



City of Madison

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

Meeting Minutes - Amended PLAN COMMISSION

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Monday, July 22, 2013

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 6 -

Steve King; Ledell Zellers; Ken Opin; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Excused: 5 -

Scott J. Resnick; Eric W. Sundquist; Melissa M. Berger; Michael G. Heifetz and John L. Finnemore

Ken Opin was chair for the meeting.

Staff Present: Steven A. Cover, Secretary; Katherine Cornwell, Kevin Firchow, Heather Stouder, and Linda Horvath, Planning Division; Matt Tucker, Building Inspection, Matt Wachter and Natalie Erdman, Community Development Authority.

PUBLIC COMMENT

Cheryl Elkington, 205 Corporate Drive, representing the Vegan Haven Central, addressed the Plan Commission and expressed environmental concerns including the use of pesticides and pollutants into the ground and lakes. She outlined a recommended approach for lake clean up.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Tonya Hamilton-Nisbet disclosed that she knows the leasees in agenda item 1 and stated this would not impact her ability to consider this item.

MINUTES OF THE JULY 8, 2013 MEETING

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

SCHEDULE OF MEETINGS

August 5, 26 and September 16, 30, 2013

ROUTINE BUSINESS

1. [30884](#) Authorizing the Mayor and City Clerk to execute a lease with Philip G. Plourd and Rhonda K. Plourd for a portion of the City's East Rail Corridor located adjacent to 2318 Atwood Avenue.

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

There were no registrations on this item.

ROLL CALL

Present: 7 -

Steve King; Ledell Zellers; Scott J. Resnick; Ken Opin; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Excused: 4 -

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

NEW BUSINESS

2. [30617](#) Report of the Community Development Division Regarding SRO Housing: Strategies to provide affordable housing with supportive services for the homeless

A motion was made by Rewey, seconded by Resnick, 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.

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.

Neighborhood Plan

3. [30378](#) Adopting the Arbor Hills - Leopold Neighborhood Plan as a Supplement to the City of Madison Comprehensive Plan.

The motion includes the recommended conditions from other City boards and commissions and the request from Roger Tesch presented to the Plan Commission that "Lions Club" on pages 78 and 98 of the draft Plan be amended to "Fitchburg Lions Club." The motion passed by voice vote/ other.

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

Speaking in support of this item were Sheri Carter, Ashford Lane, representing the Arbor Hills Neighborhood Association; Jennifer Bendorf, Pike Drive, representing the Leopold Neighborhood Association and Leopold Park Community Garden; and Roger Laurel Teusch, Greenway Cross, Fitchburg, representing the Leopold Neighborhood Association.

Zoning Map Corrections

4. [30729](#) Creating Section 28.022 -- 00063 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C4 (Traditional Residential - Consistent District 4) District. Proposed Use: No Change; Map Correction. 13th Aldermanic District; 2802 Monroe Street.
- The Plan Commission recommended that this zoning map amendment be re-referred to the September 30, 2013 Plan Commission and October 15, 2013 Common Council meeting. The motion passes by voice vote/ other.
- A motion was made by Resnick, seconded by Rewey, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 9/30/2013. The motion passed by voice vote/other.**
5. [30730](#) Creating Section 28.022 -- 00064 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C4 (Traditional Residential - Consistent District 4) District. Proposed Use: No Change; Map Correction. 13th Aldermanic District; 666 Crandall Street.
- The Plan Commission recommended that this zoning map amendment be re-referred to the September 30, 2013 Plan Commission and October 15, 2013 Common Council meeting. The motion passes by voice vote/ other.
- A motion was made by Resnick, seconded by Rewey, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 9/30/2013. The motion passed by voice vote/other.**
6. [30731](#) Creating Section 28.022 -- 00065 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C4 (Traditional Residential - Consistent District 4) District. Proposed Use: No Change; Map Correction. 13th Aldermanic District; 2820 Monroe Street.
- The Plan Commission recommended that this zoning map amendment be re-referred to the September 30, 2013 Plan Commission and October 15, 2013 Common Council meeting. The motion passes by voice vote/ other.
- A motion was made by Resnick, seconded by Rewey, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 9/30/2013. The motion passed by voice vote/other.**
7. [30736](#) Creating Section 28.022 -- 00066 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C4 (Traditional Residential - Consistent District 4) District. Proposed Use: No Change; Map Correction. 13th Aldermanic District; 668 Pickford Street.
- The Plan Commission recommended that this zoning map amendment be re-referred to the September 30, 2013 Plan Commission and October 15, 2013 Common Council meeting. The motion passes by voice vote/ other.
- A motion was made by Resnick, seconded by Rewey, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 9/30/2013. The motion passed by voice vote/other.**
8. [30737](#) Creating Section 28.022 -- 00067 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C4 (Traditional Residential - Consistent District 4) District. Proposed Use: No Change; Map Correction. 13th Aldermanic District; 2902 Monroe Street.
- The Plan Commission recommended that this zoning map amendment be re-referred to the September 30, 2013 Plan Commission and October 15, 2013 Common Council meeting. The motion passes by voice

