



City of Madison

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

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Monday, February 10, 2014

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 5:30 p.m.

Present: 10 -

Steve King; Ledell Zellers; Scott J. Resnick; Ken Opin; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Maurice C. Sheppard

Excused: 2 -

Eric W. Sundquist and John L. Finnemore

Opin was chair for this meeting.

Ald. Resnick arrived at 5:50 p.m. during Item 1.

Staff present: Katherine Cornwell, Bill Fruhling, Rebecca Cnare, Rick Roll and Tim Parks, Planning Division; Matt Tucker, Zoning Administrator, and; Greg Fries, City Engineering Division.

PUBLIC COMMENT

There were no registrants for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

There were no communications, disclosures or recusals.

MINUTES OF THE JANUARY 27, 2014 MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings: March 10, 24 and April 8, 29, 2014

Special Meeting: March 17, 2014 to discuss year one of the new Zoning Code; 5:00 p.m. in Room LL-110 of the Madison Municipal Building

NEW BUSINESS

1. [32645](#) Accepting the report of the Lamp House Block Ad Hoc Plan Committee.

On a motion by Rewey, seconded by Berger, the Plan Commission recommended approval of the report with the following revisions:

- That the recommendations of the Landmarks Commission and Urban Design Commission be adopted subject to the staff recommendations contained in the February 7, 2014 memo to the Plan Commission, including the Landmarks Commission recommendation to add the language to the first whereas clause,

"a designated City of Madison Landmark" after the words "Lamp House", and add to the second to last clause "as a supplement to the City's Downtown Plan" to the end of that clause .

- That the photos/ views on pages 10, 15 and 16 be captioned to reflect the map on page 15.
- That Bill White's written comments on the report be added as an addendum.

The motion to recommend approval subject to the above revisions passed on the following 7-1 vote: AYE: Ald. King, Ald. Resnick, Ald. Zellers, Berger, Cantrell, Hamilton-Nisbet, Rewey; NAY: Heifetz; NON-VOTING: Opin, Sheppard; EXCUSED: Sundquist, Finnemore.

A motion was made by Rewey, seconded by Berger, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER. The motion passed by the following vote:

- Ayes:** 7 -
Steve King; Ledell Zellers; Scott J. Resnick; Melissa M. Berger; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet
- Noes:** 1 -
Michael G. Heifetz
- Excused:** 1 -
Eric W. Sundquist and John L. Finnemore
- Non Voting:** 2 -
Ken Opin and Maurice C. Sheppard

Speaking in support of the report were: Nan Fey of W. Wilson Street, Chair of the Lamp House Block Ad Hoc Planning Committee; Michael K. Bridgeman of Katzenbuechel Road, Mazomanie, and; Jack Holzhueter of Katzenbuechel Road, Mazomanie.

Speaking in opposition to the report was Bruce Bosben of Commercial Avenue.

Speaking neither in support nor opposition to the report was Bill White of Lakeland Avenue, representing Fred Rouse of Perry Street, who was registered neither in support nor opposition to the report and available to answer questions.

Registered in support and available to answer questions were: Anna Andrzejewski of Hiawatha Circle, David Mollenhoff of Morrison Street, Rich Arnesen of Winding Way, and Bill Gates of N. Hamilton Street, all members of the Lamp House Block Ad Hoc Planning Committee.

Registered neither in support nor opposition and available to answer questions were Don Schroeder, Knothe & Bruce Architects of University Avenue, Middleton, representing Fred Rouse

Registered in support but not wishing to speak were: Marilyn J. Martin of N. Hamilton Street; William & Jennifer Zorr of N. Hamilton Street; John Schlaefer of Kendall Avenue; Pu Shen of N. Hamilton Street; Franny Ingebritson of Wisconsin Avenue; Daniel O'Brien of S. Franklin Street; Thomas Garver of Atwood Avenue; Jeri Grogg of Larkin Street; Nancy McMahon of Chadbourne Avenue; Ellie Jacobi of Morrison Street; Stephanie Jutt of Leonard Street; Jim Skrentny of E. Main Street; Jonathon Cooper of S. Henry Street; Carol Crossan of E. Main Street; Anne Stoelting of N. Hamilton Street; Leigh Mollenhoff of Morrison Street; Guy V. Martin of N. Hamilton Street; Laurie Gorman of Larkin Street; Jim Sewell of Orton Court; Jeffrey Trapp of Upham Street; Lucy Mathiak of Orton Court; Bill Martinelli of Bordner Drive, and; Peter Rott of Williamson Street.

SPECIAL ITEM OF BUSINESS

2. [33007](#) Adopting an updated Plan Commission Policies and Procedure Manual.

