



City of Madison

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

Meeting Minutes - Approved PLAN COMMISSION

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

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Monday, January 23, 2023

5:30 PM

****Virtual Meeting****

CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:30 p.m. Zellers was chair.

Present: 9 - Jael Currie; Patrick W. Heck; Erik Paulson; Ledell Zellers; Kathleen L. Spencer; Maurice C. Sheppard; Anthony S. Fernandez; Nicole A. Solheim and Arnold (Gabe) Mendez

Excused: 1 - Bradley A. Cantrell

Mendez arrived at 5:35 p.m. following approval of the January 9 minutes and during the reading of the consent agenda.

Alders Present: Ald. Nasra Wehelie, Dist. 7; Ald. Sabrina Madison, Dist. 17; Ald. Charles Myadze, Dist. 18; Ald. Keith Furman, Dist. 19.

Staff Present: Heather Stouder and Tim Parks, Planning Division.

PUBLIC COMMENT

1. [60306](#) Plan Commission Public Comment Period

The registrant for public comment was not present when called to address the Commission. The party was also registered on Item 3, which was referred.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

There were no communications, disclosures, or recusals by members of the Plan Commission.

MINUTES OF THE JANUARY 9, 2023 REGULAR MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings:
- February 13, 27 and March 13, 27, 2023

AGENDA NOTE:

Note: Hearing items may be called at any time after the beginning of the meeting. Those wishing to speak on an item must register with the Secretary. The Plan Commission uses a consent agenda, which means that the Commission can consider any item where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

ROUTINE BUSINESS

- 2. [75503](#) Relief from conditions of gifts and dedication per Section 66.1025(1) Wisconsin Statutes, of Outlot 7, Second Addition to Truax Air Park West for the replatting (by Certified Survey Map) a portion of the plat, being located in the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (12th AD)

A motion was made by Solheim, seconded by Paulson, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

PUBLIC HEARINGS

Zoning Map Amendment

- 3. [75151](#) Creating Section 28.022-00604 of the Madison General Ordinances to assign permanent zoning of property located at 3440 High Point Road, 20th Alder District, to SR-V2 (Suburban Residential - Varied 2) District.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission recommended that the zoning map amendment be re-referred to the February 27, 2023 Plan Commission meeting (March 7, 2023 Common Council) at the request of the petitioner and future district alder. The motion to recommend re-referral passed by voice vote/ other.

A motion was made by Solheim, seconded by Paulson, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 2/27/2023. The motion passed by voice vote/other.

Development-Related Requests

Note: Items 4-6 are related and were considered as one public hearing.

- 4. [74259](#) 6604 Odana Road; 19th Ald. Dist.: Consideration of a demolition permit to demolish a theater

On a motion by Solheim, seconded by Mendez, the Commission found the standards met and approved the demolition permit. The motion passed by voice vote/other.

A motion was made by Solheim, seconded by Mendez, to Approve. The motion passed by voice vote/other.
- 5. [74624](#) Creating Section 28.022-00600 of the Madison General Ordinances to change the zoning of property located at 6604 Odana Road, 19th Alder District, from CC (Commercial Center) District to CC-T (Commercial Center-Transitional) District.

On a motion by Solheim, seconded by Mendez, the Plan Commission found the standards met and recommended approval of the rezoning to the Common Council. The motion passed by voice vote/other.

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

- 6. [74260](#) 6604 Odana Road; 19th Ald. Dist.: Consideration of a conditional use in the [Proposed] Commercial Corridor-Transitional (CC-T) District for a mixed-use building containing greater than 60 dwelling units, consideration of a conditional use in the CC-T District for a building exceeding five stories and 78 feet in height, and consideration of a conditional use for a major alteration to a planned multi-use site with 40,000 square feet or more of floor area of which 25,000 square feet or more is designed as retail, a hotel or motel; all to allow the construction of a six-story mixed-use building containing approximately 2,200 square feet of commercial space and 87 apartments.

On a motion by Solheim, seconded by Mendez, the Plan Commission found the standards met and approved the conditional use requests subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

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

Note: Items 7 and 8 are related and were considered as one public hearing.

- 7. [74909](#) 1309-1311 Theresa Terrace; 20th Ald. Dist.: Consideration of demolition permit to demolish a two-family residence.

