



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

*This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at [www.madisoncitychannel.tv](http://www.madisoncitychannel.tv).*

---

Monday, September 30, 2013

5:30 PM

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

---

### CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:35 p.m.

**Present:** 9 -

Ledell Zellers; Scott J. Resnick; Ken Opin; Eric W. Sundquist; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

**Excused:** 2 -

Steve King and John L. Finnemore

Opin was chair for this meeting.

Ald. Resnick arrived at 5:50 p.m. prior to the beginning of the public hearing.

Staff present: Steve Cover, Secretary; Katherine Cornwell, Kevin Firchow and Tim Parks, Planning Division; Doug Voegeli, Public Health Madison-Dane County, and; Matt Tucker, Zoning Administrator.

### PUBLIC COMMENT

There were no registrants for public comment.

Following the public comment period and during the public hearing, Cheryl Elkinton of Corporate Drive submitted a number of registration forms to speak on a number of matters discussed by the Plan Commission at its September 16, 2013 meeting. Opin noted this error and encouraged the registrant to register to speak on one of the items remaining on the September 30 agenda.

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

During the public hearing on Item 14, Rewey stated that he knew one of the applicants and recused himself from further consideration of the matter.

During the discussion on Item 18, Ald. Resnick noted that he was an investor in a restaurant that smoked products off-site but that it would not affect his ability to participate in this item.

### MINUTES OF THE SEPTEMBER 16, 2013 MEETING

**A motion was made by Sundquist, seconded by Berger, to Approve the Minutes. The motion passed by voice vote/other.**

### SCHEDULE OF MEETINGS

October 14 and November 4, 18, 2013

**ROUTINE BUSINESS**

- 1. [31557](#) Authorizing the release of a public right-of-way reservation that encumbers the property located at 3394 E. Washington Avenue.

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

- 2. [31639](#) Authorizing the execution of a Purchase and Sale Agreement between the City of Madison and Mount Olive Evangelical Lutheran Church for the purchase of property located at 4018 Mineral Point Road for the location of a Midtown police station and an amendment to the 2013 Capital Budget to provide \$30,000 for earnest money and buyer's contingencies.

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

**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.

**Zoning Map Amendments & Related Requests**

- 3. [30729](#) SUBSTITUTE. Creating Section 28.022 -- 00063 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-V1 (Traditional Residential-Varied 1) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 2802 Monroe Street.

The Plan Commission recommended approval of the substitute zoning map amendment ordinance by voice vote/ other.

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

- 4. [30730](#) SUBSTITUTE. Creating Section 28.022 -- 00064 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-V1 (Traditional Residential - Varied 1) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 666 Crandall Street.

The Plan Commission recommended approval of the substitute zoning map amendment ordinance by voice vote/ other.

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

5. [30731](#) SUBSTITUTE. Creating Section 28.022 -- 00065 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-V1 (Traditional Residential - Varied 1) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 2820 Monroe Street.

The Plan Commission recommended approval of the substitute zoning map amendment ordinance by voice vote/ other.

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

6. [30736](#) SUBSTITUTE. Creating Section 28.022 -- 00066 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C2 (Traditional Residential - Consistent 2) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 668 Pickford Street.

The Plan Commission recommended approval of the substitute zoning map amendment ordinance by voice vote/ other.

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

7. [30737](#) SUBSTITUTE. Creating Section 28.022 -- 00067 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C2 (Traditional Residential-Consistent 2) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 2902 Monroe Street.

The Plan Commission recommended approval of the substitute zoning map amendment ordinance by voice vote/ other.

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

The following were registered in Items 3-7, which were considered together:

Speaking in support of the proposed zoning map corrections was Lynn Pitman of Fox Avenue, representing the Dudgeon-Monroe Neighborhood Association.

Registered in support but not wishing to speak (on Items 6 and 7) was Jane Riley of Monroe Street.