vote/ other.

A motion was made by Resnick, seconded by Rewey, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 9/30/2013. The motion passed by voice vote/other.

The public hearings for Items 4-8 were considered together. The following were registered:

Speaking in support were Lynn Pitman, Fox Avenue and Priscilla Arsove, Knickerbocker Street; Registered in support and not wishing to speak were Jane Riley, Monroe Street; Judith Rose, Monroe Street; Mary S. Erdman, Sheldon Street; Barbara Widder, Knickerbocker Street; Sandra E. Stark, Gregory Street; Marcia Diamond, Crandall Street;

Speaking in opposition and requesting a zoning change to a more restrictive district was Michael Briggs, Storytown Road, Oregon. Speaking in opposition was Mark Messer, Crandall Street.

Zoning Text Amendments

- 9. [30692](#) Amending Section 28.082 of the Madison General Ordinances to allow taxi and limousine businesses in the Traditional Employment (TE) District.

The motion passed unanimously.

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

There were no registrations on this item.

- 10. [30711](#) Amending Section 28.088(5)(a) of the Madison General Ordinances to create an exception to the parking placement site standards for lots that are 20 acres or larger.

The motion passed unanimously.

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

There were no registrations on this item.

- 11. [30723](#) Amending Sections 28.151, 28.211, 31.14, and 33.24 of the Madison General Ordinances to change the name of "Multi-Family Complex" to "Residential Building Complex" and to allow single family dwellings in such complexes.

The motion passed unanimously.

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

There were no registrations on this item.

- 12. [30724](#) SUBSTITUTE Amending Sections 28.072 and 28.151 of the Madison General Ordinances to prohibit ground-floor residential dwellings in locations within the Downtown and Urban Districts which the Downtown Plan recommends for non-residential uses.

The motion passed unanimously.

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

vote/other.

There were no registrations on this item.

