



City of Madison

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

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Monday, January 27, 2020

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 5:30 p.m.

Present: 9 - Lindsay Lemmer; Patrick W. Heck; Marsha A. Rummel; Ledell Zellers; Kathleen L. Spencer; Jason S. Hagenow; Eric W. Sundquist; Michael W. Rewey and Bradley A. Cantrell

Excused: 1 - Andrew J. Statz

Zellers was chair for the meeting.

Alders present: Ald. Shiva Bidar, Dist. 5; Ald. Arvina Martin, Dist. 11; Ald. Tag Evers, Dist. 13.; Ald. Grant Foster, Dist. 15; and Ald. Samba Baldeh, Dist. 17.

Staff present: Nan Fey, Interim Secretary; Christie Baumel, Deputy Mayor; Heather Stouder and Tim Parks, Planning Division; Doug Vogeli, Madison-Dane County Public Health, and; Donna Magdalena and Matt Tucker, Zoning Office of the Building Inspection Division.

PUBLIC COMMENT

Paul Noerdner of 136 Kensington Drive, Maple Bluff, registered for public comment after the public comment period closed.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Ald. Lemmer recused herself from consideration of Items 7, 8, and 9.

Hagenow recused himself from consideration of Item 6.

MINUTES OF THE JANUARY 13, 2020 REGULAR MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings: February 10, 24 and March 9, 23, 2020

Special Plan Commission Work Session: Thursday, February 20, 2020; 5:00-8:00 p.m., Room 153, Madison Municipal Building

SPECIAL ITEM OF BUSINESS

1. [59195](#) 2019 Planning Division Annual Report

Heather Stouder provided a brief overview of the 2019 Planning Division Annual Report. No action was taken by the Plan Commission.

This Discussion Item was Discuss and Finalize

There were no registrants on this matter.

ROUTINE BUSINESS

- 2. [59129](#) Authorizing the City’s execution of a Private Storm Sewer Easement for the benefit of Leo Ritter & Co., LLC, across a portion of a City-owned property located at 142 West Corporate Drive for the installation of private storm sewer facilities. (15th AD)

A motion was made by Cantrell, seconded by Hagenow, 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 matter.

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

- 3. [58804](#) Amending Sections 28.072(1) and 28.127(2) of the Madison General Ordinances to add tasting room as a conditional use under the use group “Food and Beverages” in the DC (Downtown Core), UMX (Urban Mixed Use), and as a prohibited use in the Alcohol Overlay District.

On a motion by Cantrell, seconded by Spencer, the Plan Commission found the standards met and recommended approval of the zoning text amendment to the Common Council. The motion to recommend approval passed by voice vote/ other.

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

There were no registrants on this matter.

- 4. [58869](#) Amending Section 28.067(3)(a) of the Madison General Ordinances to exempt principal buildings from the Front Yard Set Back requirement as long as other buildings occupy 30% or more of each street frontage on the lot.

On a motion by Cantrell, seconded by Spencer, the Plan Commission found the standards met and recommended approval of the zoning text amendment to the Common Council. The motion to recommend approval passed by voice vote/ other.

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

There were no registrants on this matter.

- 5. [58870](#) Amending Sections 28.082(1) and 28.151 of the Madison General Ordinances to allow Clinic-Health and Physical, occupational or massage therapy as permitted uses in the Industrial Limited (IL) Districts with supplemental regulations.

On a motion by Sundquist, seconded by Ald. Rummel, the Plan Commission found the standards met and recommended approval of the zoning text amendment to the Common Council. The motion to recommend approval passed by voice vote/ other.

An earlier motion by Cantrell, seconded by Rewey, to recommend approval of the zoning text amendment with a recommendation that the provision requiring submittal of a Transportation Demand Management Plan (TDMP) be deleted failed on the following 4-5 vote: AYE: Ald. Lemmer, Cantrell, Rewey, Spencer; NAY: Ald. Heck, Ald. Rummel, Hagenow, Sundquist, Zellers; EXCUSED: Statz.

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

Registered in support and available to answer questions was Greg Fax, 2766 Torbleau Road, Sun Prairie, representing St. John Properties, Inc.