8. [31425](#) Creating Section 28.022 -- 00072 of the Madison General Ordinances to amend a Planned Development District to approve an Amended Specific Implementation Plan to allow demolition of 6 residential structures and construction of a new apartment building with 74 units at 105-113 S. Mills Street and 1020-1022 Mound Street; 13th Aldermanic District.

The Plan Commission found that the standards and criteria met and recommended approval of the amended Planned Development and approved the related demolition permit (ID 31306) subject to the comments and conditions contained in the Plan Commission materials with the following conditions:

- That the applicant work with City staff to preserve the 29-inch silver maple tree located at the southeastern corner of the property;
- That the applicant work with City staff on providing more convenient residential exterior bike parking and providing visitor bike parking.

The motion to approve the Amended PD-SIP with the above conditions 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.**

9. [31306](#)

Consideration of a demolition permit to allow 6 residential structures to be demolished as part of the approval of a Planned Development-Specific Implementation Plan for the construction of a 74-unit apartment building at 105-113 S. Mills Street and 1020-1022 Mound Street; 13th Ald. Dist.

The Plan Commission found that the standards met and approved the demolition permit and related Planned Development amendment (ID 31425) subject to the comments and conditions contained in the Plan Commission materials with the following conditions:

- That the applicant work with City staff to preserve the 29-inch silver maple tree located at the southeastern corner of the property;
- That the applicant work with City staff on providing more convenient residential exterior bike parking and providing visitor bike parking.

The motion to approve the demolition permit with the above conditions passed by voice vote/ other.

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

The following were registered on Items 8 and 9, which were considered together:

Speaking in support of the proposed development were: Joe Gallina, Gallina Corporation of E. Main Street, Mt. Horeb, the applicant; John Holz, Plunkett-Raysich Architects, LLP of Crossroads Drive, and Ron Trachtenberg, Murphy Desmond, SC of E. Main Street, both representing the applicant, and; Kevin Snitchler, Meriter Hospital, 202 S. Park Street.

Speaking in opposition to the proposed development were Prudence Barber of S. Mills Street and Donald MacCrimmon of Mound Street.

Speaking neither in support nor opposition to the proposed development was Mardee Dapin, no address given.

Registered in support and available to answer questions were Craig Enzenroth, Gallina Corporation of E. Main Street, Mt. Horeb, the applicant, and Steve Kieckhafer, Plunkett-Raysich Architects, LLP of Crossroads Drive, representing the applicant.

Registered in opposition but not wishing to speak were: Petra Ressler of Mound Street; Sven Middlefort of Mound Street, and; Barbara MacCrimmon of Mound Street.

Registered neither in support nor opposition and available to answer questions was John Perkins of Emerald Street, representing the Greenbush Neighborhood Association.

10. [31426](#)

Creating Section 28.06(2)(a)00075. of the Madison General Ordinances rezoning property from TR-C4 (Traditional Residential - Consistent District 4) District to PD(Planned Development) District and approving a general development plan and specific implementation plan to allow 3 new single-family residences to be constructed along St. James Court in the rear yards of existing Mound Street residences at 1220-1236 Mound Street; 13th Aldermanic District

The Plan Commission found that the standards and criteria met and recommended approval of the zoning map amendment to the Planned Development zoning district and the related subdivision plat (ID 31305) subject to the comments and conditions contained in the Plan Commission materials with the following conditions:

- That the property owners be responsible for the exterior maintenance of the lots;
- That the applicant work with City staff on the design and construction of sidewalk along St. James Court adjacent to the development;
- That the zoning text be revised to not allow parking for this development to be leased to non-residents;

- A condition of approval for this project shall be that a maximum of 9 residential parking permits shall be issued for this development. This restriction shall be noted in the final zoning text for the Planned Development and in the residential dwelling unit leases, with a copy of the residential lease to be provided with the final plans for the project;

- That the zoning text be revised to state that Lots 4-7 shall retain their nonconforming status for occupancy (family definition);

- On a motion by Cantrell, seconded by Heifetz, that the applicant work with City staff to provide 2-3 additional parking stalls with moped flexibility. The motion to amend the conditions passed 5-3 on the following vote: AYE: Ald. Resnick, Berger, Cantrell, Hamilton-Nisbet, Heifetz; NAY: Ald. Zellers, Rewey, Sundquist; NON-VOTING: Opin; EXCUSED: Ald. King, Finnemore.