Conditional Use/ Demolition Permits

13. [30330](#) Consideration of a conditional use to allow construction of an outdoor eating area for a restaurant and parking lot modifications for site containing adjacent residence at 605 E. Washington Avenue and 5 S. Blair Street; 6th Ald. Dist.
- Referred pending a recommendation by the Urban Design Commission, with no future date specified.
- A motion was made by Hamilton-Nisbet, seconded by Resnick, to Re-refer to the PLAN COMMISSION. The motion passed by voice vote/other.**
- There were no registrations on this item.
14. [30133](#) Consideration of a demolition permit and conditional use to allow a bank to be demolished and a multi-tenant retail building with a vehicle access service window to be constructed at 6698 Odana Road; 19th Ald. Dist.
- The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials.
- A motion was made by Rewey, seconded by Resnick, to Approve. The motion passed by voice vote/other.**
- Registered in support and available to answer questions were John Bieno, TJK Design Build, representing the applicant and the applicant, Richard Klinke, Monona Drive.
15. [30528](#) Consideration of a demolition permit to allow a restaurant to be demolished and a new multi-tenant retail building to be constructed at 420 Gammon Place; 19th Ald. Dist.
- The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials.
- A motion was made by Rewey, seconded by Resnick, to Approve. The motion passed by voice vote/other.**
- Registered in support and available to answer questions were Gary Brink, Elmwood Avenue, Middleton, representing the applicant and the applicant, Mike Ring, Park Towne Development, 402 Gammon Place.
16. [30530](#) Consideration of a conditional use to allow a former auto repair business to be converted into an auto rental facility at 2101 Darwin Road; 12th Ald. Dist.
- The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials.
- A motion was made by Cantrell, seconded by Resnick, to Approve. The motion passed by voice vote/other.**
- There were no registrations on this item.
17. [30531](#) Consideration of a demolition permit to allow a single-family residence at 712 Harrison Street to be demolished to allow construction of an addition containing 4 new dwelling units and 750 square feet of new retail space at the rear of an existing mixed-use building at 1902 Monroe Street; 13th Ald. Dist.
- The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials and the following additional condition:
- That the applicant works with staff on providing additional bike parking in the right-of-way.

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

Speaking in support of this item was David Ferch, Gregory Street, representing the applicant, James Shapiro. Registered in support and available to answer questions was James Stopple, Regent Street, representing the applicant James Shapiro. Registered in support and not wishing to speak were James Knight, Monroe Street and Renee Knight, Keyes Avenue. Also speaking in support of this item was Ald. Sue Ellingson, representing District 13.

Registered in opposition but not speaking on this item was C. Elkington, 205 Corporate Drive representing Vegan Haven Central. Registered in opposition and available to answer questions was Sonja Nealis, Monroe Street.

Speaking in neither support nor opposition was Michael Briggs, Storytown Road, Oregon.

18. [30658](#)

Consideration of a conditional use to allow construction of a restaurant with outdoor eating area at East Towne Mall at 4323 East Towne Boulevard; 17th Ald. Dist.

The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials with the following modified conditions:

- That the plans are approved subject to the spandrel glass and shutters as shown on the attached plans. This condition replaces the UDC recommended condition from the July 10, 2013 meeting that stated "The shutter infill is not to be spandrel but comply with the ordinance."
- That Condition 2 of the revised July 22, 2013 staff report be deleted. A revised condition stating that a revised sidewalk location, as presented to the Plan Commission, shall be required instead of the sidewalk recommended in Condition 2. The revised sidewalk shall extend along the northeastern side of the building, as currently shown, and extend to a new sidewalk installed parallel to East Towne Way (the private mall ring road). The sidewalk shall extend southwest parallel to East Towne Way, to the intersection of the ring road and the mall entry road. A crosswalk shall be provided at the intersection leading to the installed sidewalk on the opposite side of the ring road.
- That the applicant can revise the color of the awnings to allow for terra-cotta colored awnings. This conditions the UDC recommended condition from the July 10, 2013 meeting that stated "The canvas awning shall match in color as shown on the drawings."

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

Speaking in support of this item were the applicant John Sheehan, Theis Drive, Shakopee MN and Gregg Hackett, Abbott Avenue South, Minneappolis MN, representing the applicant. Registered in support and not wishing to speak was Tammy Rozek, East Towne Mall.

Registered in opposition and not speaking was Cheryl Elkington, Corporate Drive, representing Vegan Haven Central.

Zoning Map Amendments & Related Requests

19. [30532](#)

Creating Section 28.022 -- 00061 of the Madison General Ordinances rezoning property from UMX (Urban Mixed Use) District to DC (Downtown Core) District. Proposed Use: Rezoning a portion of a 1.5-acre property to allow construction of a mixed-use building containing approx. 22,000 square feet of commercial space, 7,000 square feet of flex space, and 329 apartments following demolition of an apartment building and hotel/retail building; 4th Aldermanic District, 431 North Frances Street.

