



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

*This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse Channel 99 or at [www.madisoncitychannel.tv](http://www.madisoncitychannel.tv).*

---

Monday, December 17, 2018

5:30 PM

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

---

### CALL TO ORDER/ROLL CALL

**Present:** 7 - Ledell Zellers; Sheri Carter; 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

**Non Voting:** 1 - Ken Opin

Ken Opin was chair for the meeting.

Staff Present: Heather Stouder, Colin Punt, and Chris Wells, Planning Division.

Also: Ald. Furman, Ald. Phair, and Ald. Wood

### PUBLIC COMMENT

There were no registrants for public comment.

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

Hagenow disclosed that the company that he works for manages several other of buildings operated by The Road Home, an organization who will have 20 units in the development at 5614 Schroeder Road, Item 4. He stated, however, that it would not have any bearing on his vote.

### MINUTES OF THE DECEMBER 3, 2018 REGULAR MEETING

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

### SCHEDULE OF MEETINGS

January 14, 28 and February 11, 25, 2019

### ROUTINE BUSINESS

1. [53940](#) Authorizing the City of Madison to enter into a Public Sanitary Sewer Access Easement Agreement with Dane County, and to accept two Public Sanitary Sewer Access Easements from Dane County, to allow access to existing public sanitary sewer facilities across the properties located at 1650, 1702, and 1802 Pankratz Street. (12th A.D.)

**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 voice vote/other.**

There were no registrants on this item.

## NEW BUSINESS

2. [53924](#) Authorizing the Mayor and City Clerk to enter into an Early Attachment and Revenue Sharing Agreement with the Town of Burke to facilitate the attachment and future development of the Town parcels located at 4202-4210 Hoepker Road.

**A motion was made by Berger, seconded by Rewey, to RECOMMEND TO COUNCIL TO ADOPT - 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.

### Zoning Text Amendment

3. [53809](#) Amending Section 28.185(7)(a)2.b., creating Section 28.185(7)(a)5., renumbering Section 28.185(7)(a)5. to 6., and amending Section 28.185(7)(b) of the Madison General Ordinances to add a Demolition and Removal standard requiring the Plan Commission to consider the proposed impact of a building relocation on city terrace trees.

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

**A motion was made by Berger, seconded by Carter, 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

4. [53611](#) 5614 Schroeder Road; 19th Ald. Dist.; Urban Design Dist. 2.: Consideration of a demolition permit to demolish a restaurant-tavern; consideration of a conditional use to construct a mixed-use building with over 24 dwelling units in the Commercial Corridor-Transitional (CC-T) District; consideration of a conditional use for a multi-tenant building in the CC-T District exceeding 40,000 square feet floor area; consideration of a conditional use for a building in the CC-T District with non-residential uses constituting less than 75-percent of the building's ground-floor area; consideration of a conditional use for a building in the CC-T District with non-residential uses constituting less than 75-percent of the building's ground-floor frontage facing the primary street, all to construct a four-story mixed-use building with 4,000 square feet of commercial space and 96 apartments.

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

- The applicant shall work with City Forestry to preserve the canopy terrace trees, if at all possible;
- The applicant shall work with City Staff to add solar panels to the building's rooftop, if at all possible;
- The applicant shall work with City Staff to underground the utilities along the street frontages, if at all possible.

The motion passed by the following 6-1: AYE: Ald. Zellers, Berger, Oeth, Polewski, Hagenow, and Rewey; NO: Ald. Carter; NON-VOTING: Opin; Excused: Ald. King, Cantrell, and Statz.

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

**Ayes:** 6 - Ledell Zellers; Melissa M. Berger; James F. Oeth; Michael W. Rewey; James E. Polewski and Jason S. Hagenow

**Noes:** 1 - Sheri Carter

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

**Non Voting:** 1 - Ken Opin

Speaking in support was the developer Rich Arneson of E. Wilson Street and Tariq Akmut of Schroeder Court. Speaking in support and available to answer questions was Randy Bruce of University Avenue, representing the developer, Stone House Development. Registered in support and available to answer questions was Matt Allie of Atwood Avenue.

Note: Item 5 should be referred to a future meeting (no date specified) at the request of the applicant.

