



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://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).*

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Monday, February 24, 2014

5:30 PM

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

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### CALL TO ORDER/ROLL CALL

**Present:** 9 -

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

**Excused:** 3 -

Scott J. Resnick; Maurice C. Sheppard and John L. Finnemore

Ken Opin was chair for the meeting. Tonya Hamilton-Nisbet arrived during Communications, Disclosures and Recusals. Ald. Resnick arrived during item 8.

Staff present: Steven Cover, Secretary; Michael Waidelich and Kevin Firchow, Planning Division; and Patrick Anderson, Zoning.

### PUBLIC COMMENT

There was no public comment under this item.

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

Eric Sundquist stated that an approved Marcus Theater development in Sun Prairie had been delayed but was now proceeding with the aid of tax incremental financing. It was noted that the applicant previously had a theater development approved nearby on the east side of Madison that never moved forward. In his opinion, he did not believe attracting such a development would have been worth utilizing tax incremental financing. Ald. Zellers stated her son is employed by Vierbicher and Associates though that would not impact her ability to consider item 12 in which the applicant was represented by that firm. Chair Opin stated that the President of Veridian Homes was a friend of his, though that would not impact his ability to chair the meeting on the Veridian-related items. He stated would not vote on those items.

**Present:** 9 -

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

**Excused:** 2 -

Scott J. Resnick and John L. Finnemore

**Non Voting:** 1 -

Maurice C. Sheppard

### MINUTES OF THE FEBRUARY 10, 2014 MEETING

February 10, 2014: <http://madison.legistar.com/Calendar.aspx>

Michael Heifetz requested that staff report back to the Plan Commission on when dissenting comments are noted in the minutes.

**A motion was made by King, seconded by Berger, 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:** 2 -  
Scott J. Resnick; Maurice C. Sheppard and John L. Finnemore

**Non Voting:** 1 -  
Ken Opin

**SCHEDULE OF MEETINGS**

Regular Meetings: March 10, 24 and April 7, 28, 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. [32929](#) Approving a request to amend a condition of approval for the Birchwood Point subdivision at 10203 Mineral Point Road; 9th Ald. Dist.

The motion passed by voice vote/other.

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

Registered in support and available to answer questions was Brian Munson, Vandewall and Associates of East Lakeside Street, representing the applicant, Veridian Homes.

**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**

- 2. [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.

Referred to March 10, 2014 pending a recommendation by the Urban Design Commission. The motion to re-refer passed by voice vote/other.

**A motion was made by King, seconded by Sundquist, to RECOMMEND TO COUNCIL TO RE-REFER - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.**

There were no registrations on this item.

- 3. [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.

Referred to March 10, 2014 pending a recommendation by the Urban Design Commission. The motion to refer passed by voice vote/other.

**A motion was made by King, seconded by Sundquist, to Refer to the PLAN COMMISSION and should be returned by 3/10/2014. The motion passed by voice vote/other.**

There were no registrations on this item.

- 4. [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.

Referred to March 10, 2014 pending a recommendation by the Urban Design Commission. The motion to refer passed by voice vote/other.

**A motion was made by King, seconded by Sundquist, to Refer to the PLAN COMMISSION and should be returned by 3/10/2014. The motion passed by voice vote/other.**

There were no registrations on this item.

- 5. [32960](#) Amending the Tenney-Lapham Neighborhood Plan, in conjunction with a rezoning request at 710 East Mifflin Street and 124 North Livingston Street.

Referred to March 10, 2014 at the request of the district alder. The motion passed by voice vote/other.

**A motion was made by Zellers, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by 3/10/2014. The motion passed by voice vote/other.**

There were no registrations on this item.

- 6. [32797](#) Creating Section 28.022 -- 00102 of the Madison General Ordinances to change the zoning of property located at 710 East Mifflin Street and 124 North Livingston Street, 2nd Aldermanic District, from PD (Planned Development) and TE and (Traditional Employment) Districts to TR-U2 (Traditional Residential-Urban 2) District to allow demolition of an industrial building and future development of property with 196 multi-family dwelling units.

