



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, December 12, 2016

5:30 PM

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

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**\*\*Note\*\*** Quorum of the Common Council may be in attendance at this meeting.

### CALL TO ORDER/ROLL CALL

**Present:** 8 - Steve King; Ledell Zellers; Sheri Carter; Maurice C. Sheppard; Melissa M. Berger; James F. Oeth; Michael W. Rewey and Bradley A. Cantrell  
**Excused:** 3 - Ken Opin; James E. Polewski and Fatima Bendada

Brad Cantrell was chair for the meeting.

Staff Present: Heather Stouder, Secretary; Tim Parks and Chris Wells, Planning Division; Chris Petykowski and Chris Dawson, Engineering; Tim Sobota, Metro; Yang Tao, Traffic Engineering; Jim O'Keefe, Community Development; Natalie Erdman; John Hausbeck, Madison-Dane County Public Health.

Also: Ald. Rummel and Ald. Harrington-McKinney

### PUBLIC COMMENT

There was no public comment under this item.

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

Melissa Berger recused herself on Item 14.

### MINUTES OF THE NOVEMBER 21, 2016 MEETING

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

### SCHEDULE OF MEETINGS

Regular Meetings: January 9, 2017 and January 23, 2017

### ROUTINE BUSINESS

1. [45068](#) Authorizing the acceptance of a Quit Claim Deed from the State of Wisconsin Department of Transportation for surplus right-of-way located in the 2500 Block of University Avenue.

On a motion by Rewey, seconded by Zellers, the Plan Commission recommended approval of this item.  
The motion passed by voice vote / other.

**A motion was made by Rewey, 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 registrants on this item

- 2. [45150](#) Authorizing the City of Madison to accept ownership of a “Little Free Library” from the Madison Public Library to be located in Owl Creek Park at 23 Horned Owl Court.

On a motion by Rewey, seconded by Zellers, the Plan Commission recommended approval of this item. The motion passed by voice vote / other.

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

There were no registrants on this item

- 3. [45278](#) Amending the Master List of Street Names and Designations and amending the City Engineer’s Street Numbering Map, referred to in Sections 10.34(1) and 10.35, Madison General Ordinances by changing the name of Niblick Drive to Perfect Drive beginning at Cherokee Club Lane and progressing northerly to its terminus at the intersection with N. Sherman Avenue. (18th AD)

On a motion by Rewey, seconded by Zellers, the Plan Commission recommended approval of this item. The motion passed by voice vote / other.

**A motion was made by Rewey, 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 registrants on this item

- 4. [45284](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a portion of the Demetral Park Path, a new shared-use (bicycle and pedestrian) path from E. Johnson Street at Pennsylvania Avenue to connect to the existing path in Demetral Park. Located in part of the NE ¼ of the SW ¼ of Section 6, T7N, R10E. (12th AD)

On a motion by Rewey, seconded by Berger, the Plan Commission recommended approval of this item. This item passed by the following vote: The motion to approve passed by the following 6:1 vote: ( AYE: Berger, Ald. Zellers, Ald. King, Oeth, Sheppard, and Rewey; NO: Ald. Carter; NON-VOTING: Cantrell; EXCUSED: Opin, Polewski and Bendata).

**A motion was made by Rewey, seconded by Berger, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS,. The motion passed by the following vote:**

**Ayes:** 6 - Steve King; Ledell Zellers; Maurice C. Sheppard; Melissa M. Berger; James F. Oeth and Michael W. Rewey

**Noes:** 1 - Sheri Carter

**Excused:** 3 - Ken Opin; James E. Polewski and Fatima Bendada

**Non Voting:** 1 - Bradley A. Cantrell

Speaking in opposition were Peg Larabell of N. Third Street; Brenda Konkel of N. Hancock Street; Ben Motiff of Lacy Road, Mazomanie; Mike Motiff or Blue Heron Way, Oregon; Kate Clapper of Shasta Drive; Amy Hasselman of E. Dayton Street; and Kent Walser of Blackhawk Road. Speaking in opposition and available to answer questions was Gerry Lovett of N. Third Street. Registered in opposition and available to answer questions was Connie Lovett of N. Third Street.

Speaking Neither in Support nor Opposition was Edward Kuharski of Sydney Street.

- 5. [45286](#) Discontinuing and vacating portions of Merchant Street and Graaskamp Way within the plat of The Center For Industry & Commerce to permit the partial re-division of the subdivision, being located in the Northwest 1/4 of Section 16, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)

On a motion by Rewey, seconded by Zellers, the Plan Commission recommended approval of this item. The motion passed by voice vote / other.