On a motion by Cantrell, seconded by Ald. Resnick, the Plan Commission approved the new Policies and Procedures Manual by voice vote/ other, with the following revisions:

- That references to other documents be highlighted and links provided in the electronic version of the document;
- On page 7 under "Relationship to Staff", the following revisions be made:

> In the first sentence of the first paragraph, to include "public sector (including other units of government, school districts, University of Wisconsin, Madison College, etc.) and members of the public" following "private sector";

> In the second sentence of the first paragraph to also note the applicable standards the Plan Commission should consider for an item on its agenda;

- On page 11 under "4. Procedure for Public Hearings", revise the second sentence of c. to read: "The name and address of each person appearing shall be stated."

- Clarify with the City Attorney's Office if the "Email" section on page 13 also applies to text messages for Plan Commission members the way it does for the Common Council and revise that section if necessary;

- Re-word the first sentence of the "Demolition Permit" section on page 17 to emphasize that the Plan Commission reviews those request and may grant approval, but that it is not required to grant approval as drafted; and

- On page 18, note that the Landmarks Commission is required to issue a Certificate of Appropriateness for any demolition or removal of a local landmark or improvement in a local historic district prior to Plan Commission consideration and approval.

The Plan Commission also discussed the need for a mission statement but took no formal action on the creation of such a statement at this time.

Hamilton-Nisbet and Opin also provided marked copies of the document to Planning staff, which included a variety of minor spelling and grammatical errors to be addressed prior to final publishing.

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

There were no registrants on this matter.

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. [32565](#) Creating Section 28.022 -- 00096 of the Madison General Ordinances to change the zoning of property located at 80 White Oaks Lane, 20th Aldermanic District, from A (Agricultural) District to SR-C1 (Suburban Residential - Consistent 1) District to create 8 single-family lots and 1 outlot for private open space

On a motion by Berger, seconded by Heifetz, the Plan Commission found the standards and criteria met and recommended approval of the zoning map amendment and related preliminary plat of White Oak Ridge (ID 32284) subject to the comments and conditions contained in the Plan Commission materials and the following condition:

- That the applicant construct ramps where the sidewalks on Davenport Drive end adjacent to Lots 1 and 7 of the plat.

The recommendations to approve the rezoning and plat passed on the following 6-2 vote: AYE: Ald. King, Ald. Resnick, Ald. Zellers, Berger, Hamilton-Nisbet, Heifetz; NAY: Cantrell, Rewey; NON-VOTING: Opin, Sheppard; EXCUSED: Sundquist, Finnemore. Both Cantrell and Rewey expressed concerns in voting against the project that there were too many lots proposed given the steepness of the subject site.

A motion was made by Berger, seconded by Heifetz, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - RECESSED PUBLIC HEARING. The motion passed by the following vote:

Ayes: 6 -
Ledell Zellers; Scott J. Resnick; Melissa M. Berger; Michael G. Heifetz;
Tonya L. Hamilton-Nisbet and Steve King

Noes: 2 -
Michael W. Rewey and Bradley A. Cantrell

Excused: 1 -
Eric W. Sundquist and John L. Finnemore

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

4. [32284](#) Approving the preliminary plat of White Oak Ridge on property generally addressed as 80 White Oaks Lane; 20th Ald. Dist.

On a motion by Berger, seconded by Heifetz, the Plan Commission found the standards and criteria met and recommended approval of the preliminary plat of White Oak Ridge and the related zoning map amendment (ID 32565) subject to the comments and conditions contained in the Plan Commission materials and the following condition:

- That the applicant construct ramps where the sidewalks on Davenport Drive end adjacent to Lots 1 and 7 of the plat.

The recommendations to approve the rezoning and plat passed on the following 6-2 vote: AYE: Ald. King, Ald. Resnick, Ald. Zellers, Berger, Hamilton-Nisbet, Heifetz; NAY: Cantrell, Rewey; NON-VOTING: Opin, Sheppard; EXCUSED: Sundquist, Finnemore. Both Cantrell and Rewey expressed concerns in voting against the project that there were too many lots proposed given the steepness of the subject site.

A motion was made by Berger, seconded by Heifetz, 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 the following vote:

Ayes: 6 -
Steve King; Ledell Zellers; Scott J. Resnick; Melissa M. Berger; Michael G. Heifetz and Tonya L. Hamilton-Nisbet

Noes: 2 -
Michael W. Rewey and Bradley A. Cantrell

Excused: 1 -
Eric W. Sundquist and John L. Finnemore

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

The following were registered on Items 3 and 4, which were considered together as one public hearing:

Speaking in support of the proposed development were John DeWitt of Mariners Cove Drive, the applicant, and Mike Calkins, Snyder & Associates, Inc. of Voges Road, representing the applicant. Also speaking regarding the project was Ald. Matt Phair, 2322 Tanager Trail, representing the 20th District.

