



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved PLAN COMMISSION

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Monday, July 7, 2014

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 10 - Steve King; Ledell Zellers; Ken Opin; Eric W. Sundquist; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Maurice C. Sheppard

Excused: 1 - Scott J. Resnick

Ken Opin was chair for the meeting.

Staff Present: Steve Cover, Secretary; Katherine Cornwell, Tim Parks, Heather Stouder, and Kevin Firchow, Planning Division; Don Marx, Office of Real Estate Services; and Lorri Wendorf-Corrigan, Community Resources.

PUBLIC COMMENT

There was no public comment under this item.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Melissa Berger indicated that her Grandfather lived across the street from the subject site on item #10 but that would not impact her ability to review that item.

MINUTES OF THE JUNE 23, 2014 MEETING

A motion was made by King, seconded by Hamilton-Nisbet, to Approve the Minutes. The motion passed by the following vote:

Ayes: 7 - Steve King; Ledell Zellers; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Abstentions: 1 - Eric W. Sundquist

Excused: 1 - Scott J. Resnick

Non Voting: 2 - Ken Opin and Maurice C. Sheppard

SCHEDULE OF MEETINGS

July 28 and August 11, 25, 2014

ROUTINE BUSINESS

1. [34536](#) Authorizing the execution of a Purchase and Sale Agreement between the City of Madison and Wingh-Kai Anthony Cheung for the City's acquisition of a commercial property located at 1233 McKenna Boulevard for a

neighborhood center and an amendment to the 2014 Capital Budget to fund the acquisition.

The main motion passed unanimously.

A previous motion made by Cantrell and seconded by Hamilton-Nisbet to refer this item failed by the following vote 4:5 vote: AYE: Heifetz, Hamilton-Nisbet, Ald. Zellers and Cantrell; NO: Berger, Rewey, Sundquist, Ald. King, and Opin; NON-VOTING: Sheppard; EXCUSED: Ald. Resnick. During the discussion on this item, Ald. King raised a Point of Order regarding the scope of the Plan Commission's review and standards of approval.

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

2. [34538](#)

Authorizing the execution of a Purchase and Sale Agreement between the City of Madison and AnchorBank FSB for the purchase of 48 lots and 1 outlot in the Owl's Creek Subdivision and amending the 2014 Capital Budget to provide funding for the acquisition.

The motion passed unanimously.

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.

There were no registrations on this item.

3. [34547](#)

Authorizing the Mayor and the City Clerk to accept a Warranty Deed from Venture II Properties, LLC, dedicating land for public right-of-way purposes; and authorizing the execution of a Partial Release of Non-Exclusive Easement for Drainage Purposes, both pertaining to a property located at 617 North Segoe Road.

The motion passed unanimously.

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.

4. [34553](#)

Authorizing the Mayor and City Clerk to execute an air space lease with All Saints Retirement Center, Inc., and All Saints Cottages and Condos, Inc. to accommodate a skywalk connecting the two properties located at 8202 Highview Drive and 501 Commerce Drive.

The Plan Commission recommended approval by the following 7:1 vote: AYE: Ald. Zellers, Sundquist, Berger, Heifetz, Cantrell, Hamilton-Nisbet, and Ald. King; NO: Rewey; NON-VOTING: Opin and Sheppard; EXCUSED: Ald. Resnick.

A motion was made by King, seconded by Cantrell, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES,. The motion passed by the following vote:

Ayes: 7 - Steve King; Ledell Zellers; Eric W. Sundquist; Melissa M. Berger; Michael G. Heifetz; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Noes: 1 - Michael W. Rewey

Excused: 1 - Scott J. Resnick

Non Voting: 2 - Ken Opin and Maurice C. Sheppard

There were no registrations on this item.

5. [34575](#)

Granting an air space lease to All Saints Retirement Center, Inc., and All Saints Cottages and Condos, Inc., for use of the public right-of-way over Commerce Drive for an enclosed pedestrian skywalk connecting buildings located at 8202 Highview Drive and 501 Commerce Drive.

The Plan Commission recommended approval by the following 7:1 vote: AYE: Ald. Zellers, Sundquist, Berger, Heifetz, Cantrell, Hamilton-Nisbet, and Ald. King; NO: Rewey; NON-VOTING: Opin and Sheppard; EXCUSED: Ald. Resnick.