**A motion was made by Rewey, 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 registrants on this item

**PUBLIC HEARING-5:45 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 5:45 p.m. where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

**Zoning Map Amendments**

- 6. [44733](#) Creating Section 28.022-00252 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan at property located at 8102 Watts Road, 9th Aldermanic District, and creating Section 28.022-00253 to amend a Planned Development District to approve a Specific Implementation Plan

On a motion by Berger, seconded by Oeth, the Plan Commission found that the standards for approval were met and recommended approval of this Zoning Map Amendment subject to comments and conditions contained in the Plan Commission materials.

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

Registered in support and available to answer questions was Andrew Inman of 1600 Aspen Commons, representing the North Central Group.

- 7. [45033](#) Creating Section 28.022-00258 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan at property located at 301 Cross Oaks Drive, 9th Aldermanic District, and creating Section 28.022-00259 to amend a Planned Development District to approve a Specific Implementation Plan.

On a motion by Berger, seconded by Oeth, the Plan Commission recommended re-referral of the amended planned development to January 9, 2017 (January 17, 2016 Common Council) pending a recommendation by the Urban Design Commission. The motion passed by voice vote/ other.

**A motion was made by Berger, seconded by Oeth, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 1/9/2017. The motion passed by voice vote/other.**

There were no registrants on this item.

8. [45036](#) Creating Sections 28.022 - 00260 and 28.022 - 00261 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan and Specific Implementation Plan, at 1004-1032 South Park Street, 13th Aldermanic District

On a motion by Berger, seconded by Oeth, the Plan Commission recommended re-referral of the amended planned development to January 23, 2017 (February 7, 2016 Common Council) pending a recommendation by the Urban Design Commission. The motion to recommend re-referral to the Plan Commission passed by voice vote/ other.

**A motion was made by Berger, seconded by Oeth, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 1/23/2017. The motion passed by voice vote/other.**

There were no registrants on this item.

### Alteration to Planned Development

9. [44824](#) Consideration of an alteration to a Planned Development District (General Development Plan and Specific Implementation Plan) for a mixed-use development to allow construction of 173 residential units and 7,900 square feet of commercial space in three buildings at 518-542 Junction Road; 9th Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission found that the standards for Planned Developments were met and approved this item subject to comments and conditions contained in the Plan Commission materials.

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

Registered in support and available to answer questions was Randy Bruce, Knothke & Bruce Architects of 7601 University Avenue, Middleton.

### Conditional Use & Demolition Permits

10. [44564](#) Consideration of a demolition permit and conditional use to demolish an existing skilled nursing facility and construct a new skilled nursing and assisted living facility at 4325 Nakoma Road; 10th Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials. This item passed by voice/vote/other.

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

Registered in support and available to answer questions were William Simpson, Architectural Design Consultants, Inc. of 5100 Eastpark Road; and Shawn McKibben of Jupiter Place representing the applicant, Alternative Continuum of Care/Oak Park Properties.

11. [44570](#) Consideration of a major alteration to a conditional use planned multi-use site to convert the existing commercial building at 53 West Towne Mall into a multi-tenant commercial building, and to convert an auto repair shop at 522 S. Gammon Road into two restaurants; 9th Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials. This item passed by voice/vote/other.

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

Speaking in support were Paul D'Arelli and representing Seritage of SW 6th Street, Plantation, Florida; Todd Mosher representing Seritage Growth Properties of Ediehl Road, Naperville, Florida; Peri Peng representing Seritage of W. Deming Place, Chicago, Illinois; Justin Mask of Discovery Boulevard, Dublin, Ohio, representing Dave & Busters of Manana Drive, Dallas, TX. Speaking in support and available to answer questions was Lisa Warren representing Dave & Busters of Manana Drive, Dallas, TX. Registered in support and available to answer questions were Lucas Roe of E. Miffin Street, representing Dave & Busters of Manana Drive, Dallas, TX; and Jeff Vercauteren, Husch Blackwell of E. Main Street, representing the applicant, Seritage.

12. [44823](#) Consideration of a conditional use to construct an accessory building exceeding 576 square feet in area on a lakefront property in TR-C1 (Traditional Residential-Consistent 1 District) zoning at 5718-5722 Lake Mendota Drive; 19th Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials. This item passed by voice/vote/other.

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

Registered in support and available to answer questions was Ed Tallard of Lake Mendota Drive .

13. [45130](#) Consideration of a conditional use planned multi-use site to allow construction of a mixed-use building containing 2,300 square feet of commercial space and 57 apartments at 6509 Normandy Lane; 19th Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials. This item passed by voice/vote/other.

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

Speaking in support was Mark Hammond of W. 74th Street of Waukesha representing MSP Real Estate of W. National Avenue, West Allis. Registered in support and available to answer questions was Jerry Bourquin, Dimension IV Madison of Grand Teton Plaza.