5. [53612](#)

4602 Cottage Grove Road; 3rd Ald. Dist.: Consideration of a demolition permit to demolish a grocery store; consideration of a conditional use to construct a mixed-use building with greater than 24 dwelling units in the Commercial Corridor-Transitional (CC-T) District; consideration of a conditional use for a multi-tenant building in the CC-T District exceeding 40,000 square feet floor area; consideration of a conditional use for a single-family attached dwelling in the CC-T District; consideration of a planned multi-use site containing more than 40,000 square feet of floor area and where 25,000 square feet of floor area is designed or intended for retail use, all to construct a four-story mixed-use building with 10,000 square feet of commercial space and 64 apartments and a detached six-unit townhouse building.

On a motion by Berger, seconded by Ald. Carter, the Plan Commission referred the conditional use and demolition permit (ID 53612) to a future meeting at the request of the applicant. The motion to refer passed by voice vote/other.

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

There were no registrants on this item.

6. [53732](#)

2-8 S. Mills Street; 13th Ald. Dist.: Consideration of a demolition permit to demolish a two-family residence at 8 S. Mills Street to expand parking for the adjacent restaurant-tavern, and consideration of a conditional use for a non-accessory temporary outdoor event (beer garden).

On a motion by Berger, seconded by Ald. Carter, 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 item passed by voice vote / other.

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

Registered in support and available to answer questions were the applicant, Lueng Terry of S. Mills Street; and Matt Aro of King Street, representing the applicant. Registered in support was Tess Mulrooney of Madison Street.

## **Zoning Map Amendments & Related Requests**

Note: Items 7-9 are related and should be considered together

7. [53608](#) Creating Section 28.022 - 00350 and Section 28.022 - 00351 of the Madison General Ordinances to change the zoning of property generally located at 222 N. Charter Street, 8th Aldermanic District, from TR-U2 (Traditional Residential - Urban 2) District to PD(GDP-SIP) (Planned Development (General Development Plan, Specific Implementation Plan)) District.

On a motion by Berger, seconded by Rewey, the Plan Commission found that the standards for Planned Developments were not met and recommended to the Common Council that the Zoning Map Amendment (ID 53608) and Official Map Amendment (ID 53617) be placed on file. Specifically, the Plan Commission found that Planned Development approval standards 28.098(2)(a), 28.098(2)(b), and 28.098(e) were not met. As part of the same motion, the Plan Commission found that the standards in Section 28.185(7) a)2 were not met and placed the Demolition Permit request (ID 53276) on file.

In stating their reasons for not finding these standards met, members of the Plan Commission noted that nothing substantial had changed (from the previous iteration which the Plan Commission Recommended/Placed on File without Prejudice back in March of this year). They again had concerns with the bulk and scale of the building, as proposed, particularly related to the inconsistencies with the Regent Street-South Campus Neighborhood Plan's recommended building's setbacks and stepbacks. The Plan Commission noted their belief that the Charter Street cross section in the Regent Street Plan, which noted the building's setbacks and stepbacks, applied to the entire street, not just the portion south of W. Dayton Drive. They also confirmed their belief that the setback and stepbacks proposed by the Regent Street Plan along the Campus Drive bicycle path also applied to this project. They stated that roughly half of the proposed building being outside of the buildable area was proof of this inconsistency with the Regent Street Plan.

Members of the Plan Commission also stated that constructing a multi-use path just 14 feet wide in a high-intensity campus area was short-sighted as there would not be a chance in the future to widen the dimension, even if desired. They also stated that the proposed plan didn't adequately address the site distance of the multi-use path at the Charter Street intersection.

Members of the Plan Commission, noted that they felt that student housing, public or private, was an appropriate use for this location and that their motion to place the item on file had nothing to do with the University's interest to purchase the property.

The motion to recommend that the requests be placed on file passed by voice vote/ other.

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

The public hearings for Items 7, 8, & 9 were considered together.

Speaking in support of this item and representing Jim Stopple and the Stopple Revocable Trust were Jeff Vercauteren of E. Main Street; Bill White of Lakeland Avenue; Randy Bruce of University Avenue; Duane Johnson of University Avenue; and Alan Fish of Morrison Street. Speaking in support of this item were Jason Ilstrap of Council Crest, representing Downtowen Madison, Inc. and Anthony Fernandez of Birch Avenue. Registered in support and available to answer questions was the applicant, Jim Stopple

of Regent Street.