On a motion by Solheim, seconded by Ald. Paulson, the Commission found the standards met and approved the demolition permit. The motion passed by voice vote/other.

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

- 8. [75173](#) Creating Section 28.022-00606 of the Madison General Ordinances to change the zoning of property located at 1309-1311 Theresa Terrace, 20th Alder District, from SR-C3 (Suburban Residential-Consistent 3) District to SR-V1 (Suburban Residential-Varied 1) District.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and recommended approval of the rezoning to the Common Council. The motion passed by voice vote/other.

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

Note: Items 9 and 10 are related and were considered as one public hearing.

- 9. [74910](#) 1401-1403 Theresa Terrace; 20th Ald. Dist.: Consideration of demolition permit to demolish a two-family residence.

On a motion by Solheim, seconded by Ald. Paulson, the Commission found the standards met and approved the demolition permit. The motion passed by voice vote/other.

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

- 10. [75181](#) Creating Section 28.022-00607 of the Madison General Ordinances to change the zoning of property located at 1401-1403 Theresa Terrace, 20th Alder District, from SR-C3 (Suburban Residential-Consistent 3) District to SR-V1 (Suburban Residential-Varied 1) District.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and recommended approval of the rezoning to the Common Council. The motion passed by voice vote/other.

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

Note: Items 11 and 12 are related and were considered as one public hearing.

- 11. [73382](#) 4205 Portage Road; 17th Ald. Dist.: Consideration of a conditional use in the Traditional Residential-Urban 1 (TR-U1) District for a multi-family dwelling with greater than 60 dwelling units; consideration of a conditional use in the TR-U1 District for a residential building complex; and consideration of a conditional use in the TR-U1 District for outdoor recreation, all to allow construction of approximately 485 apartments in five buildings with outdoor recreation.

On a motion by Solheim, seconded by Sheppard, the Plan Commission found the standards met and approved the conditional use requests subject to the comments and conditions in the Plan Commission materials. The main motion to approve with the conditions in the Plan Commission materials passed by voice vote/other.

The original Solheim motion, as seconded, included an amendment to the proposed conditions to remove the condition recommended by the Urban Design Commission regarding wood mulch. However, on a motion by Ald. Paulson, seconded by Ald. Heck, the Plan Commission amended the motion to revise the proposed conditions to keep the wood mulch as recommended by the Urban Design Commission. The motion to amend the main motion passed by voice vote/ other, with Solheim and Mendez voting NAY.

An earlier motion by Ald. Paulson, seconded by Ald. Heck, to refer the question of wood or stone mulch to the Urban Design Commission for further discussion with the applicant was withdrawn by Ald. Paulson with the consent of the body.

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

- 12. [73801](#) Approving a Certified Survey Map of property owned by Hidden Creek Holdings, LLC located at 4205 Portage Road; 17th Ald. Dist.

On a motion by Solheim, seconded by Mendez, the Plan Commission found the standards met and recommended approval of the land division subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

A motion was made by Solheim, seconded by Mendez, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

Note: Items 13-15 are related and were considered as one public hearing.

- 13. [74907](#) 4522 E Washington Avenue; 17th Ald. Dist.: Consideration of a demolition permit to demolish a commercial building.

On a motion by Solheim, seconded by Ald. Paulson, the Commission found the standards met and approved the demolition permit. The motion passed by voice vote/other.

A motion was made by Solheim, seconded by Paulson, to Approve. The motion passed by voice vote/other.
- 14. [74908](#) 4522 E Washington Avenue; 17th Ald. Dist.: Consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for a vehicle access sales and service window for a restaurant.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and approved the conditional use subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

A motion was made by Solheim, seconded by Paulson, to Approve. The motion passed by voice vote/other.
- 15. [74058](#) Approving a Certified Survey Map of property owned by Galway Companies, Inc. located at 4522 E Washington Avenue; 17th Ald. Dist.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and recommended approval of the land division subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

A motion was made by Solheim, seconded by Paulson, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

Note: Items 16-18 are related and were considered as one public hearing.