- 6. [58895](#) SUBSTITUTE Creating Section 9.29, amending Section 28.151, amending and creating portions of Section 28.211 of the Madison General Ordinances to create an annual permit for tourist rooming houses, to amend the supplemental zoning regulations applicable to tourist rooming houses, amend the definition of Tourist Rooming House and Bedroom, and create a definition for Primary Residence.

On a motion by Cantrell, seconded by Ald. Rummel, the Plan Commission recommended referral of the zoning text amendment to February 10, 2020 to allow for review by the Madison-Dane County Board of Public Health and possible revisions to the ordinance. The motion to recommend referral passed by voice vote/ other, with Hagenow recused.

A motion was made by Cantrell, seconded by Rummel, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by February 10, 2020. The motion passed by voice vote/other, with Hagenow recused.

Speaking in support of the proposed text amendment were: Helene Zinberg, 709 Orton Court

Speaking in opposition to the proposed text amendment were: Eunice Scott, 6514 Mendota Avenue, Middleton; Peter Daly, 1112 Lincoln Street; Joe Martino, 26 N Hancock Street; Maureen Ingelberger, 4502 Diamond Drive; Amy Froelich, 555 Glen Drive; John Lynch, 1229 Carpenter Street; Amanda Mott, 718 W Brittingham Place; Peter Taglia, 718 W Brittingham Place; Rudy Moore, 711 Orton Court; Donna Bucholtz, 3314 Quincy Avenue; Marcus Hawkins, 805 E Mifflin Street; Samantha & Bruce Crownover, 2702 Kendall Avenue; Andrew Keeley Yonda, 943 E Dayton Street; Ben Brubaker, 4340 Hillcrest Circle, and; Heather Shannon, 5525 Portage Road.

Registered in opposition but not wishing to speak were: Shirley Drouin, 5137 Wintergreen Drive; Rebecca Kosciuk, 1920 Vilas Avenue; Henry Sapoznok, 2733 Kendall Avenue; Ken Koeppler, 2727 Atwood Avenue; Brian Tremain - No address given ("Dane County"); Steven Fine, 6221 Walden Way; Erin Neises, 922 Sequoia Trail, and; Andrew & Candice Stendahl, 30 Craig Avenue.

Zoning Map Amendments & Related Requests

- 7. [58751](#) Creating Section 28.022 -- 00417 of the Madison General Ordinances to change the zoning of properties located at 4510 Regent Street and 4513 Vernon Blvd., 9th Aldermanic District, from SE (Suburban Employment) District to TR-U2 (Traditional Residential - Urban 2) District.

On a motion by Cantrell, seconded by Sundquist, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 58751), and approved the demolition permit

and conditional use (ID 58489) subject to the comments and conditions in the Plan Commission materials and conditions 1, 2, 4, 7, and 8 of the January 20, 2020 comments submitted by Mike Lawton on behalf of the University Hill Farms Neighborhood Association.

The motion to approve passed on the following 5-2 vote: AYE: Ald. Heck, Cantrell, Rewey, Spencer; Sundquist; NAY: Ald. Rummel, Hagenow; RECUSED: Ald. Lemmer; NON-VOTING: Zellers; EXCUSED: Statz.

A motion was made by Cantrell, seconded by Sundquist, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by the following vote:

Ayes: 5 - Patrick W. Heck; Kathleen L. Spencer; Eric W. Sundquist; Michael W. Rewey and Bradley A. Cantrell

Noes: 2 - Marsha A. Rummel and Jason S. Hagenow

Recused: 1 - Lindsay Lemmer

Excused: 1 - Andrew J. Statz

Non Voting: 1 - Ledell Zellers

8. [58489](#)

4510 Regent Street and 4513 Vernon Boulevard; 11th Ald. Dist.: Consideration of a demolition permit to demolish two office buildings and; consideration of a conditional use in the [proposed] Traditional Residential-Urban 2 (TR-U2) District for a multi-family dwelling, all to allow construction of a four-story, 59-unit apartment building.

On a motion by Cantrell, seconded by Sundquist, the Plan Commission found the standards met and recommended approval of the zoning map amendment (ID 58751), and approved the demolition permit and conditional use (ID 58489) subject to the comments and conditions in the Plan Commission materials and conditions 1, 2, 4, 7, and 8 of the January 20, 2020 comments submitted by Mike Lawton on behalf of the University Hill Farms Neighborhood Association.