Speaking in opposition of this item and representing UW Madison were Gary Brown, Aaron Williams and Christopher McMahan, all of N. Mills Street. Also speaking in opposition of this item was Adrian Lampron of Willow Drive, representing Matthew Mitnick of Kronshage Drive; Rob Kennedy of S. Baldwin Street; and Mary Czynszak-Lyne of Van Hise Avenue.

8. [53276](#)

**222 N. Charter Street, 8th Ald. Dist.: Consideration of a demolition permit to demolish a single-family residence as part of the consideration of a Planned Development to construct a twelve-story, 43-unit apartment building on the property.**

On a motion by Berger, seconded by Rewey, the Plan Commission found that the standards for Planned Developments were not met and recommended to the Common Council that the Zoning Map Amendment (ID 53608) and Official Map Amendment (ID 53617) be placed on file. Specifically, the Plan Commission found that Planned Development approval standards 28.098(2)(a), 28.098(2)(b), and 28.098(e) were not met. As part of the same motion, the Plan Commission found that the standards in Section 28.185(7)(a)2 were not met and placed the Demolition Permit request (ID 53276) on file.

In stating their reasons for not finding these standards met, members of the Plan Commission noted that nothing substantial had changed (from the previous iteration which the Plan Commission Recommended/Placed on File without Prejudice back in March of this year). They again had concerns with the bulk and scale of the building, as proposed, particularly related to the inconsistencies with the Regent Street-South Campus Neighborhood Plan's recommended building's setbacks and stepbacks. The Plan Commission noted their belief that the Charter Street cross section in the Regent Street Plan, which noted the building's setbacks and stepbacks, applied to the entire street, not just the portion south of W. Dayton Drive. They also confirmed their belief that the setback and stepbacks proposed by the Regent Street Plan along the Campus Drive bicycle path also applied to this project. They stated that roughly half of the proposed building being outside of the buildable area was proof of this inconsistency with the Regent Street Plan.

Members of the Plan Commission also stated that constructing a multi-use path just 14 feet wide in a high-intensity campus area was short-sighted as there would not be a chance in the future to widen the dimension, even if desired. They also stated that the proposed plan didn't adequately address the site distance of the multi-use path at the Charter Street intersection.

Members of the Plan Commission, noted that they felt that student housing, public or private, was an appropriate use for this location and that their motion to place the item on file had nothing to do with the University's interest to purchase the property.

Members of the Plan Commission, noted that they felt that student housing, public or private, was an appropriate use for this location and that their motion to place the item on file had nothing to do with the University's interest to purchase the property.

The motion to recommend that the requests be placed on file passed by voice vote/ other.

**A motion was made by Berger, seconded by Rewey, to Place On File. The motion passed by voice vote/other.**

The public hearings for Items 7, 8, & 9 were considered together. Registrants for this item are listed under Item 7.

9. [53617](#)

**SUBSTITUTE - Amending the official map of the City of Madison to reduce the width of an Official Map Reservation located on the zoning property located at 222 N. Charter Street.**

On a motion by Berger, seconded by Rewey, the Plan Commission found that the standards for Planned Developments were not met and recommended to the Common Council that the Zoning Map Amendment (ID 53608) and Official Map Amendment (ID 53617) be placed on file. Specifically, the Plan Commission found that Planned Development approval standards 28.098(2)(a), 28.098(2)(b), and 28.098(e) were not met. As part of the same motion, the Plan Commission found that the standards in Section 28.185(7)(a)2 were not met and placed the Demolition Permit request (ID 53276) on file.

In stating their reasons for not finding these standards met, members of the Plan Commission noted that nothing substantial had changed (from the previous iteration which the Plan Commission Recommended/Placed on File without Prejudice back in March of this year). They again had concerns with the bulk and scale of the building, as proposed, particularly related to the inconsistencies with the Regent Street-South Campus Neighborhood Plan's recommended building's setbacks and stepbacks. The Plan Commission noted their belief that the Charter Street cross section in the Regent Street Plan, which noted the building's setbacks and stepbacks, applied to the entire street, not just the portion south of W. Dayton Drive. They also confirmed their belief that the setback and stepbacks proposed by the Regent Street Plan along the Campus Drive bicycle path also applied to this project. They stated that roughly half of the proposed building being outside of the buildable area was proof of this inconsistency with the Regent Street Plan.

