



City of Madison

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

Meeting Minutes - Approved PLAN COMMISSION

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Monday, April 23, 2018

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 5:34 p.m.

Present: 8 - Ledell Zellers; Sheri Carter; Ken Opin; Melissa M. Berger; James F. Oeth; Michael W. Rewey; James E. Polewski and Jason S. Hagenow

Excused: 3 - Steve King; Bradley A. Cantrell and Andrew J. Statz

Opin was chair for the meeting

Staff Present: Natalie Erdman, Secretary; Heather Stouder, Kevin Firchow, and Sydney Prusak, Planning Division; Matt Tucker, Building Inspection; Sean Malloy and Yang Tao, Traffic Engineering Division; Tim Sobota, Metro Transit; and Matt Wachter, Office of Real Estate Services.

Also Present: Ald. Harrington-McKinney, Ald. Martin, and Ald. Clear

PUBLIC COMMENT

There were no registrants for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Hagenow disclosed that he is a member of the Greenbush Neighborhood Association, which sent a letter regarding item 20, but that would not affect his consideration of the matter.

MINUTES OF THE APRIL 2, 2018 REGULAR MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings: May 7, 21 and June 4, 18, 2018.

ROUTINE BUSINESS

1. [50539](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the City of Madison to obtain the land interests required for the construction of the Cannonball Water Main Phase 6 project.
A motion was made by Polewski, seconded by Rewey, to Return to Lead with the Recommendation for Approval to the WATER UTILITY BOARD. The motion passed by voice vote/other.

2. [51003](#) Authorizing the execution of a Purchase and Sale Agreement between the City of Madison and the owner of the property located at 6444 Nesbitt Road for the expansion of Apple Ridge Park.
- A motion was made by Polewski, seconded by Rewey, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.**
3. [51066](#) Authorizing the execution of a Public Pedestrian/Bicycle Path Easement Agreement with Madison Metropolitan School District for an easement across the Midvale Elementary School property, located at 502 Caromar Drive.
- A motion was made by Polewski, seconded by Rewey, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
4. [51084](#) Authorizing the City of Madison to accept ownership from Schenk Atwood Starkweather Yahara Neighborhood Association of picnic tables and boulder seating to be located at 252 Jackson Street and within St. Paul Avenue right-of-way.
- A motion was made by Polewski, seconded by Rewey, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
5. [51172](#) Accepting a Public Sidewalk Easement from Madison Area Technical College across property located at 801 W. Badger Road.
- A motion was made by Polewski, seconded by Rewey, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
6. [51173](#) Authorizing the execution of an Underground Electric Easement to Madison Gas and Electric Company across a portion of the Fire Station 14 property located at 3201 Dairy Drive.
- A motion was made by Polewski, seconded by Rewey, 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 for any of the Routine Business items.

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 Text Amendments

- 7. [50348](#) SUBSTITUTE Amending Sections 28.032(1) and 28.151 of the Madison General Ordinances to permit Health/Sports Club, Fitness Center or Studio as a conditional use in residential districts.

On a motion by Berger, seconded by Oeth, the Plan Commission found the standards met and recommended approval of the zoning text amendment by voice vote/other.

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

There were no registrants on this item.

- 8. [50630](#) SUBSTITUTE Amending Sections 28.032(1), 28.039(2), 28.040(2), 28.047(2), 28.048(2), 28.050(2), 28.051(2), 28.053(4), 28.132(2)(g), 28.141(8)(c)5., 16.23(8)(a)8.a.vii., repealing Section 28.131(1)(d), and creating Sec. 28.140(1)(f) of the Madison General Ordinances to allow single family attached dwellings of 5-8 dwelling units.

On a motion by Berger, seconded by Oeth, the Plan Commission found the standards met and recommended approval of the zoning text amendment by voice vote/other.

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

There were no registrants on this item.

- 9. [50920](#) Amending Section 28.085(4)(b) of the Madison General Ordinances to allow property owners to choose the front lot line for purposes of locating parking.

On a motion by Berger, seconded by Oeth, the Plan Commission found the standards met and recommended approval of the zoning text amendment by voice vote/other.

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

There were no registrants on this item.

Zoning Map Amendments & Related Requests

- 10. [50130](#) Creating Section 28.022 - 00321 of the Madison General Ordinances to change the zoning of property located at 4802 Sheboygan Avenue, 11th Aldermanic District from SE (Suburban Employment) District to PD(GDP) Planned Development (General Development Plan) District.