The Plan Commission recommended approval subject to the comments and conditions contained within the Plan Commission materials and the following revised and additional conditions:

- That final plans shall include a barrier preventing access from the courtyard area to the rooftop of the adjacent restaurant at 425 North Frances Street (Porta Bella Restaurant).
- That condition 44 be revised as noted in the July 22 memorandum of the Zoning Administrator to read "As submitted, the proposed bike parking solution appears to address the bike parking needs for the development. This cannot be confirmed until the building is built and fully occupied. Thus, the bike

parking shall be studied by Zoning and Traffic Engineering staff when the development is fully occupied, and if additional bike parking areas are determined necessary, automobile parking spaces shall be substituted with surface, structured, or wall-mount bicycle parking facilities."

- That condition 32 of the July 10 staff report be revised to remove the requirement for the applicant to provide an additional exit-only driveway access from the parking facility onto Frances Street.

The main motion passed unanimously. The recommendation to revise condition 32 to remove the requirement for an additional exit-only driveway onto Frances Street was made by Ald. King, seconded by Ald. Resnick, and approved on a 4:2 vote: (AYE: Ald. Resnick, Ald. King, Cantrell and Hamilton-Nisbet; NO: Ald. Zellers and Rewey; NON-VOTING: Opin). A motion by Ald. King, seconded by Ald. Resnick to eliminate the staff recommendation requiring a linear window pattern on all facades of the tower elements failed by a 2:4 vote: AYE: Ald. King and Ald. Resnick; NO: Ald. Zellers, Cantrell, Rewey, and Hamilton-Nisbet; NON-VOTING: Opin).

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

20. [30660](#)

Consideration of a demolition permit and conditional use to allow demolition of an apartment building and mixed-use hotel/ retail building and construction of a mixed-use building containing approximately 22,000 square feet of commercial space, 7,000 square feet of flex space, and 329 apartments at 529-557 State Street, 431-441 N. Frances Street and 432 W. Gilman Street; 4th Ald. Dist.

The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials and the following revised and additional conditions:

- That final plans shall include a barrier preventing access from the courtyard area to the rooftop of the adjacent restaurant at 425 North Frances Street (Porta Bella Restaurant).
- That condition 44 be revised as noted in the July 22 memorandum of the Zoning Administrator to read "As submitted, the proposed bike parking solution appears to address the bike parking needs for the development. This cannot be confirmed until the building is built and fully occupied. Thus, the bike parking shall be studied by Zoning and Traffic Engineering staff when the development is fully occupied, and if additional bike parking areas are determined necessary, automobile parking spaces shall be substituted with surface, structured, or wall-mount bicycle parking facilities."
- That condition 32 of the July 10 staff report be revised to remove the requirement for the applicant to provide an additional exit-only driveway access from the parking facility onto Frances Street.

The main motion passed unanimously. The recommendation to revise condition 32 to remove the requirement for an additional exit-only driveway onto Frances Street was made by Ald. King, seconded by Ald. Resnick, and approved on a 4:2 vote: (AYE: Ald. Resnick, Ald. King, Cantrell and Hamilton-Nisbet; NO: Ald. Zellers and Rewey; NON-VOTING: Opin). A motion by Ald. King, seconded by Ald. Resnick to eliminate the staff recommendation requiring a linear window pattern on all facades of the tower elements failed by a 2:4 vote: AYE: Ald. King and Ald. Resnick; NO: Ald. Zellers, Cantrell, Rewey, and Hamilton-Nisbet; NON-VOTING: Opin).

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

The public hearings for Items 19 and 20 were considered together. The following were registered:

Speaking in support of these items were Brian Munson, East Lakeside Street; Matt Lisher, Wolcott Street; Joseph Antonovich, Huron Street, Chicago, IL; and Jeff Zelisko, Green Forest Road, Deer Park, IL, all representing the applicant. Registered in support and available to answer questions were Tom Harrington, Champaign, IL and Brian Nuiswerder, Mullilein Drive, also representing the applicant. Also registered in support and available to answer questions were Brian Mullins, Rowley Avenue; Mike Osborne, Marketplace Drive; Susan Springman, 401 North Carroll Street; and Brad Mullins 401 North Carroll Street.

