



City of Madison

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

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Monday, November 21, 2016

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 7 - Steve King; Ledell Zellers; Sheri Carter; Ken Opin; Maurice C. Sheppard; James F. Oeth and Michael W. Rewey

Excused: 4 - Melissa M. Berger; Bradley A. Cantrell; James E. Polewski and Fatima Bendada

Ken Opin was chair for the meeting. Ald. Carter was excused during the discussion of agenda item 13. (Items 12-14 were taken up after consideration of the consent agenda and prior to the consideration of other items).

Staff Present: Natalie Erdman, Secretary; Heather Stouder, Jessica Vaughn, and Kevin Firchow, Planning Division; Matt Tucker, Building Inspection; and John Strange, City Attorney's Office.

PUBLIC COMMENT

There was no public comment under this item.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Ken Opin disclosed that he knows the neighbors next to the subject property in agenda item 5. He stated that this would not impact his ability to chair this item. Ald. King, Ald. Carter, and Ald. Zellers also disclosed that they know the same neighbor but this would not impact their ability to consider this item.

MINUTES OF THE NOVEMBER 7, 2016 MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings: December 12, 2016 and January 9, 23, 2017

Special Meeting - Comprehensive Plan Update: Monday, November 28, 2016; 5:00-7:00 p.m.; City-County Building, Room 108 (Parks Conference Room)

NEW BUSINESS

1. [40307](#) To include new street construction that recognizes the importance of street trees and tree canopy and delineating the terms for community involvement in decision-making in street reconstruction projects in the City's "Complete Streets" program as adopted by the Common Council on 12/15/09 (Resolution RES-09-00997, Legislative File No. 16250).

The Plan Commission recommended that this item be re-referred to the Plan Commission. This motion passed by the following 4:2 vote: AYE: Ald. Zellers, Ald. Carter, Sheppard, and Oeth; NO: Ald. King and

Rewey; NON VOTING: Opin; EXCUSED: Berger, Cantrell, Polewski, and Bendada.

A motion was made by Sheppard, seconded by Zellers, to Return to Lead with the Following Recommendation(s): Re-Refer to the Plan Commission. The motion passed by the following vote:

Ayes: 4 - Ledell Zellers; Sheri Carter; Maurice C. Sheppard and James F. Oeth

Noes: 2 - Steve King and Michael W. Rewey

Excused: 4 - Melissa M. Berger; Bradley A. Cantrell; James E. Polewski and Fatima Bendada

Non Voting: 1 - Ken Opin

There were no registrations on this item.

PUBLIC HEARING-5:45 p.m.

Conditional Uses/ Demolition Permits

- 2. [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 Sheppard, seconded by Ald. Zellers, the Plan Commission referred this item to the Urban Design Commission for review and recommendation in accordance with MGO 28.183(6)(a)9. The main motion passed by the following 4-1 vote: AYE: Ald. Zellers, Sheppard, Oeth, and Rewey; NO: Ald. King; NON-VOTING: Opin; Excused: Ald. Carter, Cantrell, Polewski, and Bendada.

The main motion specified that the Plan Commission shall work with the City's Traffic Engineering Division to restrict traffic movements based on the proposed driveway location. That was added to the main motion on a motion by Rewey, second by Ald. Zellers, and approval by voice vote/other.

A motion was made by Sheppard, seconded by Zellers, to Refer to the URBAN DESIGN COMMISSION, due back on 12/12/2016. The motion passed by the following vote:

Ayes: 4 - Ledell Zellers; Maurice C. Sheppard; James F. Oeth and Michael W. Rewey

Noes: 1 - Steve King

Excused: 5 - Sheri Carter; Melissa M. Berger; Bradley A. Cantrell; James E. Polewski and Fatima Bendada

Non Voting: 1 - Ken Opin

Speaking in support of this item were Meg Roback of Wisconsin Dells Parkway, Lake Delton and Bill Simpson of East Park Boulevard, both representing the applicant. Registered in support and available to answer questions were the applicant, Shawn McKibben of Jupiter Drive and Brad Servin of Eastpark Boulevard, representing the applicant.