On a motion by Berger, seconded by Rewey, the Plan Commission found that the approval standards were met and forwarded this zoning map amendment (ID 50130) and preliminary plat (ID 49928) to the Common Council with a recommendation of approval. This recommendation is subject to the comments and conditions contained within the Plan Commission materials with the following modifications and additions:

 - That Condition 24 e of the April 23, 2018 Staff Report Addendum be revised to note that the developers deposit shall be provided prior to sign-off of the first Specific Implementation Plan (SIP), not the the GDP (General Development Plan) as listed in the original condition. No other changes to that condition were included in this modification.

- That the applicant shall work with Traffic Engineering staff to ensure that adequate right-of-way is dedicated along Segoe Road to incorporate bicycle lanes.

The motion passed by voice vote/other. The second amendment related to further right-of-way dedication was added to the main motion as a friendly amendment.

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

11. [49928](#)

Approving the preliminary plat of Madison Yards at Hill Farms on property generally addressed as 4802 Sheboygan Avenue; 11th Ald. Dist.

On a motion by Berger, seconded by Rewey, the Plan Commission found that the approval standards were met and forwarded this zoning map amendment (ID 50130) and preliminary plat (ID 49928) to the Common Council with a recommendation of approval. This recommendation is subject to the comments and conditions contained within the Plan Commission materials with the following modifications and additions:

- That Condition 24 e of the April 23, 2018 Staff Report Addendum be revised to note that the developers deposit shall be provided prior to sign-off of the first Specific Implementation Plan (SIP), not the the GDP (General Development Plan) as listed in the original condition. No other changes to that condition were included in this modification.
- That the applicant shall work with Traffic Engineering staff to ensure that adequate right-of-way is dedicated along Segoe Road to incorporate bicycle lanes.

The motion passed by voice vote/other. The second amendment related to further right-of-way dedication was added to the main motion as a friendly amendment.

A motion was made by Berger, seconded by Rewey, 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.

The following were registered on Items 10 and 11, which were considered together:

Registered in support and wishing to speak were Sean Roberts of N Broadway representing Summit Smith Development, Milwaukee; Brian Smalkoski of N Carroll Street representing Smith Gilbane; Alan Fish of Morrison Street; Cassie Goodwin of Tokay Boulevard representing Smith Group JJR; Tom Rogers of Creamery Court representing Smith Group JJR; Michael Lawton of S Eau Claire Avenue; Gary Peterson of Marinette Trail; Baray Orton of Lafayette Drive; and Bill White of Lakeland Avenue representing SG Hill Farms LLC.

Registered in support and available to answer questions was Tracy Shandor representing Smith Gilbane.

Registered in support was Alder Arvina Martin, District 11.

Registered in opposition and wishing to speak was Fred Mohs of Wisconsin Avenue.

12. [50758](#)

Creating Section 28.022 -- 00324 of the Madison General Ordinances to change the zoning of properties located at 717-753 E. Johnson Street, 2nd Aldermanic District, from TR-V2 (Traditional Residential - Varied 2) District to NMX (Neighborhood Mixed-Use) District.

On a motion by Berger, seconded by Oeth, the Plan Commission recommended re-referral of the zoning map amendment (ID 50758) and referred the demolition and conditional use (ID 50430) to May 21, 2018 (June 5, 2018 Common Council meeting) at the applicant's request. The motion to recommend referral passed by voice vote/other.

A motion was made by Berger, seconded by Oeth, to RECOMMEND TO COUNCIL TO RE-REFER - RECESSED PUBLIC HEARING to the COMMON

COUNCIL and should be returned by May 21, 2018. The motion passed by voice vote/other.

- 13. [50430](#) REVISED - Consideration of a demolition permit to demolish or relocate seven residential buildings, and conditional uses to construct two four-story mixed-use buildings with 2,800 square feet of commercial space and 54 apartments, and approve a planned multi-use site with seven buildings, including five residences with 13 total units on property addressed as 717-753 E. Johnson Street; 2nd Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission recommended re-referral of the zoning map amendment (ID 50758) and referred the demolition and conditional use (ID 50430) to May 21, 2018 (June 5, 2018 Common Council meeting) at the applicant's request. The motion to recommend referral passed by voice vote/other.

