fourier Drive.

Speaking in opposition to this item were Jennifer Argelander or Erie Court, Annie Johnson of Northfield Place, Walter Stewart of Harbort Drive, Catherine Neumann of Northfield Place, Eileen McRae of Spahn Avenue, Nancy Thayer-Hart of Harbort Drive, Jim Thayer-Hart of Harbort Drive, and Dolores Kester of Winchester Street. Registered in opposition and available to answer questions was Axel Lorenzsonn of Harbort Drive. Registered in opposition and not wishing to speak were Pam Hanson-Stewart of Harbort Drive, Shirley Aasen of Northfield Place, Julie Evans of Fuller Drive, Nandini Lorenzsonn of Harbort Drive, Michelle Martin of Superior Street, and Terry Austin of Northfield Place.

Zoning Text Amendments

22. [39528](#) Amending Section 28.185(6) of the Madison General Ordinances to exempt from the demolition approval process single-family dwellings destroyed by fire where the bulk and placement of the replacement building meets certain requirements.

There were no registrations on this item. The motion passed by voice vote/other.

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

There were no registrations on this item.

23. [39901](#) Amending Section 28.071(3)(h)2. of the Madison General Ordinances to eliminate the requirement that rooftop screening of equipment be constructed at least one foot above the height of the equipment.

There were no registrations on this item. The motion passed by voice vote/other.

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

There were no registrations on this item.

24. [39903](#)

Amending Section 28.079(2) of the Madison General Ordinances to amend the rear yard setback requirements in the DR2 District.

There were no registrations on this item. The motion passed by voice vote/other.

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

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Katherine Cornwell noted that Planning Division staff will contact Commission members to identify available times for a future work session to discuss the results of the joint Plan Commission and Urban Design Commission retreat. She also summarized the upcoming matters:

- Upcoming Matters - October 5, 2015

- University Hill Farms Neighborhood Plan
- 718 Gilmore Street - PD(GDP) to Amended PD(GDP-SIP) - Construct addition to Wingra School
- 550 Junction Road - PD(GDP) to Amended PD(GDP-SIP) and Junction NDP Amendment - Construct 176 residential units and 7,125 sq. ft. of commercial space in a mixed-use development with 3 buildings
- 3654 Sussex Lane - Conditional Use - Construct accessory building exceeding 576 square feet in TR-C1 zoning
- 3852 Clover Lane - Conditional Use - Construct accessory building exceeding 576 square feet in TR-C4 zoning
- 5317 Wayne Terrace - Demolition Permit and Conditional Use - Demolish commercial buildings to expand parking lot for existing auto body shop
- 4110 Veith Avenue - Conditional Use - Modify accessory building on lakefront lot
- 1791 Thierer Road - Conditional Use - Construct vehicle access sales and service window for restaurant in Urban Des. Dist. 5
- 906-910 Williamson Street - Demolition Permit and Conditional Use - Demolish single-family residence to construct mixed-use building with 4,675 sq. ft. of commercial space and 26 apartments
- 1933 Observatory Drive and 1932 Linden Drive - Demolition Permit and Conditional Use - Demolish Seed Building and construct Meat Science and Muscle Biology research and instructional building on the University of Wisconsin-Madison campus

- Upcoming Matters - October 19, 2015

- Emerson East-Eken Park-Yahara Neighborhood Plan
- 6001-6033 Gemini Drive - PD(GDP) to Amended PD(GDP-SIP) - Construct up to 35,000 square feet of commercial space in 5 buildings on the "B" Block at Grandview Commons Town Center (referred to this cycle by applicant request)
- 215 Martin Luther King Jr. Blvd. & 215 S. Pinckney St. - Certified Survey Map Referral - Create 2 lots for Judge Doyle Square mixed-use development and Government East parking facility (local landmark site-Madison Municipal Building) (refer at req. of app.)
- 210 and 215 S. Pinckney Street -Judge Doyle Square Development (Proposed Addresses) - Demolition Permit and - DC to PD(GDP-SIP) - Demolish Government East parking garage and approve General Development Plan for 285,000 sq. ft. office bldg., 250-bed hotel, 34,000 sq. ft of retail and bike center, 1250-stall parking garage, and 140,000 sq. ft of future office/ comm. and approve Specific

- Implementation Plan for 285,000 sq. ft. office bldg., retail/ bike facility, and parking
- 810-854 E. Washington Avenue - Conditional Use Alteration - Construct four-story addition to existing mixed-use development containing 40 additional apartment units
- 10202-10304 Valley View Road - Temp. A to SR-C1 and PR and Preliminary Plat - Bridlewood, creating 139 single-family lots, 6 outlots for future development, 3 outlots for public stormwater mgmt., 3 public outlots for walkways and 1 outlot for public park
- 617 Woodward Drive - Conditional Use - Construct accessory building on lakefront lot
- 1835 Monroe Street - Conditional Use - Establish outdoor cooking for restaurant
- 1906 Monroe Street - Demolition Permit and Conditional Use - Demolish office in converted residence to construct mixed-use building with 6,500 sq. ft. of commercial space and 2 apartments

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

**A motion was made by Cantrell, seconded by Carter, to Adjourn at 11:34 pm.
The motion passed by voice vote/other.**