- 3. [44569](#) Consideration of a demolition permit and conditional use to allow demolition of a two-family residence and four-unit apartment building and construction of a 52-unit apartment building at 119-125 N. Butler Street as part of a residential building complex that will include two existing two-family residences at 120-124 N. Hancock Street; 2nd Ald. Dist.

On a motion by Rewey, seconded by Sheppard, the Plan Commission referred this item to the January 9, 2017 Plan Commission meeting pending a recommendation by the Urban Design Commission. The motion

passed by voice vote/other.

A motion was made by Rewey, seconded by Sheppard, to Refer to the PLAN COMMISSION and should be returned by 1/9/2017. The motion passed by voice vote/other.

There were no registrations on this item.

4. [44818](#)

Consideration of a conditional use to allow a former place of worship to be converted into a school and offices at 2670 Milwaukee Street; 6th Ald. Dist.

On a motion by Rewey, seconded by Sheppard, the Plan Commission found that the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials.

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

Registered in support and available to answer questions was Greg Markle of Brynwood Drive representing the applicant.

5. [44819](#)

Consideration of a demolition permit and conditional use to allow a single-family residence to be demolished and a new single-family residence to be constructed on a lakefront property at 5404 Lake Mendota Drive; 19th Ald. Dist.

On a motion by Sheppard, seconded by Rewey, the Plan Commission found that the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials. The motion passed by the following 4-1 vote: AYE: Ald. King, Sheppard, Rewey, and Oeth; NO: Ald. Zellers; NON-VOTING: Opin; EXCUSED: Ald. Carter, Berger, Cantrell, Polewski, and Bendada.

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

Ayes: 4 - Maurice C. Sheppard; James F. Oeth; Michael W. Rewey and Steve King

Noes: 1 - Ledell Zellers

Excused: 5 - Sheri Carter; Melissa M. Berger; Bradley A. Cantrell; James E. Polewski and Fatima Bendada

Non Voting: 1 - Ken Opin

Speaking in support of this item were the applicants Mary Morgan and David Sheriff of Lake Mendota Drive. Speaking in support and representing the applicants were Robert Bouril of Summerfield Drive in Verona; Robert Lackore of Woodburn Drive; and Bill White of Lakeland Avenue. Speaking in opposition to this request were Roy Christianson of Lake Mendota Drive; Karen Goodin of Lake Mendota Drive; and Richard Pearson of Lake Mendota Drive. Speaking in neither support nor opposition was Sally Miley of Lake Mendota Drive. Registered in opposition and not speaking were Charles Miley of Lake Mendota Drive and Dianne Christensen of Lake Mendota Drive.

6. [44820](#)

Consideration of a conditional use to construct an accessory building exceeding 800 square feet in area on a property zoned SR-C1 (Suburban Residential- Consistent 1 District) at 216 E. Dean Avenue; 15th Ald. Dist.

On a motion by Rewey, seconded by Sheppard, the Plan Commission found that the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials.

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

There were no registrations on this item.

- 7. [44821](#) Consideration of a conditional use for a restaurant-tavern use in an existing tea house at 823 E. Johnson Street; 2nd. Ald. Dist.

On a motion by Rewey, seconded by Sheppard, the Plan Commission found that the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials.

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

Registered in support and available to answer questions were Anthony Verbrick of East Johnson Street and Rachel Verbrick of East Johnson Street.

- 8. [44822](#) Consideration of conditional uses for a parking reduction and outdoor eating areas for a restaurant-tavern at 904 Williamson Street; 6th Ald. Dist.

On a motion by Rewey, seconded by Sheppard, the Plan Commission referred this item to the January 9, 2017 Plan Commission meeting. The motion to refer passed by voice vote/other.

