



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, January 9, 2017

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:** 7 - Ledell Zellers; Sheri Carter; Maurice C. Sheppard; Melissa M. Berger; James F. Oeth; Michael W. Rewey and James E. Polewski

**Excused:** 3 - Steve King; Ken Opin and Fatima Bendada

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

Brad Cantrell was chair for the meeting.

Staff Present: Heather Stouder, Dan McAuliffe, Brian Grady; Rick Roll, Chris Wells, Planning Division; Matt Tucker, Zoning.

Also present: Ald. Rummel and Ald. Demarb

### PUBLIC COMMENT

There was no public comment under this item.

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

Mr. Oeth disclosed that he has a son who works for Reinhart Boerner Van Deuren, a law firm associated with Items 10, 11, and 15, but stated that he did not feel that it would affect his ability to participate on those items.

Ald. Zellers disclosed that she had a son-in-law who works for Illumina (in San Diego, CA), who is associated with Items 10 and 11, but stated that she did not feel that it would affect her ability to participate on those items.

### MINUTES OF THE NOVEMBER 28, 2016 SPECIAL MEETING

A motion was made by Sheppard, seconded by Berger, to Approve the minutes. This item passed by voice/vote/other.

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

### MINUTES OF THE DECEMBER 12, 2016 REGULAR MEETING

A motion was made by Sheppard, seconded by Berger, to Approve the minutes. This item passed by voice/vote/other.

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

Two corrections to the December 12 minutes were noted:

For Item 9: It should note that Berger, not Cantrell made the motion and Oeth, not Berger, seconded the motion.

For Item 14: It should note that Rewey, not Berger, made the motion and Ald. Zellers seconded the motion.

## SCHEDULE OF MEETINGS

January 23 and February 6, 2017

## ROUTINE BUSINESS

1. [45504](#) Authorizing the execution of a Release of a Platted Public Utility Easement as located in the Plat of High Point Estates, for the property located at 10 Elver Court.

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

**A motion was made by Rewey, seconded by Sheppard, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
  
2. [45505](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of City-owned property located at 650 West Washington Avenue.

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

**A motion was made by Rewey, seconded by Sheppard, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
  
3. [45506](#) Authorizing the execution of a Declaration of Public Right-of-Way for an extension of Harvest Moon Lane through a portion of City-owned land at Silicon Prairie Business Park, located at 502 South Point Road.

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

**A motion was made by Rewey, seconded by Sheppard, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
  
4. [45537](#) Authorizing the acceptance of a Quit Claim Deed from the State of Wisconsin, Department of Transportation, for a parcel of land adjacent to Brittingham Park, located at 201 Proudfit Street.

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

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

- 5. [45568](#) Amending Substitute Resolution 15-00525 Authorizing the Mayor and City Clerk to execute Subterranean and Air Space Leases with 25 West Main Parking LLC to change the definition of Leased Premises

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

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

There were no registrants on the Routine Business items.

## NEW BUSINESS

- 6. [42490](#) SUBSTITUTE - Requesting the Planning Division Director, in conjunction with the Community Development Authority Redevelopment Division Housing Initiatives Specialist and the Zoning Administrator, review and assess the city’s housing development policies using the White House Housing Development Toolkit and identify potential policy modifications.

Recommend to Council to adopt with the following amendment to the body of the resolution (text added is underlined):

"BE IT FURTHER RESOLVED, in order to fully assess their relevance, the Planning Division Director, in conjunction with the Community Development Authority Redevelopment Division Housing Initiatives Specialist and the Zoning Administrator, shall prepare a report that will review each proposal cited in the White House Housing Development Toolkit and assess if the city has adopted its core elements , make a determination as to the benefit to the city for its adoption, potential modification of the proposals to make them consistent with existing city and state law and discuss the prospective quality of life, equity, economic, social and geographic barriers for adoption and;"

This item passed by voice/vote/other.

**On a motion from Ald. Zellers, seconded by Polewski, the Plan Commission recommended to Council to amend resolution (text added is capitlized):**

**"BE IT FURTHER RESOLVED, in order to fully assess their relevance, the Planning Division Director, in conjunction with the Community Development Authority Redevelopment Division Housing Initiatives Specialist and the Zoning Administrator , shall prepare a report that will review each proposal cited in the White House Housing Development Toolkit and assess if the city has adopted its core elements, make a determination as to the benefit to the city for its adoption, potential modification of the proposals to make them consistent with existing city and state law and discuss the prospective QUALITY OF LIFE, EQUITY, economic, social and geographic barriers for adoption and;"**

**A motion was made by Zellers, seconded by Polewski, to RECOMMEND TO COUNCIL TO ADOPT SUBSTITUTE - REPORT OF OFFICER. 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.

**Neighborhood Development Plan**

- 7. [44402](#) Adopting the Yahara Hills Neighborhood Development Plan as a supplement to the City of Madison Comprehensive Plan and authorizing the City’s applications to amend the Central Urban Service Area as required to implement the development phasing recommendations in the Yahara Hills Neighborhood Development Plan.

