



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, August 12, 2019

5:30 PM

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

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### CALL TO ORDER/ROLL CALL

**Present:** 5 - Lindsay Lemmer; Patrick W. Heck; Marsha A. Rummel; Ledell Zellers and Bradley A. Cantrell

**Excused:** 5 - Kathleen L. Spencer; Jason S. Hagenow; Eric W. Sundquist; Michael W. Rewey and Andrew J. Statz

Zellers was chair for the meeting.

Staff Present: Nan Fey, Interim Secretary; Kevin Firchow, Sydney Prusak, Dan McAuliffe, Jeff Gregor, Planning Division; Marla Eddy, City Forestry; Matt Tucker, Zoning; and Kevin Ramakrishna, Attorney's Office

Grant Foster, District 15 Alder, was also present.

### PUBLIC COMMENT

Melanie Stibick addressed the Plan Commission.

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

There were no communications, disclosures, or recusals.

### MINUTES OF THE JULY 29, 2019 REGULAR MEETING

On a motion by Cantrell, seconded by Rummel, the Plan Commission voted to approve the minutes with the following amendment:

That Ald. Heck voted aye for item 11 (Legistar 56132).

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

### SCHEDULE OF MEETINGS

August 26 and September 16, 2019.

### ROUTINE BUSINESS

1. [56841](#) Authorizing the execution of an Underground Electric Easement to Madison Gas and Electric Company across portions of property located at 201 Garrison Street and 181 S. Fair Oaks Avenue. (6th A.D.)

There were no registrations for public comment on this item.

**A motion was made by Cantrell, seconded by Rummel, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The**

**motion passed by voice vote/other.**

- 2. [56842](#) Authorizing the execution of a Gas Regulator Easement to Madison Gas and Electric Company across a portion of City-owned land located at 126 Glenway Street (Water Utility Reservoir #106). (5th A.D.)

There were no registrations for public comment on this item.

**A motion was made by Cantrell, seconded by Rummel, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.**

- 3. [56867](#) Authorizing the execution of a Gas Regulator Easement to Madison Gas and Electric Company across a portion of City-owned land located at 4801 Sycamore Avenue. (15th A.D.)

There were no registrations for public comment on this item.

**A motion was made by Cantrell, seconded by Lemmer, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

- 4. [56887](#) Authorizing the execution of an Underground Electric and Gas Main Easement to Madison Gas and Electric Company across a portion of the Olbrich Gardens' property located at 3330 Atwood Avenue. (6th A.D.)

There were no registrations for public comment on this item.

**A motion was made by Cantrell, seconded by Rummel, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

**NEW BUSINESS**

- 5. [55206](#) Accepting the final report and recommendations from the Urban Forestry Task Force.

On a motion by Cantrell, seconded by Rummel, the Plan Commission voted to accept the final report and recommendations from the Urban Forestry Task Force, with the proposed amendment from the Sustainable Madison Committee. Furthermore, on an amended motion by Rummel, seconded by Heck, the Plan Commission voted to modify that amendment to include Traffic Engineering in the cross-functional staff team. The amendment shall read as:

BE IT FURTHER RESOLVED that a cross-functional staff team from Parks, Parks-Forestry, City Engineering, Traffic Engineering, and Planning be created to prioritize, 3-5 specific recommendations from the report, with implementation timelines, specific costs and cost-benefit analysis, that will be presented to the Common Council by February, 2020 for consideration in the 2021 budget Capital Improvement Plan (CIP).

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

- 6. [56633](#) Authorizing the update of the South Madison Neighborhood Plan

There were no registrations for public comment on this item.

**A motion was made by Cantrell, seconded by Rummel, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice**

vote/other.

## 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.

### Conditional Use & Demolition Permits

7. [56127](#) 2262 Winnebago Street; 6th Ald. Dist.: Consideration of a conditional use in the Neighborhood Mixed-Use (NMX) District for a theater, assembly hall, concert hall; conditional use for a restaurant-nightclub (Incidental Use); and consideration of a conditional use in the NMX District for an outdoor eating area.