The motion to approve passed on the following 5-2 vote: AYE: Ald. Heck, Cantrell, Rewey, Spencer; Sundquist; NAY: Ald. Rummel, Hagenow; RECUSED: Ald. Lemmer; NON-VOTING: Zellers; EXCUSED: Statz.

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

Ayes: 5 - Patrick W. Heck; Kathleen L. Spencer; Eric W. Sundquist; Michael W. Rewey and Bradley A. Cantrell

Noes: 2 - Marsha A. Rummel and Jason S. Hagenow

Recused: 1 - Lindsay Lemmer

Excused: 1 - Andrew J. Statz

Non Voting: 1 - Ledell Zellers

The following were registered on Items 7 and 8, which are related and were considered together:

Speaking in support of the proposed development were: John Flad, 3330 University Avenue, the applicant; J. Randy Bruce, Knothe & Bruce Architects, LLC, 7601 University Avenue, Middleton, representing the applicant, and; Michael Lawton, 6 S Eau Claire Avenue, representing the Hill Farms Neighborhood Association Planning Committee.

Registered in support and available to answer questions were Duane Johnson, Knothe & Bruce Architects, LLC, 7601 University Avenue, Middleton, and Dave Glusick, Vierbicher Associates, 999

Fourier Drive, both representing the applicant.

- 9. [58754](#) Creating Section 28.022 - 00415 of the Madison General Ordinances to amend a Planned Development District at property located at 209-261 Junction Road, 9th Aldermanic District, to approve an Amended General Development Plan, and creating Section 28.022 - 00416 to amend a Planned Development District to approve a Specific Implementation Plan.

On a motion by Cantrell, seconded by Spencer, the Plan Commission found the standards met and recommended approval of the amended planned development subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other, with Ald. Lemmer recused.

A motion was made by Cantrell, seconded by Spencer, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other, with Ald. Lemmer recused.

Registered in support of the proposed development and available to answer questions was James Worker, Iconica, 901 Deming Way, representing the applicant, 209-261 Junction Road Madison Investors, LLC

Subdivisions

- 10. [58666](#) Approving the preliminary plat and final plat of Village at Autumn Lakes Replat No. 4 on property generally addressed as 1802-1830 Twin Fawn Trail; 17th Ald. Dist.

On a motion by Cantrell, seconded by Spencer, the Plan Commission found the standards met and recommended approval of the proposed subdivision subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.

A motion was made by Cantrell, seconded by Spencer, 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.

There were no registrants on this matter.

- 11. [58667](#) Approving the preliminary plat and final plat of 1000 Oaks Replat No. 3 on property addressed as 9602-9646 and 9609-9639 Tawny Acorn Drive, 903-923 Quaking Aspen Road, 9606-9632 and 9722-9740 Winter Basil Drive, and 902-922 Cherry Bark Road; 9th Ald. Dist.

On a motion by Cantrell, seconded by Spencer, the Plan Commission found the standards met and recommended approval of the proposed subdivision subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.

A motion was made by Cantrell, seconded by Spencer, 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.

There were no registrants on this matter.

Conditional Use & Demolition Permits & Related Requests

- 12. [57807](#) REVISED 1212 Huxley Street; 12th Ald. Dist.: Consideration of a demolition permit to demolish a financial institution; 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 to allow multi-tenant buildings in the CC-T District exceeding 40,000 square feet floor area; consideration of a conditional use for a multi-family dwelling with greater than eight (8) units in the CC-T District; consideration of a conditional use in the CC-T District for a mixed-use building with less than 75% non-residential ground floor area; consideration in the CC-T District of a building with a street-facing width greater than 40 feet, that at least 75% of the ground-floor frontage facing the primary street be non-residential unless approved as conditional use; all to construct a four-story mixed-use building with 2,000 square feet of commercial space and 55 apartments and a separate four-story, 55-unit apartment building.

On a motion by Cantrell, seconded by Spencer, the Plan Commission referred this matter to February 10, 2020 at the request of the applicant and staff. The motion to refer passed by voice vote/ other.

A motion was made by Cantrell, seconded by Spencer, to Refer to the PLAN COMMISSION and should be returned by February 10, 2020. The motion passed by voice vote/other.

There were no registrants on this matter.

13. [58670](#)

19 N Hancock Street; 2nd Ald. Dist.: Consideration of a conditional use in the Downtown Residential 1 (DR1) District for a housing cooperative.