On a motion by Rewey, seconded by Berger, the Plan Commission recommended approval of the neighborhood plan subject to recommendations contained in the Planning Division staff report dated January 9, 2017, with the following amendments:

- Provide a bicycle/pedestrian grade-separated crossing on existing CTH AB over USH 12/18 in plan.
- Provide a continuous north-south bike path somewhere in the neighborhood plan.
- Note that best practices for roundabout designs that better accommodate bicyclists and pedestrians can include what has already been constructed by the City in the CTH M corridor between The City of Verona and Mineral Point Road.
- Include Map 7A with hashmarks overlayed in the area to the north indicating that development there is contingent upon having a north-south vehicular connection over the railroad tracks.

The motion to recommend approval of the plan as amended herein passed by voice vote/ other.

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

Speaking in support was Tom Waltz of Blackhawk Road. Speaking neither in support nor opposition and available to answer questions was James Frater of Sprecher Road, representing the Blooming Grove Planning Commission. Speaking neither in support nor opposition was Kris Hampton of CTH N, Cottage Grove, representing the Town of Cottage Grove.

**Zoning Text Amendment**

- 8. [45167](#) Amending Section 28.022(3)(c) of the Madison General Ordinances to update city floodplain maps.

On a motion by Ald. Carter, seconded by Berger, the Plan Commission found that the standards for approval were met and recommended approval of this zoning text amendment.

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

There were no registrants on this item.

**Zoning Map Amendment & Related Requests**

- 9. [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 Ald. Carter, seconded by Berger, the Plan Commission found that the standards for approval were met and recommended approval of this planned development subject to comments and conditions contained in the Plan Commission materials by voice vote/other.

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

There were no registrants on this item.

- 10. [45037](#) Creating Section 28.022 -- 00262 of the Madison General Ordinances to change the zoning of property located at 6102 Odana Road, 19th Aldermanic District, from MXC (Mixed Use Center) District to SE (Suburban Employment) District.

On a motion by Ald. Carter, seconded by Berger, the Plan Commission recommended re-referral of the zoning map amendment (ID 45037) at the request of the applicant. The motion to re-refer passed by voice vote/ other.

**A motion was made by Carter, seconded by Berger, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the COMMON COUNCIL. The motion passed by voice vote/other.**

The public hearings for items 10 & 11 were considered together.

There were no registrants on this item.

- 11. [45001](#) Approving the preliminary plat of CUNA Lands and a Certified Survey Map of property owned by CMFG Life Insurance Co. located at 6102 Odana Road and 6001 Mineral Point Road; 19th Ald. Dist.

On a motion by Ald. Carter, seconded by Berger, the Plan Commission referred this item at the request of the applicant. This motion passed by voice vote / other.

**A motion was made by Carter, seconded by Berger, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.**

The public hearings for items 10 & 11 were considered together.

There were no registrants on this item.

- 12. [45113](#) Creating Section 28.022 -- 00264 of the Madison General Ordinances to change the zoning of property located at 2101 Fisher Street, 14th Aldermanic District, from CN (Conservancy) District and TR-C4 (Traditional Residential - Consistent 4) District to PR (Parks and Recreation) District to correct a mapping error.

On a motion by Ald. Carter, seconded by Berger, the Plan Commission found that the standards were met and recommended approval of this zoning map amendment by voice vote/other.

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

There were no registrants on this item.

**Conditional Use & Demolition Permits**

- 13. [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 Polewski, seconded by Ald. Zellers, the Plan Commission found that the standards were met and approved the request for outdoor eating areas subject to comments and conditions contained in the Plan Commission materials and the following conditions:

- There shall be no outdoor eating area along S. Paterson Street
- The outdoor eating area along Williamson Street shall have a capacity of 12 persons.
- The closing time of the outdoor eating area along Williamson Street shall be 9:00 pm Sunday - Thursday and 10:00 pm Friday - Saturday.

This item passed by voice/vote/other.

On a subsequent motion by Polewski, seconded by Ald. Zellers, the Plan Commission found that the standards were not met and denied the request for the parking stall reduction. In regards to the Conditional Use Standards, the Plan Commission stated the Conditional Use Standards 3 & 10 were not met. The Plan Commission stated that it would diminish the uses, values, and enjoyment of the property in the surrounding area and that it did not satisfy the various criteria cited in Conditional Use Approval Standard #10 (Conditional Use Standards per Sec. 28.183(6)).

This item passed by voice/vote/other.

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

Speaking in support was Oscar Villarreal of Stein Avenue, the applicant, and William White of Lakeland Avenue. Registered in support and available to answer questions were Jordan Wegner of Stein Avenue; Sandra Wegner of Stein Avenue; and Steve Shulfer of Elmwood Avenue, representing Louis Fortis, the property owner.

Registered in support were Terry Wegner of Stein Avenue; Shane Gardner of N. Orchard View Drive, Evansville; and Cassandra Villarreal of Linda Vista Road.