A motion by Hamilton-Nisbet, seconded by Sundquist for the applicant to work with City staff to provide moped parking if possible was withdrawn.

The motion to approve the zoning map amendment and subdivision plat with the above conditions passed by voice vote/ other.

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

11. [31305](#)

Approving the final plat of St. James Cottage Homes located at 1220-1236 Mound Street; 13th Ald. Dist.

The Plan Commission found that the standards and criteria met and recommended approval of the related zoning map amendment to the Planned Development zoning district (ID 31426) and the subdivision plat subject to the comments and conditions contained in the Plan Commission materials with the following conditions:

- That the property owners be responsible for the exterior maintenance of the lots;

- That the applicant work with City staff on the design and construction of sidewalk along St. James Court adjacent to the development;

- That the zoning text be revised to not allow parking for this development to be leased to non-residents;

- A condition of approval for this project shall be that a maximum of 9 residential parking permits shall be issued for this development. This restriction shall be noted in the final zoning text for the Planned Development and in the residential dwelling unit leases, with a copy of the residential lease to be provided with the final plans for the project;

- That the zoning text be revised to state that Lots 4-7 shall retain their nonconforming status for occupancy (family definition);

- On a motion by Cantrell, seconded by Heifetz, that the applicant work with City staff to provide 2-3 additional parking stalls with moped flexibility. The motion to amend the conditions passed 5-3 on the following vote: AYE: Ald. Resnick, Berger, Cantrell, Hamilton-Nisbet, Heifetz; NAY: Ald. Zellers, Rewey, Sundquist; NON-VOTING: Opin; EXCUSED: Ald. King, Finnemore.

A motion by Hamilton-Nisbet, seconded by Sundquist for the applicant to work with City staff to provide moped parking if possible was withdrawn.

The motion to approve the subdivision plat and related zoning map amendment with the above conditions passed by voice vote/ other.

**A motion was made by Rewey, seconded by Sundquist, 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 following were registered on Items 10 and 11, which were considered together:

Speaking in support of the proposed development was J. Randy Bruce, Knothe & Bruce Architects, LLC of University Avenue, Middleton, representing the applicant, Mike Fisher, Mound Street, LLC of Blackhawk Drive, who was registered in support and available to answer questions.

Speaking in opposition to the proposed development were Jerry Haugh of St. James Court, and John Perkins of Emerald Street, representing the Greenbush Neighborhood Association.

Speaking neither in support nor opposition to the proposed development was Don MacCrimmon of Mound Street.

**Conditional Use/ Demolition Permits**

- 12. [31312](#) Consideration of a conditional use to allow construction of an electric vehicle charging station in the parking lot of East Towne Mall on land generally addressed as 89 East Towne Mall; 17th Ald. Dist.  
 The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials.  
**A motion was made by Berger, seconded by Cantrell, to Approve. The motion passed by voice vote/other.**

Registered to speak in opposition to the proposal was Cheryl Elkinton of Corporate Drive.

- 13. [31313](#) Consideration of a conditional use to construct an accessory building on a lakefront property at 1028 Sherman Avenue; 2nd Ald. Dist.  
 The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials.  
**A motion was made by Zellers, seconded by Hamilton-Nisbet, to Approve. The motion passed by voice vote/other.**

Registered in support of the request and available to answer questions was Ron Trachtenberg, Murphy Desmond, SC of E. Main Street, representing the applicant, Dave and Kim Goeden.