- 16. [75247](#) Amending the Rattman Neighborhood Development Plan to revise the land use recommendation for approximately 24 acres of land located on the east side of Eastpark Boulevard at proposed Dreamer Drive from Employment to Community Mixed Use.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission recommended approval of the neighborhood development plan amendment. The motion passed by voice vote/other.

A motion was made by Solheim, seconded by Paulson, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.
- 17. [75182](#) Creating Section 28.022-00608 of the Madison General Ordinances to change the zoning of portions of property located at 4846 Eastpark Boulevard, 17th Alder District, from SEC (Suburban Employment Center) District to CC-T (Commercial Corridor-Transitional) District and Creating Section 28.022-0069 of the Madison General Ordinances to change the zoning of portions of property located at 4846 Eastpark Boulevard from SEC (Suburban Employment Center) District to TR-U2 (Traditional Residential - Urban 2) District.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and recommended approval of the rezoning to the Common Council. The motion passed by voice vote/other.

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

18. [74911](#)

Approving the preliminary plat and final plat of *The American Center Eastpark Fifth Addition* on property addressed as 4846 Eastpark Boulevard; 17th Ald. Dist.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and recommended approval of the preliminary plat and final plat subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

A motion was made by Solheim, seconded by Paulson, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

19. [72210](#)

1801-1841 Northport Drive; 12th Ald. Dist.: Consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for a vehicle access sales and service window, and consideration of a conditional use to allow construction of a new building in a planned multi-use site containing more than 40,000 square feet of floor area and where 25,000 square feet of floor area is designed or intended for retail use or for hotel or motel use, all to allow construction of a one-story coffee shop with vehicle access sales and service window

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and approved the conditional use subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

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

20. [75171](#)

Creating Section 28.022-00605 of the Madison General Ordinances to change the zoning of property located at 6853 McKee Road, 7th Alder District, from PD (GDP) (Planned Development-General Development Plan) District to Amended PD (GDP) (Amended Planned Development-General Development Plan) District.

On a motion by Solheim, seconded by Ald. Heck, the Plan Commission found the rezoning and planned development standards met and recommended approval to the Common Council subject to the comments and conditions in the Plan Commission materials and the following revisions:

- Remove condition 7 (third Urban Design Commission recommended condition), "Provide the option to make Building A1 all residential versus mixed-use."

- On a motion by Ald. Paulson, seconded by Fernandez, the Plan Commission revised recommended conditions 3 and 6 of the staff report to require that the western building be two-stories tall. The motion to revise the conditions passed on the following 5-4 vote: AYE: Zellers, Ald. Currie, Ald. Paulson, Fernandez, Spencer; NAY: Ald. Heck, Mendez, Sheppard, Solheim; EXCUSED: Cantrell.

An earlier motion by Ald. Paulson, seconded by Fernandez, to revise the recommended conditions to strike the Solheim/ Heck-recommended language (below) and maintain the Urban Design Commission- and staff-recommended conditions 3 and 6 failed on the following 4-5 vote: AYE: Ald. Currie, Ald. Paulson, Fernandez, Spencer; NAY: Zellers, Ald. Heck, Mendez, Sheppard, Solheim; EXCUSED: Cantrell.

Solheim previously moved, seconded by Ald. Heck, that conditions 3 and 6 of the staff report be revised as follows: "The standalone commercial building shall be designed to hold the corner and maximize the building volume at the corner of Golden Copper Lane and McKee Road. The building design shall be more in line with the two-story plan recommendations ~~either by adding a story, or by incorporating an architecture volume like a mezzanine, etc.~~ or a massing that is similar to a two-story volume, or some

combination thereof. This requirement shall be referenced in the final zoning text for the PD(GDP) and be met as part of the approval of the Specific Implementation Plan preceding the issuance of building permits."

The main motion to recommend approval subject to the revised conditions passed by voice vote/ other.

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

- 21. [74897](#) 2015 Winnebago Street; 6th Ald. Dist.: Consideration of a conditional use in the Traditional Shopping Street (TSS) District for a tasting room.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and approved the conditional use subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

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

- 22. [75242](#) 2335 City View Drive; 17th Ald. Dist.: Consideration of a conditional use in the Suburban Employment (SE) District for a hospital to allow construction of an addition to and conversion of a two-story office building into a hospital.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and approved the conditional use subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

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

- 23. [75243](#) 3802 Galleon Run; 16th Ald. Dist.: Consideration of a conditional use in the Industrial-Limited (IL) District for building material sales.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the standards met and approved the conditional use subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

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

Extraterritorial Land Divisions

- 24. [74900](#) 5978 Portage Road, Town of Burke: Approval of a Certified Survey Map within the City's Extraterritorial Jurisdiction to create two lots.