Members of the Plan Commission also stated that constructing a multi-use path just 14 feet wide in a high-intensity campus area was short-sighted as there would not be a chance in the future to widen the dimension, even if desired. They also stated that the proposed plan didn't adequately address the site distance of the multi-use path at the Charter Street intersection.

Members of the Plan Commission, noted that they felt that student housing, public or private, was an appropriate use for this location and that their motion to place the item on file had nothing to do with the University's interest to purchase the property.

The motion to recommend that the requests be placed on file passed by voice vote/ other.

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

The public hearings for Items 7, 8, & 9 were considered together. Registrants for this item are listed under Item 7.

Note: Items 10 and 11 should be referred to January 14, 2019 pending a recommendation by the Urban Design Commission

10. [53811](#) Creating Section 28.022 -- 00353 of the Madison General Ordinances to change the zoning of property located at 1954 E. Washington Avenue, 12th Aldermanic District, from TR-V2 (Traditional Residential - Varied 2) District to TR-U1(Traditional Residential - Urban 1) District.
- On a motion Berger, seconded by Ald. Carter, the Plan Commission recommended referral of the Zoning Map Amendment (ID 53811) to the January 14, 2019 Plan Commission meeting, and referred the demolition and conditional use requests (ID 53618) to the January 14, 2019 Plan Commission meeting, both pending a review and recommendation by the Urban Design Commission in accordance with MGO 28.183(6)(a)9. The motion passed by voice vote / other.
- A motion was made by Berger, seconded by Carter, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 1/14/2019. The motion passed by voice vote/other.**
- The public hearings for Items 12 & 13 were considered together. There were no registrants on this item.
11. [53618](#) 1954 E. Washington Avenue; 12th Ald. Dist.: Consideration of a demolition permit to demolish an office building located at 22 N. Second Street; consideration of a conditional use for a multi-family dwelling with more than eight units in the (proposed) TR-U1 (Traditional Residential-Urban 1) District; and consideration of a residential building complex in TR-U1 zoning, all to construct a four-story apartment building with 30 units along E. Washington Avenue and a six-unit townhouse building along E. Mifflin Street.
- On a motion Berger, seconded by Ald. Carter, the Plan Commission recommended referral of the Zoning Map Amendment (ID 53811) to the January 14, 2019 Plan Commission meeting, and referred the demolition and conditional use requests (ID 53618) to the January 14, 2019 Plan Commission meeting,

both pending a review and recommendation by the Urban Design Commission in accordance with MGO 28.183(6)(a)9. The motion passed by voice vote / other.

**A motion was made by Berger, seconded by Carter, to Refer to the PLAN COMMISSION and should be returned by 1/14/2019. The motion passed by voice vote/other.**

The public hearings for Items 10 & 11 were considered together. There were no registrants on this item

Note: Items 12 and 13 are related and should be considered together

12. [53812](#) Creating Section 28.022 -- 00352 of the Madison General Ordinances to change the zoning of property located at 2002 Tennyson Lane/3804 Packers Avenue, 12th Aldermanic District, from SR-C1 (Suburban Residential - Consistent 1) District to CC-T (Commercial Corridor - Transitional) District.
- On a motion by Berger, seconded by Ald. Carter, the Plan Commission found that the standards were met and recommended approval of the zoning map amendment (ID 53812) and approved the conditional uses (ID 53619) subject to comments and conditions contained in the Plan Commission materials. The item passed by voice vote / other.
- A motion was made by Berger, seconded by Carter, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.**
- The public hearings for Items 12 & 13 were considered together. Registered in support and available to answer questions was Kevin Burow, representing Knothe & Bruce Architects of University Avenue, Middleton.
13. [53619](#) 2002 Tennyson Lane and 3804 Packers Avenue; 12th Ald. Dist.: Consideration of a conditional use to construct a mixed-use building with over 24 dwelling units in the Commercial Corridor-Transitional (CC-T) District; consideration of a conditional use for a multi-tenant building in the CC-T District exceeding 40,000 square feet floor area; consideration of a conditional use for a building in the CC-T District with non-residential uses constituting less than 75-percent of the building's ground-floor area; consideration of a conditional use for a mixed-use building in the CC-T District with non-residential uses occupying less than 75-percent of the ground-floor frontage facing the primary street, including all frontage at a street corner; consideration of a conditional use for a vehicle access sales and service window for a food and beverage use, all to construct a four-story mixed-use building with 2,000 square feet of commercial space and 67 apartments; consideration of a conditional use to construct a multi-family dwelling with more than eight (8) dwelling units in the CC-T District; and consideration of a conditional use for a building with an individual establishment in the CC-T District exceeding 25,000 square feet floor area to construct a separate four-story apartment building with 62 units.
- On a motion by Berger, seconded by Ald. Carter, the Plan Commission found that the standards were met and recommended approval of the zoning map amendment (ID 53812) and approved the conditional uses (ID 53619) subject to comments and conditions contained in the Plan Commission materials. The item passed by voice vote / other.
- A motion was made by Berger, seconded by Carter, to Approve. The motion passed by voice vote/other.**
- The public hearings for Items 12 & 13 were considered together. Registrants for this item are listed under Item 12.