- 14. [31314](#) Consideration of a conditional use to allow construction of an accessory building exceeding 10 percent of the area of the lot at 2154 West Lawn Avenue; 13th Ald. Dist.  
 The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials.  
 In finding that the standards were met, members of the Plan Commission stated that they felt that the proposed accessory building fit in with the neighborhood, that the design of the accessory building worked well with the design of the principal residence, that the corner lot location could support additional accessory floor area, and that the storage loft above the garage was appropriate due to the limited amount of storage in many homes in the area.  
**A motion was made by Heifetz, seconded by Berger, to Approve. The motion passed by the following vote:**

**Ayes:** 4 -  
 Ledell Zellers; Michael G. Heifetz; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

**Noes:** 3 -  
 Scott J. Resnick; Eric W. Sundquist and Melissa M. Berger

**Recused:** 1 -  
 Michael W. Rewey

**Excused:** 1 -  
 Steve King and John L. Finnemore

**Non Voting:** 1 -  
 Ken Opin

Speaking in support of the proposal was the co-applicant, Charlie Wills of West Lawn Avenue.

Speaking in opposition to the proposal was Jeanne Hoffman of West Lawn Avenue.

Registered in support but not wishing to speak was the co-applicant, Crystal Redfield of West Lawn Avenue.

**Zoning & Other Ordinance Text Amendments**

- 15. [31453](#) Amending Sections 28.151 and 28.211 of the Madison General Ordinances to allow overnight sleeping in tents or in other temporary portable shelters as an accessory use of a religious institution or a nonprofit organization in specific districts.

The Plan Commission recommended approval of the zoning text amendment by voice vote/ other.

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

Speaking in support of the proposed zoning text amendment were: Brenda Konkell of N. Hancock Street, representing Occupy Madison, Inc.; Richard Dellatonia, no address given; Ann Waymouth of Regent Street; Cheryl Elkinton of Corporate Drive; Allen Barkoff of Barlow Street; Dave Peters, no address given, and; Ronnie Barbett of Lake Point Drive, representing "Sanctuary" Homeless Group.

Registered in support but not wishing to speak were: Wendi Kent of Lorillard Court; Matt Kozlowski of N. Lake Street, representing Progressive Dane; Cindy Ford, no address given; Dan Callahan of N. Hancock Street; Robert Fischer of Aberg Avenue; Susan Pastor of Green Ridge Drive; Sue Kozubek, no address given; Anne Lytle of Upham Street; Martina Rippon of Woodview Court; Heidi Wegleitner of E. Dayton Street; Will Gruber of Gilson Street; Jen Thompson of Gilson Street; Trina Clemente of Myrtle Avenue; Franny Ingebritson of Wisconsin Avenue, and Jonquil Johnston, no address given.

- 16. [31481](#) Amending Sections 28.135(2) and 28.211 of the Madison General Ordinances to provide an exception to the street frontage rule for lots adjacent to a park

The Plan Commission recommended approval of the zoning text amendment 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.**

- 17. [31482](#) Amending 16.23(8)(d)2. of the Madison General Ordinances in the Land Subdivision Regulations to provide an exception to the street frontage rule for lots adjacent to a park.

The Plan Commission recommended approval of the ordinance amendment by voice vote/ other.

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

Registered in support of Items 16 and 17 was Jonquil Johnston, no address given.

- 18. [31483](#) Amending Chapter 28 Zoning Districts - Site Standards to allow outdoor cooking as a permitted accessory use to a location that prepares food and creating a definition in Sec. 28.211 of the Madison General Ordinances for outdoor cooking operation.

The Plan Commission recommended re-referral of this zoning text amendment to October 14, 2013 to allow for staff to refine the proposal to address concerns raised during discussion of this matter.