On a motion by Cantrell, seconded by Ald. Rummel, 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 with the following condition:

  - That the occupancy for the theater, assembly hall, concert hall shall be limited to 130 persons.

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

Registered in support and wishing to speak were Jacob DeHaven of E Washington Avenue, representing The Winnebago and Chris MaCahill of Cantwell Court; Registered in support and available to answer questions were John DeHaven of W Wilson Street, representing the Winnebago and David Bramson of Farrell Street; Registered in opposition and wishing to speak was Jon Ilde of E Washington Avenue.
8. [56394](#) 9604 Wilrich Street; 9th Ald. Dist.: Consideration of a conditional use for a multi-family dwelling with more than eight units in the Suburban Residential-Variied (SR-V2) District; consideration of a major alteration to an approved conditional use-residential building complex in SR-V2 zoning, all to increase the allowed density of the development from 145 units to 158 units in four apartment buildings.

On a motion by Cantrell, seconded by Ald. Heck, the Plan Commission voted to refer this item to September 16, 2019 pending a recommendation by the Urban Design Commission.

**A motion was made by Cantrell, seconded by Heck, to Refer to the PLAN COMMISSION and should be returned by 9/16/2019. The motion passed by voice vote/other.**

There were no registrants on this item.
9. [56395](#) 2830 Dryden Drive; 12th Ald. Dist.: Consideration of a demolition permit to allow an office building to be demolished; consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for a multi-family dwelling with eight (8) or more dwelling units; consideration of a conditional use in the CC-T District for a building exceeding 25,000 square feet of floor area for an individual establishment; and consideration of a conditional use to allow construction of a new commercial building in 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 or for hotel or motel use, all to allow construction of a 27-unit apartment building.

On a motion by Cantrell, seconded by Ald. Heck, 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. This item passed by voice vote/other.

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

Registered in support and available to answer questions was Kevin Burow of University Avenue, Middleton representing Knothe & Bruce Architects.

10. [56396](#) 828 E. Main Street; Urban Design Dist. 8; 6th Ald. Dist.: Consideration of a conditional use in the Traditional Employment (TE) District for a reception hall.

On a motion by Cantrell, seconded by Ald. Lemmer, 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. This item passed by voice vote/other.

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

Registered in support and available to answer questions were Jessica Wartenweiler of Spaight Street, Eric Welch of Spaight Street, and Matthew Tills of W Lakeside Street, representing Eric Welch.

11. [56542](#) 5817 Cottage Grove Road; 16th Ald. Dist.: Consideration of a demolition permit to demolish a single-family residence with no proposed use.

On a motion by Cantrell, seconded by Ald. Lemmer, 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 condition:

-That after demolition and removal of the structure, the site shall be graded and seeded or sodded with grass or similar high-quality ground cover.

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

12. [56543](#) 5781 Cottage Grove Road; 16th Ald. Dist.: Consideration of a demolition permit to demolish a single-family residence with no proposed use.

On a motion by Cantrell, seconded by Ald. Lemmer, 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 condition:

-That after demolition and removal of the structure, the site shall be graded and seeded or sodded with grass or similar high-quality ground cover.

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

Items 11 and 12 were considered together.

Registered in support and available to answer questions were Victor Villacrez of W Main Street, representing Hovde Properties and Eric Olson of W Johnson Street, representing Hovde Properties.

13. [56544](#) 815 Big Stone Trail; 9th Ald. Dist.: Consideration of a conditional use to construct a single-family residence exceeding 10,000 square feet in floor area in the SR-C1 (Suburban Residential-Consistent 1) District.

On a motion by Cantrell, seconded by Ald. Lemmer, 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. This item passed by voice vote/other.

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

Registered in support and available to answer questions was Justin Temple of Gateway Pass, Verona, representing Paul Berns.

- 14. [56545](#) 2817 E. Washington Avenue; 6th Ald. Dist.: Consideration of a conditional use to allow limited production and processing at food and related goods sales business in CC-T zoning.

On a motion by Cantrell, seconded by Ald. Lemmer, 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. This item passed by voice vote/other.

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

There were no registrants on this item.