On a motion by Cantrell, seconded by Ald. Heck, the Plan Commission found the standards met and approved the conditional use subject to the comments and conditions in the Plan Commission materials. The motion to approve passed by voice vote/ other.

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

Speaking in opposition to this request was Joe Martino, 26 N Hancock Street.

Registered in support of the request and available to answer questions were: Taizo Murakami, 109 Ardmore Drive, representing Madison Community Cooperative; Robert Bouril, 7653 Summerfield Drive, Verona; Brian Beaulieu, 4606 Secret Garden Drive, and; Gabriel Williams, 4510 Odana Road.

14. [58671](#)

1301 Applegate Road; 14th Ald. Dist.: Consideration of a demolition permit to demolish a car wash; consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for an auto body shop; and consideration of a conditional use in the CC-T District for a car wash; all to allow construction of a building containing auto body repair and a car wash.

On a motion by Cantrell, seconded by Spencer, the Plan Commission found the standards met and approved the demolition permit and conditional use subject to the comments and conditions in the Plan Commission materials. The motion to approve passed by voice vote/ other.

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

There were no registrants on this matter.

15. [58787](#)

3630 Milwaukee Street, 15th Ald. Dist.: Approval of final plans for a parking lot and stormwater management on a site previously approved for demolition of a commercial building

On a motion by Ald. Rummel, seconded by Sundquist, the Plan Commission found that the standards for approval were not met and denied the final plans for a parking lot and stormwater management on a site previously approved for demolition. Members of the Commission voting to deny the request stated that the proposed use of the subject site was not compatible with adopted plans or the intent of the demolition permit section, and did not represent normal and orderly development due to the traffic that would be generated by the use of the site.

The motion to deny passed on the following vote: AYE: Ald. Heck, Ald. Lemmer, Ald. Rummel, Hagenow, Spencer, Sundquist; NAY: Cantrell, Rewey; NON-VOTING: Zellers; EXCUSED: Statz.

A motion was made by Rummel, seconded by Sundquist, to Deny. The motion passed by the following vote:

Ayes: 6 - Marsha A. Rummel; Kathleen L. Spencer; Jason S. Hagenow; Eric W. Sundquist; Patrick W. Heck and Lindsay Lemmer

Noes: 2 - Michael W. Rewey and Bradley A. Cantrell

Excused: 1 - Andrew J. Statz

Non Voting: 1 - Ledell Zellers

Speaking in opposition to the request were: John Steines, 3327 Chicago Avenue; Lou Host-Jablonski, 30 Lansing Street; John Charles Newman, 404 Algoma Street, Apt. 1, and; Susan Thering, 3321 Lakeland Avenue.

Speaking neither in support nor opposition to the request was Carl Landsnes, 1308 Jenifer Street.

Registered in support of the request and available to answer questions were Angie Black and Dan O'Callaghan, Carlson Black, LLP, 222 W Washington Avenue, Suite 705, representing Leo Ritter & Co., LLC.

Registered in opposition but not wishing to speak were Ken Agnew, 2151 Oakridge Avenue, and Day Host-Jablonski, 4109 Drexel Avenue.

16. [58668](#)

1027-1029 Vilas Avenue; 13th Ald. Dist.: Consideration of a demolition permit to demolish a two-family dwelling twin home to allow division of the land into two single-family lots.

On a motion by Cantrell, seconded by Sundquist, the Plan Commission found the standards met and approved the demolition permit (ID 58668) and recommended approval of the Certified Survey Map (ID 58669), subject to the comments and conditions in the Plan Commission materials. The motion to approve passed on the following 7-1 vote: AYE: Ald. Heck, Ald. Lemmer, Ald. Rummel, Cantrell, Hagenow, Spencer; Sundquist; NAY: Rewey; NON-VOTING: Zellers; EXCUSED: Statz.

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

Ayes: 7 - Marsha A. Rummel; Kathleen L. Spencer; Jason S. Hagenow; Eric W. Sundquist; Bradley A. Cantrell; Patrick W. Heck and Lindsay Lemmer

Noes: 1 - Michael W. Rewey

Excused: 1 - Andrew J. Statz

Non Voting: 1 - Ledell Zellers

17. [58669](#)

Approving a Certified Survey Map of property owned by Kevin and Colleen Kavanaugh/1027 Vilas, LLC located at 1027-1029 Vilas Avenue; 13th Ald. Dist.