A motion was made by King, seconded by Cantrell, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES,. The motion passed by the following vote:

Ayes: 7 - Ledell Zellers; Eric W. Sundquist; Melissa M. Berger; Michael G. Heifetz; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Steve King

Noes: 1 - Michael W. Rewey

Excused: 1 - Scott J. Resnick

Non Voting: 2 - Ken Opin and Maurice C. Sheppard

Registered in support and available to answer questions was John Thode representing All Saints, Inc.

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 Amendment

6. [34216](#)

SUBSTITUTE Creating Section 28.022 -- 00133 of the Madison General Ordinances to change the zoning at property located at 1910 Tennyson Lane, 12th Aldermanic District, from Planned Development District (General Development Plan) District to Planned Development District (Amended General Development Plan and Specific Implementation Plan) District to allow construction of a multi-family dwelling with 70 independent units and 60 assisted living units.

The Plan Commission unanimously recommended that this item be referred to the Plan Commission meeting of July 28,2014 and the August 5,2014 Common Council meeting at the request of the applicant.

A motion was made by Rewey, seconded by Zellers, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 7/28/2014. The motion passed by voice vote/other.

There were no registrations on this item.

Conditional Use & Demolition Permits

- 7. [33467](#) Consideration of a demolition permit and conditional use to demolish 3 existing apartment buildings and construct 12-story mixed-use building with 2,100 square feet of retail space and 148 apartments at 425-435 W. Johnson Street; 4th Ald. Dist.

This item was referred indefinitely due to inactivity on this application.

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

There were no registrations on this item.

- 8. [33909](#) Consideration of a demolition permit and conditional use to allow an office building to be demolished and a mixed-use building containing 1,300 square feet of commercial space and 30 apartment units to be constructed at 330 E. Wilson Street; 6th Ald. Dist.

This item was referred to the July 28, 2014 meeting for the purpose of receiving a recommendation by the Urban Design Commission.

A motion was made by Rewey, seconded by Zellers, to Refer to the PLAN COMMISSION and should be returned by 7/28/2014. The motion passed by voice vote/other.

There were no registrations on this item.

- 9. [34164](#) Consideration of a demolition permit and a major alteration to an approved conditional use for a residential building complex to allow 4 residential buildings to be demolished and 48 apartment units to be constructed in 3 new buildings at Truax Park Apartments, 1601 Wright Street; 15th Ald. Dist.

This item was referred to the July 28, 2014 meeting at the request of the applicant.

A motion was made by Rewey, seconded by Zellers, to Refer to the PLAN COMMISSION and should be returned by 7/28/2014. The motion passed by voice vote/other.

There were no registrations on this item.

- 10. [34165](#) Consideration of a demolition permit and conditional use to allow an existing water tower to be demolished and a new water tower to be constructed at 1202 Northport Drive in Lake View Hill Park; 18th Ald. Dist.

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

-That the proposed temporary parking lot shall be removed from final plans submitted for staff review and approval.

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

Ayes: 7 - Steve King; Ledell Zellers; Eric W. Sundquist; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey and Tonya L. Hamilton-Nisbet

Noes: 1 - Bradley A. Cantrell

Excused: 1 - Scott J. Resnick

Non Voting: 2 - Ken Opin and Maurice C. Sheppard

Speaking in support of this item was Dennis Cawley, Olin Avenue, representing the Madison Water Utility. Registered in support and available to answer questions was Jon Strand, representing the Madison Water Utility.

Speaking in opposition of this item was Jim Powell of Lake View Avenue and Jon Becker of Kenwood Avenue. Registered in opposition and not wishing to speak was Maria Powell of Lake View Avenue.

Speaking in neither support nor opposition was Wayne Darling of Lake View Avenue.

11. [34168](#)

Consideration of a conditional use for a residential building complex to allow 72 apartments to be constructed in 2 buildings on land generally addressed as 901 Sugar Maple Lane; 1st. Ald. Dist.

The Plan Commission found that the standards were met and approved this request subject to the comments and conditions contained within the Plan Commission materials.