On a motion by Solheim, seconded by Ald. Paulson, the Plan Commission found the extraterritorial plat approval standards met and approved the Certified Survey Map subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

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

- 25. [74357](#) 3180 Burke Road, Town of Burke: Approval of a Certified Survey Map within the City's Extraterritorial Jurisdiction to create three lots.

On a motion by Ald. Paulson, seconded by Ald. Heck, the Plan Commission found that the extraterritorial plat approval standards and criteria were not met and placed the land division on file without prejudice. The motion passed by voice vote/ other.

A motion was made by Paulson, seconded by Heck, to Place On File Without Prejudice. The motion passed by voice vote/other.

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Heather Stouder summarized recent Common Council actions and highlighted upcoming matters.

- Recent Common Council Actions

- Repealing and re-creating MGO Section 28.104, Transit-Oriented Development overlay district and amending various other sections of MGO Ch. 28 for TOD - Adopted Second Substitute with portions of historic districts, as recommended by Plan Commission, at the January 17, 2023 Council meeting
- 118 W Wilson Street - Amended PD(GDP-SIP) to construct six-story jail addition to Dane County Public Safety Building - Adopted subject to Plan Commission recommendation at January 17, 2023 Council meeting
- 310-322 E Washington Avenue - Rezoning from UMX to PD(GDP-SIP) for redevelopment of St. John's Lutheran Church - Adopted subject to Plan Commission recommendation at January 17, 2023 Council meeting

- Upcoming Matters – February 13, 2023

- 621 Pioneer Road and 10451 Old Sauk Road - Revised Preliminary Plat and Final Plat of "Fox Knoll," creating 74 single-family residential lots, one lot for an existing water tower, and two outlots for public stormwater management
- 1650 Pankratz Street - Conditional Use - Construct addition to create an office/ warehouse/distribution facility
- Adjacent to 2876 Siggelkow Road - Extraterritorial Certified Survey Map - Create two lots from 0711-311-8010-0 in the Town of Cottage Grove
- Zoning Text Amendment - Updating the 'Family' Definition

- Upcoming Matters – February 27, 2023

- Odana Area Plan Implementation Items:
- Official Map Amendment to map reservations for Genomic Drive and Charmany Drive extensions in the University Research Park area
 - Official Map Amendment to map reservations for various future public streets on the parcels commonly known as West Towne and on surrounding properties
 - 7701-7717 Mineral Point Rd, 7802-7878 Big Sky Dr, et al - Rezone from PD to RMX and CC & SR-V2 to RMX (Area 1)
 - Rezone West Towne Mall Area from CC to RMX (Area 2)
 - 6405-6701 Mineral Point Rd., 6502-6602 Grand Teton Plz., et al - Rezone from SE & CC to RMX and SE to CC-T (Area 3)
 - 5922 Research Park Blvd & 6101 Mineral Point Road Rezone from CC-T & MXC to RMX, CC-T & SE (Area 4)
 - 406-440 Science Drive, 401-441 Charmany Drive, et al - Rezone from SE to RMX (Area 5)
 - 5501-5601 Research Park Blvd, 621-645 Science Dr, et al - Rezone from SE to RMX (Area 6)
 - 606-670 S Whitney Way - Rezone from CC to RMX (Area 7)

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by Solheim, seconded by Sheppard, to Adjourn at 9:20 p.m. The motion passed by voice vote/other.

REGISTRATIONS

A final, complete list of persons registered for items on the Plan Commission agenda will be attached to the below-listed file following adjournment of the meeting. The final list of registrations for a particular meeting will include the meeting date in the title of the file. Registrants will no longer be entered on the minutes after each item. An agenda item with no registrants will not appear on the table of registrants attached for that meeting; however, that item will still have been considered as noted in the proceedings for that meeting.

[75227](#)

Registrants for 2023 Plan Commission Meetings