A motion was made by Berger, seconded by Oeth, to Refer to the PLAN COMMISSION and should be returned by May 21, 2018. The motion passed by voice vote/other.

Note: Items 14 and 15 were considered together. Public Hearing registrants are listed under Item 15.

- 14. [50902](#) Creating Section 28.022 - 00325, Section 28.022 - 00326 and Section 28.022 - 00327 of the Madison General Ordinances to change the zoning of properties located at 1251-1651 Meadow Road, 1st Aldermanic District, from Temp A (Temporary Agriculture) District to SR-C1 (Suburban Residential - Consistent 1) District, PR (Parks and Recreation) District, and CN (Conservancy) District.

On a motion made by Carter, seconded by Polewski, the Plan Commission recommended referral of the zoning map amendment (ID 50902) to May 7, 2018 (May 15, 2018 Common Council meeting). The motion to recommend referral passed by voice vote/other.

A motion was made by Carter, seconded by Polewski, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION, due back on May 7, 2018. The motion passed by the following vote:

Absent: 3 - Steve King; Bradley A. Cantrell and Andrew J. Statz

Ayes: 6 - Ledell Zellers; Sheri Carter; Melissa M. Berger; James F. Oeth; James E. Polewski and Jason S. Hagenow

Noes: 1 - Michael W. Rewey

Non Voting: 1 - Ken Opin

- 15. [50867](#) Approving the preliminary plat and Certified Survey Map of City-owned property addressed as 1251-1651 Meadow Road; 1st Ald. Dist.

On a motion by Carter, seconded by Polewski, the Plan Commission recommended referral of the preliminary plan and Certified Survey Map (ID 50867) to May 7, 2018 (May 15, 2018 Common Council meeting). The motion to recommend referral passed by voice vote/ other.

A motion was made by Rewey to approve items 14 & 15, which failed due to lack of a second.

A motion was made by Carter, seconded by Polewski, to Refer to the PLAN COMMISSION, due back on May 7, 2018. The motion passed by the following vote:

Absent: 3 - Bradley A. Cantrell; Steve King and Andrew J. Statz

Ayes: 6 - Ledell Zellers; Sheri Carter; Melissa M. Berger; James F. Oeth; James E. Polewski and Jason S. Hagenow

Noes: 1 - Michael W. Rewey

Non Voting: 1 - Ken Opin

Registered in opposition and wishing to speak was Melissa Klein of Gander Circle. Registered in neither support or opposition and wishing to speak were John Gardner of Gander Circle and Dan LaFleur of Meadow Road.

Conditional Use & Demolition Permits

Note: Item 16 should be referred to May 21, 2018 at the request of the applicant.

16. [50431](#) Consideration of a conditional use for a residential building complex with two relocated two-family two-unit dwellings at 827 E. Gorham Street; 2nd Ald. Dist.
 On a motion by Berger, seconded by Oeth, the Plan Commission re-referred the conditional use to May 21, 2018 at the request of the applicant. The motion to refer passed by voice vote/other.
A motion was made by Berger, seconded by Oeth, to Refer to the PLAN COMMISSION and should be returned by May 21, 2018. The motion passed by voice vote/other.

17. [50871](#) Consideration of a conditional use to convert an existing office building into a school at 1802 Pankratz Street; Urban Design Dist. 4; 12th Ald. Dist.
 On a motion made by Berger, seconded by Oeth, the Plan Commission found 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 Berger, seconded by Oeth, to Approve. The motion passed by voice vote/other.
 Registered in support and not wishing to speak were Melissa Droesslera of Madison; Marsha Mueller of Brookridge Avenue representing Pertco LLC, Crystal, MN; Guy Mueller of Brookridge Avenue, Crystal, MN representing Pertco LLC; and Carol Marlette of Southern Oak Place representing Isthmus Montessori Academy.

18. [50872](#) Consideration of a conditional use for an animal daycare and animal boarding facility at 2318 Mustang Way; 16th Ald. Dist.
 On a motion made by Berger, seconded by Oeth, the Plan Commission found the standards were met and recommended approval of the conditional use subject to the 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 were Kate Graber of Prospect Commons, Sun Prairie; Barb Schrupp of Prospect Commons, Sun Prairie; Gail Piper of E Dayton Street; Laura Strimpel of Coolidge Street; and Bill Ranguette of Vanderbilt Drive, Waunakee.