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

Speaking in support of this item was Randy Bruce, Knothe Bruce Architects, of University Avenue, representing the applicant, TR McKenzie. Registered in support and available to answer questions was Scott Alt of STH 33, Portage.

Speaking in opposition was Ron Boehnen of Sugar Maple Lane and Nancy Froncek of Valley View Road. Registered in opposition and not speaking was Denise Boehnen of Sugar Maple Lane.

12. [34479](#)

Consideration of a conditional use for a residential building complex to allow 180 apartments to be constructed in 8 buildings on land generally addressed as 1001 Sugar Maple Lane; 1st. Ald. Dist.

The Plan Commission found that the standards were met and approved this request subject to the comments and conditions contained within the Plan Commission materials.

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

Speaking in support of this item was Randy Bruce, Knothe Bruce Architects, of University Avenue, representing the applicant, TR McKenzie. Registered in support and available to answer questions was Scott Alt of STH 33, Portage.

Speaking in opposition was Ron Boehnen of Sugar Maple Lane and Nancy Froncek of Valley View Road. Registered in opposition and not speaking was Denise Boehnen of Sugar Maple Lane.

13. [34332](#)

Consideration of a conditional use to construct an outdoor eating area for a restaurant at 2202 E. Johnson Street; 12th Ald. Dist.

The Plan Commission found that the standards were met and approved this request subject to the comments and conditions contained within the Plan Commission materials.

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

Registered in support and available to answer questions was Carol Vander Sluis of Country Grove Drive, representing Milio's Sandwiches and Evan Dannells of 7th Street, representing the 4 & 20 Bakery and Cafe.

14. [34333](#)

Consideration of a conditional use to construct an outdoor eating area for a restaurant-tavern at 627 W. Main Street; 4th Ald. Dist.

This item was referred to allow for the applicant to file an amended application.

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

There were no registrations on this item.

15. [34334](#) Consideration of a conditional use for a brewery with an outdoor eating area and tasting room at 3801 Kipp Street; 16th Ald. Dist.

The Plan Commission found that the standards were met and approved this request 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.

Speaking in support of this item was Isaac Schowaki of Lakewood Blvd representing Octopi Brewery LLC. Registered in support and available to answer questions were John Brigham of Voges Road representing Fallen Oak LLC and Dave Uttech of CTH G, Beaver Dam representing Keller, Inc. Speaking in opposition to this item was Roger Conlisk of Marsh Road. Registered in neither support nor opposition and not speaking was Alex Li of Orchard Drive.

16. [34335](#) Consideration of a demolition permit and conditional use to demolish a commercial building and construct a mixed-use building containing 7,800 square feet of commercial space and 55 apartments at 706 Williamson Street; 6th Ald. Dist.

The Plan Commission found that the standards were met and approved this request subject to the comments and conditions contained within the Plan Commission materials and the following revised conditions:

- That entrances to the building shall be provided at least every 40 feet.
- That the Plan Commission recommends that City Traffic Engineering review the safety of the Blount and Williamson Street intersection.

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

Ayes: 6 - Eric W. Sundquist; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Steve King

Noes: 2 - Ledell Zellers and Melissa M. Berger

Excused: 1 - Scott J. Resnick

Non Voting: 2 - Ken Opin and Maurice C. Sheppard

Speaking in support of this item was the applicant, Marty Rifkin of Yosemite Trail. Also speaking in support of this item were Jim Brown and Mark Ernst, both of Engberg Anderson of West Washington Avenue, representing the applicant. Also speaking in support of this item was Linsey Lee of Williamson Street. Registered in support and not wishing to speak was Steve Scheid of Musket Ridge Drive, Sun Prairie.

Speaking in opposition to this item were Linda Lehnertz of South Paterson Street; Peter Wolf of Jenifer Street; Michael Soref of Rutledge Court representing the Marquette Neighborhood Association; Joy Nenmann of Jenifer Street; Gary Tipler of Jenifer Street; John Coleman of South Dickenson Street representing the Marquette Neighborhood Association; and Anne Walker of Winnebago Street representing the Marquette Neighborhood Association.