Speaking in opposition to the proposed development was Jackie Thoemke Woodruff of Dumont Circle.

Registered in opposition and available to answer questions was Joe Padgham of White Oaks Lane.

5. [32796](#) Creating Section 28.022 -- 00101 of the Madison General Ordinances to rezone a portion of the property at 3118 Harvey Street, 5th Aldermanic District, from TR-U1 (Traditional Residential - Urban 1) District to CC-T (Commercial Corridor - Transitional) District to allow carports to be constructed in the rear yards of an existing mixed-use building and apartment building and to reflect a lot line adjustment between this parcel and 3009 University Avenue.

The Plan Commission recommended that the conditional uses (ID 32630), zoning map amendment (ID 32796) and Certified Survey Map of the property (ID 32631) be referred to the February 24, 2014 meeting pending a recommendation on the conditional uses by the Urban Design Commission. The referral passed by voice vote/ other.

A motion was made by Rewey, seconded by Resnick, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by February 24, 2014. The motion passed by voice vote/other.

6. [32630](#)

Consideration of conditional uses for 3009 University Avenue and 3118 Harvey Street, 5th Ald. Dist., for the existing mixed-use building at 3009 University, to allow carports to be constructed for the mixed-use building, to allow construction of a driveway across 3118 Harvey to serve the mixed-use building, and to allow construction of carports for 3118 Harvey.

The Plan Commission recommended that the conditional uses (ID 32630), zoning map amendment (ID 32796) and Certified Survey Map of the property (ID 32631) be referred to the February 24, 2014 meeting pending a recommendation on the conditional uses by the Urban Design Commission. The referral passed by voice vote/ other.

A motion was made by Rewey, seconded by Resnick, to Refer to the PLAN COMMISSION and should be returned by February 24, 2014. The motion passed by voice vote/other.

7. [32631](#)

Approving a Certified Survey Map of property owned by Shorewood House, LLC located at 3009 University Avenue and 3118 Harvey Street; 5th Ald. Dist.

The Plan Commission recommended that the conditional uses (ID 32630), zoning map amendment (ID 32796) and Certified Survey Map of the property (ID 32631) be referred to the February 24, 2014 meeting pending a recommendation on the conditional uses by the Urban Design Commission. The referral passed by voice vote/ other.

A motion was made by Rewey, seconded by Resnick, to Refer to the PLAN COMMISSION and should be returned by February 24, 2014. The motion passed by voice vote/other.

There were no registrants on Items 5-7.

8. [32801](#)

Creating Section 28.022 -- 00100 of the Madison General Ordinances to change the zoning of property located at 2405 Vondron Road, 16th Aldermanic District, from Temp A (Agricultural) District to IL (Industrial - Limited) District to provide zoning for recently attached property to be developed with an office building

On a motion by Rewey, seconded by Ald Resnick, the Plan Commission found the standards and criteria met and recommended approval of the zoning map amendment subject to the comments and conditions contained in the Plan Commission materials. The recommendation to approve passed by voice vote/ other.

Hamilton-Nisbet asked that the applicant be considerate of the residents located to the north of the site across the railroad tracks during and after construction.

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.

Registered in support of the project and available to answer questions were Scott Zimmerman of Vondron Road, the applicant; Kory Anderson, General Engineering Co. of Silver Lake Drive, Portage, representing the applicant, and; Jason Jackson of Jonathon Drive.

Conditional Use & Demolition Permits

- 9. [32521](#) Consideration of a conditional use to allow construction of a mixed-use building at 802-854 E. Washington Avenue that will contain 170,000 square feet of commercial space consisting of food and related goods sales, general retail, outdoor display of food and retail goods, an outdoor eating area, a private parking facility and 246 residential units in the TE-Traditional Employment zoning district within 200 feet of City-owned parks; Urban Design Dist. 8; 2nd Ald. Dist.

The Plan Commission referred this request to March 10, 2014 at the request of the applicant.

A motion was made by Rewey, seconded by Resnick, to Refer to the PLAN COMMISSION and should be returned by March 10, 2014. The motion passed by voice vote/other.

There were no registrants on this matter.

- 10. [32632](#) Consideration of a conditional use to allow construction of an accessory building exceeding 10 percent of the area of the lot at 2410 Willard Avenue; 6th 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 Rewey, seconded by Resnick, to Approve. The motion passed by voice vote/other.

Registered in support of the project was the applicant, David Nevala of Willard Avenue.