In recommended revisions for staff to explore, members of the Plan Commission suggested that "temporary" and "permanent" outdoor cooking operations be handled differently, potentially using the Public Health Department's guidelines for temporary cooking operations as a guide. Members of the Commission also suggested that outdoor cooking operations be a conditional use in more densely developed or established areas of the City and in Residence Districts.

**A motion was made by Rewey, seconded by Sundquist, to RECOMMEND TO**

**COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION, due back on October 14, 2013. The motion passed by the following vote:**

**Ayes:** 7 -  
 Ledell Zellers; Scott J. Resnick; Eric W. Sundquist; Melissa M. Berger;  
 Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

**Noes:** 1 -  
 Michael G. Heifetz

**Excused:** 1 -  
 John L. Finnemore and Steve King

**Non Voting:** 1 -  
 Ken Opin

Speaking in support of the zoning text amendment were Jed Sanborn of Red Granite Road and Brian Ezman of Rock Crest Road, Middleton.

**BUSINESS BY MEMBERS**

Cantrell requested that staff provide comments for the Plan Commission on zoning text amendments in the future.

**SECRETARY'S REPORT**

Tim Parks summarized upcoming matters for the Commission.

**- Upcoming Matters - October 14, 2013**

- Zoning Text Amendment - Add "Tourist Rooming House" to the Zoning Code
- Zoning Text Amendment - Adding Community Living Arrangements with more than 15 residents as a conditional use in TSS and CC-T districts
- 801 Erin Street - Demolition Permit, Conditional Use and TR-C2 to TR-C3 - Demolish single-family residence and construct new residence in TR-C3 zoning and construct accessory building exceeding 10 percent of the area of the lot
- 702 N. Midvale Boulevard - Amended PD-GDP-SIP - Amend Planned Development plans to allow the redevelopment of the "north wing" of Hilldale Shopping Center to convert enclosed retail spaces into open air spaces
- 4698 Eastpark Boulevard - Final Plat - The American Center - Hanson Second Addition, creating 1 lot for future development and 1 outlot for existing private drive
- 5402 Voges Road - Demolition Permit - Relocate single-family residence to allow construction of an office building
- 1403 Gilson Street - Demolition Permit and Conditional Use - Demolish partially collapsed commercial building and construct new building for a taxi business in the TE district
- 3051 E. Washington Avenue - Demolition Permit - Demolish restaurant with no proposed alternative use
- 554 W. Main Street - Conditional Use Alteration - Amend the conditions of approval for an existing outdoor eating area

**- Upcoming Matters - November 4, 2013**

- 10203 Mineral Point Road - SR-C1 & SR-V2 to TR-C3 & TR-U1 and Preliminary Plat and Final Plat of Birchwood Point, creating 230 single-family residential lots, 1 lot for future multi-family development, 41 public outlots, and 1 outlot to be maintained privately
- 900 John Nolen Drive - Conditional Use - Construct mixed-use building with 18,000 square feet of office space and 80 apartment units
- 502 Apollo Way - PD-GDP to PD-SIP - Construct 105-unit apartment building
- 5817 Halley Way - Amended PD-GDP-SIP - Amend general development plan and specific implementation plan for senior residential community to add dwelling units and potential office space and daycare
- 3802 Packers Avenue - SR-C1 to PD-GDP - Approval of a general development plan for a future senior independent living and assisted-living development
- 1316 Hooker Avenue - Conditional Use Alteration - Convert former pool into 3 additional dwelling units in an existing apartment building
- 633-711 W. Badger Road - Demolition Permit and Conditional Use - Demolish car wash to create outdoor recreation area for existing place of worship
- 610 Highland Avenue - Conditional Use Alteration - Construct addition to existing parking structure at



University Hospital

## **ANNOUNCEMENTS**

There were no announcements.

## **ADJOURNMENT**

**A motion was made by Hamilton-Nisbet, seconded by Resnick, to Adjourn at 10:45 p.m. The motion passed by voice vote/other.**