Registered in opposition and available to answer questions was Rolf Rodefelf of Thornton Avenue. Registered in opposition and not wishing to speak were Gregory Humphrey of Spaight Street; James R. Wilson of Spaight Street; Maryline Beurg of Patterson Street; Steve Ohlson of Paterson Street; Leslie Schroeder of Jenifer Street; and Ross Wuennenberg. Also registered in opposition and not speaking was Daniel Grossbeag of Williamson Street.

Speaking in neither support nor opposition was Peter Bock of Blount Street.

Subdivision

17. [34331](#) Approving the preliminary plat and final plat of Truax Park generally located at 1601 Wright Street; 15th Ald. Dist.

This item was referred to the July 28, 2014 meeting at the request of the applicant.

A motion was made by Sundquist, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by 7/28/2014. The motion passed by voice vote/other.

There were no registrations on this item.

BUSINESS BY MEMBERS

Michael Heifetz requested an opinion from the City Attorney's office on the criteria the Plan Commission should use to review and evaluate routine business items. Tonya Hamilton-Nisbet recommended suggested consideration be given to creating a strategic plan for historic preservation which could address demolition and relocation, documentation standards, and strategies for receiving sites.

SECRETARY'S REPORT

Kevin Firchow noted the upcoming matters.

- Upcoming Matters - July 28, 2014

- 722-734 Williamson Street - TSS to PD (GDP-SIP) - Construct mixed-use building with 5,425 square feet of commercial space, 2,375 square feet of co-working space and 209 apartments
- 1014 Williamson Street - Zoning Map Correction - TR-V2 to TSS - Rezone two-family residence and mixed-use building on same parcel
- 2002-2006 Monroe Street - PD to TR-C2 - Return property to single-family housing
- 1301-1325 Applegate Road and 1302-1326 Greenway Cross - Zoning Map Correction - IL to CC-T - Rezone a variety of retail-service properties
- Zoning Text Amendment - Amend MGO Secs. 28.064(3)(d), 28.065(3)(c), 28.066(3)(c), 28.067(3)(c), 28.068(3)(c), 28.084(3)(b) and 28.085(3)(c) to clarify rear or side yard setbacks on corner lots adjacent to residential districts.
- Zoning Text Amendment - Revise MGO Sec. 28.151 and create MGO Secs. 28.087(4)(h), 28.088(4)(c), and 28.089 (4)(c) to move supplemental regulations for food and beverage uses into EC, IL and IG
- Zoning Text Amendment - Amend various sections of MGO Chapter 28 to revise various inconsistencies and scrivener errors with the Zoning Code
- Zoning Text Amendment - Amend MGO Sec. 28.031(2) regarding the sidewall offset for non-residential buildings
- 3315 Nelson Road - Extraterritorial Preliminary Plat - Windswept, creating 6 lots in the Town of Burke
- 827 E. Gorham Street - Demolition Permit and Conditional Use - Demolish single-family residence to allow construction of a two-family residence and accessory building exceeding 576 square feet in the TR-V2 district
- 1405 Emil Street - Conditional Use - Construct outdoor eating area for restaurant- tavern
- 33-45 Nob Hill Road - Extraterritorial Certified Survey Map - Create 2 lots in the Town of Madison

- Upcoming Matters - August 11, 2014

- 6602 Dominion Drive - Amended PD (GDP) and Certified Survey Map - Amend general development plan for Door Creek Church and approve a four-lot CSM to create a two-family twin lot, 2 single-family lots and 1 lot for the church campus
- 208 W. Sunset Court - Demolition Permit - Demolish single-family residence and construct new single-family residence
- 2158 Atwood Avenue - Demolition Permit and Conditional Use - Demolish office building to construct mixed-use building with 2,900 square feet of retail and 32 apartments
- 220 N. Meadow Lane - Conditional Use - Construct detached accessory dwelling unit
- 4202 Milwaukee Street - Demolition Permit - Demolish auto service station and convenience store with no proposed use
- 1801 Legacy Lane - Conditional Use - Construct two-family twin home within 300 feet of another two-family twin home
- 7671-7713 Mid Town Road - Extraterritorial Certified Survey Map - Create 4 lots in the Town of Verona

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by King, seconded by Zellers, to Adjourn at 11:30 pm. The motion passed by voice vote/other.