- 15. [56583](#) 609 Vera Court; 18th Ald. Dist.: Consideration of a conditional use in the Suburban Residential-Varied 1 (SR-V1) District for a residential services office for an existing residential building complex.

On a motion by Cantrell, seconded by Ald. Lemmer, 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. This item passed by voice vote/other.

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

Registered in support and available to answer questions was Rodney Tapp of Keswick Drive, representing Northpointe Apartments.

**Zoning Map Amendment & Related Requests**

Note: Items 16-19 are related and should be considered together.

- 16. [56288](#) 2ND SUBSTITUTE Creating Section 28.022 - 00390 of the Madison General Ordinances to amend a Planned Development District Specific Implementation Plan at property located at 223 S. Pinckney Street, 4th Aldermanic District.

On a motion by Cantrell, seconded by Ald. Rummel the Plan Commission found the standards were met and recommended approval of the Zoning Map Amendment (ID #56228) and the Certified Survey Map (ID# 55921) to the Common Council subject to the comments and conditions contained in the Plan Commission materials. Further, the Plan Commission placed on file without prejudice the requested demolition permit (ID #55916) and conditional use (ID # 56121). The motion passed by voice vote/other. While not a condition of approval, Cantrell suggested that the applicant explore options that could limit the possibility for bird strikes.

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

- 17. [55916](#) 223 S. Pinckney Street, 4th Ald. Dist.: Consideration of a demolition permit to demolish the Government East parking garage

On a motion by Cantrell, seconded by Ald. Rummel the Plan Commission found the standards were met and recommended approval of the Zoning Map Amendment (ID #56228) and the Certified Survey Map (ID# 55921) to the Common Council subject to the comments and conditions contained in the Plan Commission materials. Further, the Plan Commission placed on file without prejudice the requested demolition permit (ID #55916) and conditional use (ID # 56121). The motion passed by voice vote/other.

While not a condition of approval, Cantrell suggested that the applicant explore options that could limit the possibility for bird strikes.

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

- 18. [56121](#) 223 S. Pinckney Street, 4th Ald. Dist.: Consideration of a conditional use pursuant to MGO Section 28.134(3) for projections into the Capitol View Preservation Limit to allow construction of a 13-story, 253-room hotel.

On a motion by Cantrell, seconded by Ald. Rummel the Plan Commission found the standards were met and recommended approval of the Zoning Map Amendment (ID #56228) and the Certified Survey Map (ID# 55921) to the Common Council subject to the comments and conditions contained in the Plan Commission materials. Further, the Plan Commission placed on file without prejudice the requested demolition permit (ID #55916) and conditional use (ID # 56121). The motion passed by voice vote/other. While not a condition of approval, Cantrell suggested that the applicant explore options that could limit the possibility for bird strikes.

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

- 19. [55921](#) Approving a Certified Survey Map of property owned by the City of Madison Parking Utility located at 223 S. Pinckney Street; 4th Ald. Dist.

On a motion by Cantrell, seconded by Ald. Rummel the Plan Commission found the standards were met and recommended approval of the Zoning Map Amendment (ID #56228) and the Certified Survey Map (ID# 55921) to the Common Council subject to the comments and conditions contained in the Plan Commission materials. Further, the Plan Commission placed on file without prejudice the requested demolition permit (ID #55916) and conditional use (ID # 56121). The motion passed by voice vote/other. While not a condition of approval, Cantrell suggested that the applicant explore options that could limit the possibility for bird strikes.

**A motion was made by Cantrell, seconded by Rummel, 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.**

Items 16- 19 were considered together. Registered in support and wishing to speak was J.P. Beitler III of N Michigan Avenue, Chicago; Registered in support and available to answer questions was J. Paul Beitler of N Michigan Avenue, Chicago; Registered in opposition and wishing to speak was John Jacobs of Kendall Avenue.

**Zoning Text Amendments**

- 20. [56690](#) Amending Sections 28.098(6), 28.151 and 28.183(8) and (10) of the Madison General Ordinances to exempt the installation of solar energy systems from the conditional use and planned development alteration requirements.