19. [50873](#) 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 parcel located at 4102 Veith Avenue; 18th Ald. Dist.

On a motion by Berger, seconded by Oeth, the Plan Commission found the standards were met and recommended approval of the conditional use and demolition subject to the 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 Jodi Shehadi of Veith Avenue .

20. [50876](#)

Consideration of a conditional use for outdoor recreation and a major alteration to an approved conditional use to reduce parking and increase the capacity of a banquet/reception facility and the outdoor eating area for the existing restaurant-tavern-brewpub at 1313 Regent Street; 13th Ald. Dist.

On a motion made by Berger, seconded by Rewey, the Plan Commission found the standards were met and recommended approval of the conditional use subject to the comments and conditions contained in the Plan Commission Materials and the following added conditions:

1. The applicant may also host 16 events per year (no more than four (4) per month, and no more than two (2) per week), where the brewpub and reception space would be combined for a maximum capacity of 445 persons for the entire site (208 persons for the brewpub, 155 persons for the reception hall, and 82 for the outdoor area) and open to the general public. The doors are required to be closed and locked to reception hall space but when it is being used for separate events. If the applicant chooses to host more than these 16 events per year, an alteration to this conditional use will be required.

2. That all the lighting shall be dark sky compliant.

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

Registered in support and available to answer questions was Rod Ripley of Drake Street representing Luckys 1313 Brew Pub.

Land Division

21. [50682](#)

Consideration of a Certified Survey Map within the City's Extraterritorial Jurisdiction creating two lots at 2998 Gaston Road, Town of Cottage Grove.

On a motion made by Berger, seconded by Oeth, the Plan Commission found the standards met and recommended approval of the certified survey map subject to the 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.

There were no registrants for this item.

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

- Upcoming Matters - May 7, 2018

- Zoning Text Amendment - Amend Sec. 28.183(8) to revise review process for minor alterations if the alderperson of the district and Director of Planning and Community and Economic Development do not agree on whether the minor alteration should be approved
- 6918 Seybold Road - Demolition Permit and Conditional Use - Demolish restaurant to construct multi-tenant commercial building with vehicle access sales and service window in Urban Design Dist. 2
- 222 N. Charter Street - Official Map Amendment - Amend official map to reduce reservation on parcel

from 17 feet to 14 feet

- 1722 Legacy Lane - Conditional Use - Construct two-family two-unit dwelling
- 1802 Legacy Lane - Conditional Use - Construct two-family two-unit dwelling
- 2911 N. Sherman Avenue - Conditional Use - Allow outdoor eating area for restaurant-tavern
- 4100 Monona Drive - Conditional Use - Allow restaurant-tavern in multi-tenant commercial building with outdoor eating area
- 1133 E. Wilson Street - Conditional Use - Allow outdoor eating area for brewpub
- 926 Emerald Street - Conditional Use - Construct accessory building exceeding 576 sq. ft. in TR-C3 zoning
- 7080 Applewood Drive - Extraterritorial Certified Survey Map - Create two lots in the Town of Middleton

- Upcoming Matters - May 21, 2018

- 9563 Blackhawk Road/ 9550 Sandhill Road - Temp. A to SR-C1, Preliminary Plat, and Final Plat - Ninth Addition to Blackhawk Subdivision, creating 14 single-family lots
- 9951 Old Sauk Road and 645 Schewe Road - Temp. A and SR-C1 to TR-C3, Preliminary Plat and Certified Survey Map - Chapel View preliminary plat, creating 43 single-family lots, two lots for single-family cottage development, one lot for a daycare center, one lot for an existing church, and three outlots for public stormwater management, with CSM for church lot
- 408 Westmorland Blvd. - Demolition Permit - Demolition of existing addition to single-family residence to construct new addition
- 9920 Watts Road - Conditional Use Alteration - Revise plans for multi-family residential building complex to modify clubhouse and eliminate pool amenity for previously approved 105-unit development.

ANNOUNCEMENTS

Polewski communicated that he would be absent for the meeting on May 21. Berger communicated that she would be absent for the meeting on June 4. Zellers communicated that she would be absent for the meetings on May 21 and June 4.

ADJOURNMENT

**A motion was made by Hagenow, seconded by Berger, to Adjourn at 7:57 p.m..
The motion passed by voice vote/other.**