Zoning Text Amendments

- 11. [32807](#) Amending Section 28.031(2)(d) of the Madison General Ordinances to allow for an exception to the sidewall offset requirement for two-family homes.

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

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

There were no registrants on this matter.

- 12. [32825](#) Amending Sections 28.082, 28.151 and 211 of the Madison General Ordinances to allow sales of heavy-traffic vehicles in the Industrial - Limited (IL) and Industrial - General (IG) districts.

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

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

There were no registrants on this matter.

- 13. [32826](#) Amending various sections of Chapter 28 of the Madison General Ordinances allow Mission Houses and Daytime Shelters as principal uses of land and to add a new definition for Daytime Shelter.

The Plan Commission recommended that this zoning text amendment be re-referred to their February 24, 2014 meeting at the request of Ald. Rummel (attached). The recommendation to re-refer passed by voice vote/ other.

A motion was made by Rewey, seconded by Resnick, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by February 24, 2014. The motion passed by voice vote/other.

There were no registrants on this matter.

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Tim Parks summarized the upcoming matters for the Plan Commission and noted the new standards summaries provided to the members, which include the recently approved amendment to the conditional use standards to update standard #9 relating to design and the role of the Urban Design Commission. He also noted the upcoming discussion on the first year of the new Zoning Code scheduled for March 17, 2014.

- Upcoming Matters - February 24, 2014

- 7102 Discovery Lane - Amended PD-GDP to allow future construction of 8 townhouse units in 2 buildings on site of existing pool
- 710 E. Mifflin Street and 124 N. Livingston Street - TE & PD to TR-U2 and Demolition Permit - Demolish industrial building as part of future development of property with 196 multi-family dwelling units
- Zoning Text Amendment - Amend MGO Section 28.082(1) to allow "walk-up service windows" as an accessory use in the Employment Districts
- 4550 Verona Road - Conditional Use Alteration - Approve outdoor sales and display areas for existing home improvement store
- 2425 East Springs Drive - Conditional Use Alteration - Approve outdoor sales and display areas for existing home improvement store
- 2033-2055 Woods Road - Re-approving the final plat of Hawks Woods Estates
- Considering a request to remove the Land Use Restriction Agreement condition of approval on the Birchwood Point subdivision

- Updated Matters - March 10, 2014

- (Tentative) Approving the University Avenue Corridor Plan
- 17-25 N. Webster Street & 201 E. Mifflin Street - DR-1 to UMX, Demolition Permit and Conditional Use - Demolish 2 two-family residences, a four-unit apartment building and a five-unit apartment building to allow construction of a 58-unit apartment building
- 5899-5901 Milwaukee Street - A to TR-P and TR-U1 and Preliminary and Final Plat - North Addition to Grandview Commons, creating 190 single-family lots, 8 lots for four-unit residences, 12 lots for two-family-twin residences, 2 lots for 200 future multi-family units and 11 outlots for public park & stormwater management and private open space
- 702 South Point Road - A, TR-C3 & PD to TR-P & C, Demolition Permit and Preliminary and Final Plat - Demolish single-family residence for First Addition to 1,000 Oaks, creating 259 single-family lots, 11 lots for two-family-twin residences and 9 outlots for public park and stormwater management and private open space
- 901-1001 Sugar Maple Lane- Final Plat - Sugar Maple, creating 44 single-family lots, 2 lots for future multi-family development and 2 outlots for public stormwater management
- 9601 Elderberry Road - Revised Preliminary Plat and Final Plat - Paragon Place, creating 6 lots for future residential development with up to 390 dwelling units, 1 lot for future development, and 2 outlots for stormwater management
- Zoning Text Amendment - Amend MGO Sections 28.061, 28.072, 28.082, 28.091, 28.151 and 28.211 and creating Section 28.127 to create an Alcohol Overlay District, create/ amend/ define/ and/ or create supplemental regulations for "Restaurant-Nightclub," "Nightclub," "Restaurant-Tavern," "Tavern," "Theater, Assembly hall," and "Outdoor stage, band shell, or amphitheater"
- 425 Woodward Drive - Conditional Use - Construct accessory building exceeding 800 square feet of floor area in SR-C1 and 1,000 gross square feet on a parcel with an accessory dwelling unit on a lakefront lot
- 418 Critchell Terrace - Demolition Permit - Demolish single-family residence and construct new single-family residence

945 Edgewood College Drive - Conditional Use Alteration - Construct addition to existing Regina Hall dormitory for Edgewood College

ANNOUNCEMENTS

Rewey and Cantrell noted that they would be absent for the March 10, 2014 meeting.

ADJOURNMENT

A motion was made by King, seconded by Hamilton-Nisbet, to Adjourn at 9:00 p.m. The motion passed by voice vote/other.