14. [44825](#) Consideration of a conditional use in the TE (Traditional Employment) zoning district to allow construction of an up to eight-story commercial/ office building containing 152,925 square feet of floor area, including a 40,000 square-foot theater/ concert hall on land generally addressed as 801 E. Washington Avenue in Urban Design Dist. 8, with auto parking to be provided off-site.

On a motion by Rewey, seconded by Ald. Zellers, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials and the following conditions:

- That the Zoning Administrator shall not grant an administrative reduction in bike parking stalls (per Conditions #46, #47, and #52) but he may designate a certain number of the racks that may be vertical

and the 100-foot requirement from the main entrance may be waived for a certain percentage of the racks.

- That the applicant shall explore incorporating greater energy- efficient aspects into the four-story design (i.e. solar panels, green roofs, etc.).

The motion passed by voice vote/other.

**A motion was made by Rewey, seconded by Zellers, to Approve with Amendment(s). The motion passed by voice vote/other.**

Speaking in support was Angela Black, Husch Blackwell of E. Main Street, representing the applicant, Gebhardt Development; and Rick Gilbertson, Strang, Inc. of Mineral Point Road representing the applicant, Gebhardt Development. Registered in support and available to answer questions were Otto Gebhardt of North Street, representing the applicant, Gebhardt Development; Jeff Vercauteren, Husch Blackwell of E. Main Street, representing the applicant, Gebhardt Development; Lee Christiansen of E. Washington Avenue representing the applicant, Gebhardt Development; Scott Leslie of S. Mills Street; Herb Frank of E. Wilson Street, representing Frank Productions; Larry Frank of E. Wilson Street, representing Frank Productions; and Charlie Goldstone of Waban Hill, representing Frank Productions. Registered in support was Fred Frank of E. Wilson Street, representing Frank Productions.

Speaking in opposition was Michael Vickerman of Elmside Boulevard .

Speaking neither in support nor opposition was Peter Wolff of Jenifer Street .

15. [44826](#)

Consideration of a conditional use in the TE (Traditional Employment) zoning district to allow construction of an eight-story, 158,000 square-foot office building on land generally addressed as 819 E. Washington Avenue in Urban Design Dist. 8, with auto parking to be provided off-site.

On a motion by Berger, seconded by Rewey, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials and the following conditions:

- That Traffic Engineering Division staff shall clarify (in text) the 2-foot buffer zone referenced in Condition #43.

- That the applicant shall explore bird-safe glass (non-reflective) and report back to Planning Division staff.

The above main motion passed by voice vote/other.

**A motion was made by Berger, seconded by Rewey, to Approve with Amendment(s). The motion passed by voice vote/other.**

Speaking in support was Eric Romano, Eppstein Uhen Architects of E. Chicago Street, Milwaukee, representing the applicant, American Family Insurance; Scott Resnick of Van Hise Avenue, representing Starting Block Madison; and Alex King of Longmeadow Road, representing the applicant, American Family Insurance. Registered in support and available to answer questions were George Austin of Chamberlain Avenue; Jeff Vercauteren, Husch Blackwell of E. Main Street, representing the applicant, American Family Insurance; Tom Stacey of W. Johnson Street, representing the applicant, American Family Insurance; LeeAnn Glover of Forest Ridge Court, McFarland, representing the applicant, American Family Insurance; and Shayna Hetzel of American Parkway, representing the applicant, American Family Insurance.

Speaking in opposition was Michael Vickerman of Elmside Boulevard .

Speaking neither in support nor opposition was Peter Wolff of Jenifer Street .

16. [44993](#) Consideration of a conditional use for dwelling units in a mixed-use building in TE (Traditional Employment District) zoning to allow construction of a residential addition to an existing commercial building at 134 S. Fair Oaks Avenue; 6th Ald. Dist. to contain 80 apartments and 2,500 square feet of commercial space.

On a motion by Ald. King, seconded by Rewey, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials. The motion to approve passed by the following 4:2 vote: (AYE: Ald. King, Ald. Zellers, Oeth, and Rewey; NO: Berger, Sheppard; ABSTAINING: Ald. Carter; NON-VOTING: Cantrell; EXCUSED: Opin, Polewski and Bendata).

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

**Ayes:** 4 - Steve King; Ledell Zellers; James F. Oeth and Michael W. Rewey

**Noes:** 2 - Maurice C. Sheppard and Melissa M. Berger

**Abstentions:** 1 - Sheri Carter

**Excused:** 3 - Ken Opin; James E. Polewski and Fatima Bendada

**Non Voting:** 1 - Bradley A. Cantrell

Speaking in support were Rich Arnesen of E. Wilson Street, representing the applicant, Stone House Development; and Randy Bruce, Knothke & Bruce Architects of 7601 University Avenue, Middleton, representing the applicant, Stone House Development. Registered in support and available to answer questions was Helen Bradbury of Sherman Avenue, representing the applicant, Stone House Development. Registered in support were William Butcher of Jenifer Street; Eric Welch of Williamson Street; Jessica Wartenweiler of Winnebago Street; and Troy Sedlak of Regent Street.