A motion was made by Rewey, seconded by Sheppard, to Refer to the PLAN COMMISSION and should be returned by 1/9/2017. The motion passed by voice vote/other.

There were no registrations on this item.

- 9. [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 Rewey, seconded by Sheppard, the Plan Commission referred this item to the December 12, 2016 Plan Commission meeting. The motion to refer passed by voice vote/other.

A motion was made by Rewey, seconded by Sheppard, to Refer to the PLAN COMMISSION and should be returned by 12/12/2016. The motion passed by voice vote/other.

There were no registrations on this item.

- 10. [44834](#) Consideration of a conditional use to allow a two-family, two-unit dwelling to be converted into a three-unit, three-family dwelling at 4310 Mohawk Drive; 10th Ald. Dist.

On a motion by Rewey, seconded by Sheppard, the Plan Commission found that the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials.

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

There were no registrations on this item.

- 11. [44987](#) Consideration of a demolition permit to demolish a vacant laboratory with no proposed use at 501 Walnut Street; 5th Ald. Dist.

On a motion by Rewey, seconded by Sheppard, the Plan Commission found that the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials.

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

Registered in support and available to answer questions were Milanda Grittner of North Lapham Street and Dan Calleen of Birch Drive.

Zoning Text Amendments

- 12. [44260](#) SUBSTITUTE Amending Sections 28.140(1)(d) and (e) of the Madison General Ordinances to restrict when roof decks, porches, and balconies may be counted as usable open space.

On a motion by Ald. Zellers, seconded by Ald. King, the Plan Commission found that the standards were met and recommended approval of this Zoning Text Amendment. This motion passed by voice vote/other.

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

Registered in opposition and not wishing to speak was Chad Lacocer of Seminole Centre Court in Fitchburg, representing the Madison Area Builders Association.

- 13. [44739](#) Creating Sections 28.100 and amending Sections 28.151 and 28.211 of the Madison General Ordinances to add Nonmetallic Mineral Extraction District (ME) as a Special District.

On a motion by Sheppard, seconded by Rewey, the Plan Commission found that the standards for Zoning Map Amendments were met and recommended approval of a substitute Zoning Text Amendment ordinance to include the following modifications to be drafted by the City Attorney :

- That the ordinance will articulate that the City may not impose conditions that result in blasting requirements which are more stringent than those set by the state in the Wisconsin Administrative code.
- That the process for five year renewal will remain, but that the ordinance shall specify that renewal shall be presumptive if the operator demonstrates that there have been no violations of the mining ordinance and that the facility has been operated in accordance with the stated conditions of their conditional use approval.

The above main motion passed by voice vote/other. The first condition was added after being moved by Ald. King, seconded by Rewey, and approved by voice vote/other. The second condition was added after being moved by Ald. King, seconded by Ald. Zellers, and approved by the following 4-1 Vote: AYE: Ald. King, Ald. Zellers, Sheppard, and Oeth; NO: Rewey; NON-VOTING: Opin; EXCUSED: Ald. Carter, Berger, Cantrell, Polewski, and Bendata. A third amendment to remove the five-year mandatory renewal requirement in sub-section (q) was made by Rewey and failed for lack of a second.

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

Speaking in opposition was Tim Gederhegan of CTH K in Waunakee representing Yahara Materials .

- 14. [44740](#) SUBSTITUTE Amending Sections 28.211, 28.151, 28.061, 28.072, 28.082 and 28.132, creating Sections 28.006(3)(i) and 9.26 of the Madison General Ordinances allowing for Storage Lockers in the Mixed Use and Commercial Districts, Employment Districts, and the DC, UOR, and UMX districts and to require a license to operate storage lockers.

On a motion by Rewey, seconded by Sheppard, the Plan Commission found that the standards were met and recommended approval of this Zoning Text Amendment. The motion passed by voice vote/other.