On a motion by Cantrell, seconded by Heck, the Plan Commission voted to refer this item to August 26, 2019. at the request of staff.

**A motion was made by Cantrell, seconded by Rummel, to Refer to the PLAN COMMISSION and should be returned by 8/26/2019. The motion passed by voice vote/other.**

**BUSINESS BY MEMBERS**

Chair Zellers communicated to the Commission information about a memo regarding quorum procedures and what it takes to pass motions. Chair Zellers also suggested that the Commission review the Plan Commission Policy and Procedures Manual and will work to schedule a time for a special meeting to discuss the Manual. Lastly, Chair Zellers wants the Commission to look at and shape some policy issues in collaboration with Planning Division staff. Future special meetings for these discussions will need to be scheduled.

## SECRETARY'S REPORT

Kevin Firchow presented the Secretary's Report including recent Common Council actions and upcoming matters.

### - Recent Common Council Actions

- 2540 E. Mifflin Street - TR-C4 to LMX to allow place of worship, massage therapy and professional offices in existing building - Adopted with Plan Commission recommendation at the August 6, 2019 Common Council meeting

### - Upcoming Matters - August 26, 2019

- 6810-6834 Milwaukee Street - PD to Amended PD(GDP-SIP) to construct three apartment buildings with 196 total units

1 Wind Stone Drive - PD to Amended PD(GDP-SIP) to construct 44-unit apartment building

- 45 Wind Stone Drive - PD to Amended PD(GDP-SIP) to construct townhouse building with seven units

- 2219 Monroe Street and 1000 Edgewood College Drive - Repealing the CI zoning master plan for the Edgewood Campus (College, High School and Campus School) on their request

- Zoning Text Amendment - Create Secs. 28.097(2)(d) and (e) to require institutions in CI zoning without an approved master plan to get conditional use approval for open or enclosed Stadiums, Auditoriums, Arenas, Indoor or Outdoor Sports Recreational Facilities, and Agricultural Uses and for the installation of stadium lighting, amplified sound, and the establishment or expansion of outdoor seating over a specified capacity

- 8549-8557 Elderberry Road - PD to Amended PD(GDP-SIP) to construct two (2) two-family, twin home dwellings

- 9510 Watts Road and 604 Feather Sound Drive - CC-T and TR-P to CC-T and Amended TR-P, Demolition Permit and Conditional Use- Demolish single-family residence at 645 South Point Road; construct three buildings with 189 apartments and flex space; and amend Acacia Ridge TR-P plan

- 1224 S. Park Street - Demolition Permit - Demolish a commercial building to construct a two-story building with 19,700 sq. ft. of commercial space and 70 auto parking stalls in Urban Design Dist. 7

- 3600 Portage Road - Final Plat of Vang Homesites, creating 11 lots for two-family residences, one outlot for public stormwater management, and one outlot for private gardens

- 5210 Siggelkow Road - Conditional Use to convert a four-resident adult family home into a 15-resident community living arrangement (CLA)

- 556 Chatham Terrace - Demolition Permit to demolish single-family residence and construct new single-family residence

- 301 Troy Drive - Conditional Use to construct an addition to the Mendota Juvenile Treatment Center (MJTC)

- 6226 N. Highlands Avenue - Demolition Permit to demolish single-family residence and construct new single-family residence

- 3116 Commercial Avenue - Conditional Use for an outdoor eating area for an existing nightclub

- 2019 Fisher Street - Conditional Use for a school and place of worship in an existing building

- 3285 Nelson Road - Create four residential lots in the Town of Burke

- 6501-6505 Seybold Road - Create two commercial lots in the Town of Middleton

### - Upcoming Matters - September 16, 2019

- 9702 Watts Road - Conditional Use to construct a residential building complex with 108 apartments in three buildings and 10 townhouse units in two buildings (Lot 2, 1000 Oaks)

## ANNOUNCEMENTS

There were no announcements.

## ADJOURNMENT

**A motion was made by Cantrell, seconded by Lemmer, to Adjourn at 8:26 p.m.  
The motion passed by voice vote/other.**