Referred to March 10, 2014 at the request of the district alder. The motion to re-refer passed by voice vote/other.

**A motion was made by Zellers, seconded by Cantrell, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 3/10/2014. The motion passed by voice vote/other.**

There were no registrations on this item.

- 7. [32794](#) Consideration of a demolition permit to allow demolition of an industrial building as part of the future development of the property with 196 multi-family dwelling units at 710 E. Mifflin Street and 124 N. Livingston

Street; 2nd Ald. Dist.

Referred to March 10, 2014 at the request of the district alder. The motion to refer passed by voice vote/other.

**A motion was made by Zellers, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by 3/10/2014. The motion passed by voice vote/other.**

There were no registrations on this item.

**ROLL CALL**

**Present:** 10 -

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

**Excused:** 2 -

Maurice C. Sheppard and John L. Finnemore

**Conditional Use & Demolition Permits**

8. [32925](#)

Consideration of conditional uses to allow temporary outdoor events, outdoor storage and outdoor display areas for an existing home improvement warehouse at 4550 Verona Road; 10th Ald. Dist.

The Plan Commission found that the standards were met and approved the conditional use subject the comments and conditions contained in the Plan Commission materials with the following modification:

- That condition 3 of the February 24 Report to the Plan Commission be amended as follows:

The Plan Commission determined that per Section 33.24(4)(f)(2)c Madison General Ordinances there were unique or unusual circumstances that warranted special consideration to achieve a superior design solution and waived the requirement for an eight-foot wide clear path along the length of the front of the building. The Plan Commission required that a minimum five-foot wide clear path be provided along the length of the front of the building. Details shall be approved by Planning, Zoning, and the Traffic Engineering prior to final sign off and commencing use of the approved areas.

In making this determination, the Plan Commission noted that the existing site plan was previously approved with a five-foot clear path and that a striped drop off lane separates pedestrian movements from the drive aisle.

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

Speaking in support of this item was Todd Mosher of East Diehl Road; Naperville, IL; representing the applicant. Registered in support and available to answer questions was Jeremy Kliniske of East Springs Drive.

9. [32926](#)

Consideration of conditional uses to allow temporary outdoor events and outdoor display areas for an existing home improvement warehouse at 2425 East Springs Drive; 17th Ald. Dist.

The Plan Commission found that the standards were met and approved the conditional use subject the comments and conditions contained in the Plan Commission materials with the following modification:

- That condition 3 of the February 24 Report to the Plan Commission be amended as follows:

The Plan Commission determined that per Section 33.24(4)(f)(2)c Madison General Ordinances there were unique or unusual circumstances that warranted special consideration to achieve a superior design solution and waived the requirement for an eight-foot wide clear path along the length of the front of the building. The Plan Commission required that a minimum five-foot wide clear path be provided along the length of the front of the building. Details shall be approved by Planning, Zoning, and the Traffic Engineering prior to final sign off and commencing use of the approved areas.

In making this determination, the Plan Commission noted that the existing site plan was previously approved with a five-foot clear path and that a striped drop off lane separates pedestrian movements from the drive aisle.

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

Speaking in support of this item was Todd Mosher of East Diehl Road; Naperville, IL; representing the applicant. Registered in support and available to answer questions was Jeremy Kliniske of East Springs Drive.

**Zoning Text Amendments**

- 10. [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 motion to refer passed by voice vote/other. The motion to re-refer passed by voice vote/other.

**A motion was made by King, seconded by Sundquist, to RECOMMEND TO COUNCIL TO RE-REFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION and should be returned by 3/10/2014. The motion passed by voice vote/other.**

There were no registrations on this item.

- 11. [32958](#) Amending Section 28.082(1) of the Madison General Ordinances to allow “walk-up service windows” as an accessory use in Employment Districts.

The motion passed by voice vote/other.