## BUSINESS BY MEMBERS

There was no Business By Members.

## SECRETARY'S REPORT

Heather Stouder summarized the upcoming matters.

### - Upcoming Matters - January 14, 2019

- Adopting the Oscar Mayer Area Strategic Assessment Report and authorizing the development of the Oscar Mayer Area Special Area Plan
- 1902 Bartillon Drive - Demolition Permit and Conditional Use - Demolish restaurant-tavern to construct mixed-use building with 1,900 square feet of commercial space and 86 apartments
- 1202 S. Park Street - Conditional Use - Construct mixed-use building with 1,200 square feet of commercial space and 58 apartments in Urban Design Dist. 7
- 1050 E. Washington Avenue - Conditional Use - Construct 11-story mixed-use building with 53,000 sq. ft. of commercial space and 128 apartments and four-story, 61,000 sq. ft. youth arts center, in Urban Design Dist. 8
- 1004-1032 S. Park Street - PD(SIP) to Amended PD(GDP-SIP) - Amend plans for approved mixed-use building to increase dwelling units from 157 to 173 and approve overflow parking for project at 1033 High Street
- 2219 Monroe Street - Amended CI Zoning District Master Plan - Amend Edgewood Campus master plan to allow expanded use of athletic field for Edgewood High School, with future construction of a 1,000-seat stadium
- 702-734 Crimson Leaf Lane - Preliminary Plat and Final Plat - 1000 Oaks Replat No. 1, replatting nine lots to accommodate a new public street
- 801-939 Sugar Maple Lane, generally - Preliminary Plat and Final Plat - 1000 Oaks Replat No. 2, replatting 39 residential lots and one public outlot into 37 lots, two outlots for public stormwater management, and four private outlots for future development to accommodate widening of Sugar Maple Lane
- 1529 Gilson Street - Conditional Use - Convert warehouse into brewery
- 1630 Adams Street - Conditional Use - Construct detached garage exceeding ten percent of lot area
- 4116 Monona Drive - Conditional Use - Allow animal daycare tenant in existing multi-tenant commercial center

### - Upcoming Matters - January 28, 2019

- 6502 Milwaukee Street and 6501 Town Center Drive - PD(GDP) and PD(SIP) to Amended PD (GDP-SIP) Construct two five-story mixed-use buildings containing a total of 28,000 sq. ft. of commercial space and 200 apartments
- 10024 Valley View Road - A, TR-P and TR-C3 to TR-P and Preliminary Plat of Western Addition to 1000 Oaks, creating 86 single-family lots, four lots for two-family two-unit bldgs., one lot for future multi-family housing, enlarging Birchwood Park, and dedicating three new or enlarged outlots for stormwater management
- 1936-1938 Atwood Avenue - PD to TSS, Demolition Permit and Conditional Use - Demolish five-unit apartment building to construct four-story mixed-use building with 3,500 sq. ft. of commercial space and 76 apartments
- 1848 Waldorf Boulevard - PD(SIP) to Amended PD(GDP-SIP) - Construct 33-unit apartment

## ANNOUNCEMENTS

There were no announcements.

## ADJOURNMENT

There were no announcements.

**A motion was made by Hagenow, seconded by Polewski, to Adjourn at 8:03 p.m.. The motion passed by voice vote/other.**