Speaking in opposition to these items were Mardee Dappin, Dane County; Sarah Atis, West Shore Drive. Registered in opposition and not wishing to speak were Gail Geiger (Address Not Provided).

Speaking in neither support nor opposition was Wally Borowski, North Frances Street.

21. [30872](#) Amending the Pioneer Neighborhood Development Plan to revise the land use recommendation for an approximately ten-acre parcel located north of Silicon Prairie Parkway from Employment uses to Medium Density Residential uses.
- The Plan Commission recommended approval of the neighborhood plan amendment by voice vote/ other.
- A motion was made by King, seconded by Resnick, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.**
22. [30533](#) Creating Section 28.022 -- 00060 of the Madison General Ordinances rezoning property from A (Agricultural) District to TR-U1 (Traditional Residential - Urban District 1) District.
- Proposed Use: Rezone 10 acres for future multi-family development; 9th Aldermanic District; 9414 Silicon Prairie Parkway.
- The Plan Commission recommended approval of the zoning map amendment and related Certified Survey Map (ID 30661) subject to the comments and conditions contained within the Plan Commission materials. The motion passed by voice vote/ other.
- A motion was made by Rewey, seconded by Resnick, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.**
23. [30661](#) Approving a Certified Survey Map of property owned by NEW WEI, LLC generally located at 9414 Silicon Prairie Parkway; 9th Ald. Dist.
- The Plan Commission recommended approval of the Certified Survey Map and related zoning map amendment (ID 30533) subject to the comments and conditions contained within the Plan Commission materials. The motion passed by voice vote/ other.
- A motion was made by Rewey, seconded by Resnick, 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.**
- The public hearings for Items 21-23 were considered together. The following were registered:
- Speaking in support were the applicant John McKenzie, Hidden Cave Road and Neil Gebhart, Briarhaven Drive. Registered in opposition and speaking in opposition to staff recommended conditions was Kurtis D. Welton, Keyes Avenue.

Extraterritorial Subdivision

24. [29710](#) Approving the final plat of Wood Ger Development generally located at 3370 Burke Road, Town of Burke, within City of Madison's Extraterritorial Plat Approval Jurisdiction.
- A motion was made by Hamilton-Nisbet, seconded by Rewey, to Refer to the PLAN COMMISSION and should be returned by 8/26/2013. The motion passed by voice vote/other.**
- There were no registrations on this item.

BUSINESS BY MEMBERS

There was no Business by Members.

SECRETARY'S REPORT

Kevin Firchow summarized the upcoming matters.

- Upcoming Matters - August 5, 2013

- 210 S. Brooks Street - Alteration to PD District - Amend general development plan and approve specific implementation plan to convert school into apartments and construct new apartment building with 128 total units
- 1613-1721 N. Sherman Ave & 1713 Schlingen Avenue - Demolition Permit and Conditional Use - Demolish two single-family residences to allow construction of an addition to Well #7
- 2021 E. Johnson Street - Conditional Use - Construct oversized accessory building in TR-C4 zoning
- 114 Van Deusen Street - Conditional Use Alteration - Modify playground and eliminate parking space for existing Montessori school
- 4938 Lake Mendota Drive - Demolition Permit and Conditional Use - Demolish single-family residence and construct new residence on lakefront property
- 1801 Beld Street - Demolition Permit Follow-up - Approval of plans for a two-family residence following a 2005 demolition approval

- Upcoming Matters - August 26, 2013

- 425 W. Washington Avenue - Demolition Permit and DR-2 to UMX- Demolish medical office building to construct mixed-use building containing 7,700 square feet of commercial space and 50 apartments
- 610 John Nolen Drive - Conditional Use - Construct 111-room hotel in planned multi-use site (in Urban Design Dist. 1)
- 698 S. Whitney Way - Demolition Permit and Conditional Use - Demolish retail building and construct restaurant with vehicle access service window (in Urban Design Dist. 3)

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by King, seconded by Hamilton-Nisbet, to Adjourn at 10:23 pm. The motion passed by voice vote/other.