On a motion by Cantrell, seconded by Sundquist, the Plan Commission found the standards met and approved the demolition permit (ID 58668) and recommended approval of the Certified Survey Map (ID 58669), subject to the comments and conditions in the Plan Commission materials. The motion to approve passed on the following 7-1 vote: AYE: Ald. Heck, Ald. Lemmer, Ald. Rummel, Cantrell, Hagenow, Spencer; Sundquist; NAY: Rewey; NON-VOTING: Zellers; EXCUSED: Statz.

A motion was made by Cantrell, seconded by Sundquist, 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 the following vote:

Ayes: 7 - Kathleen L. Spencer; Jason S. Hagenow; Eric W. Sundquist; Bradley A. Cantrell; Lindsay Lemmer; Marsha A. Rummel and Patrick W. Heck

Noes: 1 - Michael W. Rewey

Excused: 1 - Andrew J. Statz

Non Voting: 1 - Ledell Zellers

The following were registered on Items 16 and 17, which are related and were considered together:

Speaking in support of the requests was Kevin Kavanaugh, 1027 Vilas Avenue, the applicant.

Speaking in opposition to the requests was Karen Stevenson, 1030 Vilas Avenue.

Land Division

- 18. [58487](#) 5048 Thorson Road, Town of Sun Prairie: Consideration of a Certified Survey Map within the City's Extraterritorial Jurisdiction to create two residential lots.

On a motion by Cantrell, seconded by Spencer, the Plan Commission found the standards met and approved the Certified Survey Map subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

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

There were no registrants on this matter.

BUSINESS BY MEMBERS

SECRETARY'S REPORT

Heather Stouder summarized the upcoming Plan Commission matters.

- Upcoming Matters - February 10, 2020

- Oscar Mayer Special Area Plan Update
- 7050 Watts Road - Amended PD(GDP) and Certified Survey Map Referral - Amend General Development Plan to add pad site for 10,000 sq. ft. commercial building and divide property into two lots to create lot for pad site development
- 935 W Johnson Street - TR-U2 to CI and Campus Master Plan Amendment to amend UW-Madison master plan to include parcel with single-family residence. Following amendment, residence will be razed pending future academic building
- 3205 Latham Drive - Conditional Use for an animal shelter in existing building
- 944 Williamson Street - Conditional Use(s) to convert multi-tenant commercial building into credit union w/vehicle access service window
- 6114-6204 Driscoll Drive - Amended TR-P Master Plan to revise the master plan for North Addition to Grandview Commons to allow construction of 12 two-family twin homes (24 units)

- Upcoming Matters - February 24, 2020

- 5006 Hammersley Road - SR-C1 and SR-V2 to SR-C1 and SR-C3 and Certified Survey Map to rezone to accommodate future lot for two-family dwelling development
- 1209-1313 Fish Hatchery Road - TR-C2 to CC-T, Demolition Permit and Conditional Use(s) to demolish 11 single-family residences to construct five-story, 180,000 square-foot medical clinic
- 1213-1313 South Street - TR-C2 to CC-T, Demolition Permit and Conditional Use(s) to demolish four single-family residences and a two-family two-unit residence to construct private parking facility
- 849 E Washington Avenue - Conditional Use(s) to convert office space in multi-tenant building into a restaurant-tavern with outdoor eating area in Urban Design Dist. 8
- 126 Langdon Street - Conditional Use(s) to construct seven-story, 88-unit apartment building

- 216 S Pinckney Street - Amended PD (GDP-SIP) and Conditional Use Alteration - Amend Block 88 Planned Development to construct nine stories above the podium to contain 162 residential units and a request for a conditional use alteration for projections into the Capitol View Preservation limit
- 202 N First Street - TE to PD(GDP-SIP) - General Development Plan-Specific Implementation Plan (GDP-SIP) to convert the City's 43,500 sq. ft. Fleet Services Building into the Madison Public Market

ANNOUNCEMENTS

Cantrell announced that he will not be present for the February 10 and February 20, 2020 meetings.

ADJOURNMENT

A motion was made by Sundquist, seconded by Hagenow, to Adjourn at 11:40 p.m. The motion passed by voice vote/other.