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

There were no registrations on this item.

**Subdivisions**

- 12. [32931](#) Re-approving the final plat of Hawks Woods Estates located at 2033-2055 Woods Road; 1st Ald. Dist.

The Plan Commission recommended re-approval of this subdivision subject to the conditions contained in the March 20, 2013 approval letter by voice vote/ other.

**A motion was made by Rewey, seconded by Cantrell, 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.**

Registered in support and available to answer questions was Mike Marty, Vierbicher of Fourier Drive, representing the applicant.

**BUSINESS BY MEMBERS**

There was no Business by Members.

**SECRETARY'S REPORT**

Kevin Firchow summarized the upcoming matters. During the discussion of Upcoming Matters, Brad Cantrell and Michael Rewey restated they would not be present at the March 10, 2014 meeting. Melissa Berger stated she would not be present at the March 24, 2014 meeting.

**- Upcoming Matters - March 10, 2014**

- 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
- 802-854 E. Washington Avenue - Conditional Use - Construct mixed-use building with 170,000 square feet of commercial space and 254 dwellings units (in Urban Design Dist. 8)
- 5899-5901 Milwaukee Street - A to TR-P and TR-U1 and Preliminary and Final Plat - North Addition to Grandview Commons, creating 199 single-family lots, 8 lots for four-unit residences, 15 lots for two-family-twin residences, 1 lot for 100 future multi-family units and 11 outlots for public park and stormwater management and private open space
- 702 South Point Road - A, TR-C3 & PD to TR-P & CN, 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 Colle

**- Upcoming Matters - March 24, 2014**

- 302 S. Bedford Street and 302-304 Dow Court - Demolition Permit and PD & UMX to Amended PD-GDP-SIP - Demolish single-family residence as part of the construction of an addition to an existing office building and separate 80-unit apartment building with shared parking
- 2219 Monroe Street and 1000 Edgewood College Drive - Adopt Campus-Institutional (CI) zoning Master Plan for Edgewood Campus School, Edgewood High School and Edgewood College
- 1722 Legacy Lane - Zoning Map Correction - TR-C4 to SR-C3 - Rezone vacant lot for future two-family-twin residence (Southern Ridge, Lot 15)
- 1801 Legacy Lane - Zoning Map Correction - TR-C4 to SR-C3 - Rezone vacant lot for future two-family-twin residence (Southern Ridge, Lot 31)
- 1802 Legacy Lane - Zoning Map Correction - TR-C4 to SR-C3 - Rezone vacant lot for future two-family-twin residence (Southern Ridge, Lot 16)
- 1721 Legacy Lane - Zoning Map Correction - TR-C4 to SR-C3 - Rezone two-family-twin residence (Southern Ridge, Lot 19)
- 1801-03 Southern Ridge Trail - Zoning Map Correction - TR-C4 to SR-C3 - Rezone two-family-twin residence (Southern Ridge, Lot 3)
- 1721-23 Southern Ridge Trail - Zoning Map Correction - TR-C4 to SR-C3 - Rezone two-family-twin residence (Southern Ridge, Lot 4)
- 829 E. Washington Avenue - Conditional Use - Construct restaurant in TE zoning with outdoor seating area
- 2302 Atwood Avenue - Conditional Use - Construct walk-up service window for a restaurant
- 514 E. Wilson Street - PD-SIP/ Conditional Use Alteration - Re-approve outdoor recreation area for restaurant-tavern
- 1406 Mound Street and 116-120 S. Randall Avenue - Demolition Permit and Conditional Use - Demolish two residences to allow construction of an addition to an existing building that will exceed 10,000 square feet in floor area in a Residential District
- 711 State Street - Conditional Use - Construct outdoor eating area for potential food service use in University Book Store

**ANNOUNCEMENTS**

There were no announcements.

## ADJOURNMENT

A motion was made by King, seconded by Heifetz, to Adjourn at 6:26 pm. The motion passed by voice vote/other.