A motion was made by Rewey, seconded by Sheppard, to RECOMMEND TO

COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

There were no registrations on this item.

Zoning Map Amendments

- 15. [44732](#) Creating Section 28.022-00254 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan at property located at 489 Commerce Drive, 9th Aldermanic District, and creating Section 28.022-00255 to amend a Planned Development District to approve a Specific Implementation Plan.

On a motion by Rewey, seconded by Sheppard, the Plan Commission found that the standards were met and recommended approval of this Zoning Map Amendment subject to the comments and conditions contained within the Plan Commission materials. This vote passed by voice vote/other.

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

Registered in support and available to answer questions were the applicant Fred Rouse of Perry Street and Randy Bruce of University Avenue, representing the applicant.

- 16. [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 Rewey, seconded by Sheppard, the Plan Commission recommended that this item be re-referred to the December 12, 2016 Plan Commission meeting. The motion to refer passed by voice vote/other.

A motion was made by Rewey, seconded by Sheppard, to RECOMMEND TO COUNCIL TO RE-REFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION and should be returned by 12/12/2016. The motion passed by voice vote/other.

There were no registrations on this item.

- 17. [44918](#) Creating Section 28.022 -- 00257 of the Madison General Ordinances to change the zoning at properties located at 2348 and 2370 Revival Ridge, 10th Aldermanic District, from PD (GDP) Planned Development (General Development Plan) District to TR-CR3 (Traditional Residential-Consistent 3) District.

On a motion by Rewey, seconded by Sheppard, the Plan Commission found that the standards were met and recommended approval of this Zoning Map Amendment subject to the comments and conditions contained within the Plan Commission materials. This vote passed by voice vote/other.

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

There were no registrations on this item.

BUSINESS BY MEMBERS

There was no Business By Members.

SECRETARY'S REPORT

Heather Stouder summarized the upcoming matters.

- Upcoming Matters - December 12, 2016

- 1004-1032 S. Park Street - Amended PD(GDP-SIP) - Revised plans for approved mixed-use building to include 1,965 sq. ft. of commercial space, 156 apartments and 5 live-work units
- 301 Cross Oak Drive - PD(GDP) to PD(SIP) - Construct nine-unit townhouse building
- 518-542 Junction Road - PD (GDP-SIP) Alteration - Construct mixed-use development with 173 residential units and 7,900 square feet of commercial space in three buildings
- 801 E. Washington Avenue - Conditional Use - Construct up to eight-story commercial/ office building containing 152,925 square feet of floor area, including 40,000 square-foot theater/ concert hall in Urban Design Dist. 8
- 819 E. Washington Avenue - Conditional Use - Construct eight-story, 158,000 square-foot office building in Urban Design Dist. 8
- 6509 Normandy Lane - Conditional Use - Construct mixed-use building in a planned multi-use site containing 2,300 square feet of commercial space and 57 apartments
- 53 West Towne Mall - Conditional Use - Convert existing Sears store into multi-tenant commercial building, convert auto repair shop into 2 restaurants and create 3 commercial pad sites in reconfigured parking lot
- 134 S. Fair Oaks Avenue - Conditional Use - Construct residential addition to existing commercial building to contain 80 apartments and 2,500 square feet of commercial space
- 615 E. Washington Avenue - Conditional Use - Convert existing commercial building into daytime shelter in Urban Design Dist. 8
- 711-719 Jenifer Street - Certified Survey Map Referral - Create one lot for existing lodge/private club and one lot for existing single-family residence in Third Lake Ridge Historic District
- 2313 Center Avenue - Conditional Use - Construct accessory building with accessory dwelling unit

ANNOUNCEMENTS

Mike Rewey stated that he would not be present at the November 28, 2016 meeting.

ADJOURNMENT

**A motion was made by Rewey, seconded by Sheppard, to Adjourn at 8:02 pm.
The motion passed by voice vote/other.**