Speaking neither in support nor in opposition was Lindsey Lee of Williamson Street.

Registered neither in support nor in opposition and available to answer questions was Robert Procter of E. Mifflin Street.

Speaking in opposition was Linda Lehnertz of S. Paterson Street and John Coleman of S. Dickinson Street, representing the Marquette Neighborhood Association.

Registered in opposition and available to answer questions was Ross Wuennenberg of Spaight Street.

- 14. [45117](#) Consideration of a demolition permit to allow demolition of a street facing wall as part of the renovation of and addition to an existing funeral home at 3325 E. Washington Avenue; Urban Design Dist. 5; 15th Ald. Dist.

On a motion by Ald. Carter, seconded by Berger, 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 Carter, seconded by Berger, to Approve. The motion passed by voice vote/other.**

There were no registrants on this item.

15. [45249](#) Consideration of a major alteration to an approved conditional use to allow construction of a four-story mixed-use building with 5,000 square feet of commercial space and 44 dwelling units at 1603-1609 Monroe Street; 13th Ald Dist.

On a motion by Ald. Carter, seconded by Berger, 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 6:1 vote: ( AYE: Polewski, Berger, Ald. Carter, Oeth, Sheppard, and Rewey; NO: Ald. Zellers; NON-VOTING: Cantrell; EXCUSED: Ald. King, Opin, and Bendada)

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

**Ayes:** 6 - Sheri Carter; Maurice C. Sheppard; Melissa M. Berger; James F. Oeth; Michael W. Rewey and James E. Polewski

**Noes:** 1 - Ledell Zellers

**Excused:** 3 - Steve King; Ken Opin and Fatima Bendada

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

There were no registrants on this item.

## BUSINESS BY MEMBERS

There were no announcements.

## SECRETARY'S REPORT

### - Upcoming Matters - January 23, 2017

- Planning Division staff update on Comprehensive Plan - Imagine Madison
- 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 bldg. in residential bldg. complex including 2 existing two-family residences
- 801 E. Washington Avenue - Conditional Use - Construct eight-story version of commercial/ office building containing 152,925 square feet of floor area in Urban Design Dist. 8
- 6802 Ronald Reagan Avenue - SE to IL and Certified Survey Map Referral - Create 2 industrial lots and 2 outlots for future development
- Zoning Text Amendment - Amend MGO Secs. 28.151 and 28.211 to clarify that automobile service station activities must occur inside a building and that the windows and doors to that building must be closed if working during evening hours
- Zoning Text Amendment - Repeal and amend portions of MGO Section 28.151 to remove a duplicate section in the supplemental regulations related to the reuse of former schools, municipal buildings, or places of worship
- Zoning Text Amendment - Amend MGO Section 28.066(3)(a)8. to allow entrances in the mixed-use and commercial districts to be oriented toward a private street
- Zoning Text Amendment - Amend MGO Sections 28.151 and 28.082(1) to require accessory buildings and structures to meet the requirements contained in Section 28.131
- Zoning Text Amendment - Amend MGO Sections 28.061 and 28.151 to allow vehicle service sales and windows underneath buildings in the TSS, MXC, CC-T and CC districts.
- Zoning Text Amendment - Amend MGO Section 28.082 to allow Contractor's business with showroom or workshop in all employment districts
- Zoning Text Amendment - Amend MGO Section 28.082 to add cohousing community as a permitted use in the SE, TE, SEC and EC districts
- Zoning Text Amendment - Create MGO Section 28.141(9)(b)2. to allow residential driveway width extension.
- Zoning Text Amendment - Amend MGO Section 28.211 to change the definition of lot area so that areas

designated as wetlands or reserved by easement to the public cannot be counted in the overall lot area calculation

- 2083 Atwood Avenue - Conditional Use - Allow limited production and processing for food and related goods sales business

- 502-506 E. Badger Road - Demolition Permit and Conditional Use - Demolish bowling alley and construct auto sales facility

- 11713 Mid Town Road - Extraterritorial Certified Survey Map - Re-divide two lots in the Town of Verona

#### **- Upcoming Matters - February 6, 2017**

- Adopting Madison in Motion long-range transportation plan

- 1302-1430 Reiner Road - A to TR-C3 and TR-U1, Demolition Permit, and Preliminary Plat and Final 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, with approval of first phase buildings

- 1413 Wyldewood Drive - Conditional Use - Convert single-family residence into daycare center

- 701 Ottawa Trail - Demolition Permit - Demolish single-family residence to construct new single-family residence

- 4246 Daentl Road - Cooperative Plan Development Approval - Allow additional commercial zoning and modify restrictions to allow additional outdoor display for existing power sports dealership in the Town of Burke

## **ANNOUNCEMENTS**

There were no announcements.

## **ADJOURNMENT**

**A motion was made by Carter, seconded by Polewski, to Adjourn at 8:30 pm.  
The motion passed by voice vote/other.**