Speaking in opposition was Jim Powell, representing the Midwest Environmental Justice Organization of Lake View Avenue. Speaking in opposition and available to answer questions was Anne Chacon of S. Marquette Street.

17. [44994](#) Consideration of a conditional use to convert an existing office building into a daytime shelter at 615 E. Washington Avenue; 6th Ald. Dist; Urban Design Dist. 8.

On a motion by Ald. Zellers, seconded by Rewey, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials and the following conditions:

- Remove Condition #32 of the staff report.

The motion passed by voice vote/other.

**A motion was made by Zellers, seconded by Rewey, to Approve with Amendment(s). The motion passed by voice vote/other.**

18. [45000](#) Consideration of a conditional use to allow construction of an accessory building with an accessory dwelling unit at 2313 Center Avenue; 6th Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials. This item passed by voice/vote/other.

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

There were no registrants on this item.

**Land Division**

- 19. [44999](#) Approving a Certified Survey Map of property owned by Madison Elks Lodge No. 410 located at 711-719 Jenifer Street; Third Lake Ridge Historic Dist.; 6th Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission found that the standards were met and approved this item subject to comments and conditions contained in the Plan Commission materials. This item passed by voice/vote/other.

**A motion was made by Berger, seconded by Oeth, 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.**

There were no registrants on this item.

**Items to be Placed on File**

- 20. [43696](#) Creating Section 28.022 -- 00247 of the Madison General Ordinances to change the zoning of properties located at 707-713 East Johnson Street, 2nd Aldermanic District, from TR-V2 (Traditional Residential - Varied 2) District to NMX (Neighborhood Mixed-Use) District.

This request was withdrawn by the applicant. On a motion by Berger, seconded by Oeth, the Plan Commission recommended that this application be placed on file without prejudice. The motion was passed by voice vote/other.

**A motion was made by Berger, seconded by Oeth, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -RECESSED PUBLIC HEARING. The motion passed by voice vote/other.**

There were no registrants on this item.

- 21. [43418](#) Consideration of a demolition permit and conditional use to allow demolition of 2 two-family residences and construction of a mixed-use building containing 2,900 square feet of commercial space and 21 apartments at 707-713 E. Johnson Street; 2nd Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission placed the application on file without prejudice at the request of the applicant. The motion was passed by voice vote/other.

**A motion was made by Berger, seconded by Oeth, to Place On File Without Prejudice. The motion passed by voice vote/other.**

There were no registrants on this item.

**BUSINESS BY MEMBERS**

There was no Business By Members.

**SECRETARY'S REPORT**

Heather Stouder summarized the upcoming matters.



**- Upcoming Matters - January 9, 2017**

- Review and recommendation on the Yahara Hills Neighborhood Development Plan (copies were provided to the Commission with their November 21 materials)
- 119-125 N. Butler Street 120-124 N. Hancock Street - Demolition Permit and Conditional Use - Demolish two-family residence and four-unit apartment building to construct 52-unit apartment building in residential building complex including 2 existing two-family residences
- 6102 Odana Road and 6001 Mineral Point Road - MXC to SE, Preliminary Plat and Certified Survey Map Referral - Preliminary plat of "CUNA Lands" to create four commercial lots, rezone 17 acres for future employment use, and three-lot CSM to create one lot for employment use, one lot for existing parking lot, and one lot for future development
- 3325 E. Washington Avenue - Demolition Permit - Demolish street-facing wall of funeral home to allow renovation and construction of addition in Urban Design Dist. 5
- 2101 Fisher Street - Zoning map correction for Penn Park
- 904 Williamson Street - Conditional Use - Approve outdoor eating areas and conditional use parking reduction for restaurant-tavern
- 1603 Monroe Street - Conditional Use Alteration - Revised plans for mixed-use building with 5,000 sq. ft of commercial space and 44 apartments.

**- Upcoming Matters - January 23, 2017**

- 1302-1430 Reiner Road - A to TR-C3 and TR-U1 and Preliminary Plat - "Woods Farm," creating 130 single-family lots, 11 lots for four-unit dwellings, 1 lot for multi-family development, and 5 public outlots for park and stormwater management
- 302 S. Gammon Road - SE to MXC, Demolition Permit and Conditional Use - Demolish office building and approve master plan to guide redevelopment of site with mixed residential, commercial and office uses, and conditional use approval for first phase projects.

**ANNOUNCEMENTS**

There were no announcements.

**ADJOURNMENT**

**A motion was made by King, seconded by Rewey, to Adjourn at 11:25 PM. The motion passed by voice vote/other.**