

Meeting Minutes - Approved PLAN COMMISSION

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse Channel 99 or at www.madisoncitychannel.tv.

Monday, March 7, 2022

5:30 PM

****Virtual Meeting****

Some or all of the members of the Plan Commission, applicants, or members of the public, may participate in the meeting remotely by teleconference or videoconference.

CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:30 p.m.

Present: 9 - Lindsay Lemmer; Patrick W. Heck; Christian A. Albouras; Ledell Zellers; Jason S. Hagenow; Anthony S. Fernandez; Nicole A. Solheim; Bradley A. Cantrelland Maurice C. Sheppard

Excused: 1 - Kathleen L. Spencer

Zellers was chair for this meeting.

Ald. Albouras left at 6:30 p.m. following consideration of Items 9 and 10.

Staff present: Heather Stouder, Rebecca Cnare, Dan McAuliffe, and Tim Parks, Planning Division; Kate Smith, City Attorney's Office; Katie Bannon, Zoning Administrator; Dan Rolfs and Lance Vest, Office of Real Estate Services; and Matt Tucker, Building Inspection Division.

Alders present: Ald. Syed Abbas, Dist. 12

PUBLIC COMMENT

1. [60306](#) Plan Commission Public Comment Period

There were no registrants for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

There were no communications, disclosures or recusals by members of the Plan Commission.

MINUTES OF THE FEBRUARY 21, 2022 REGULAR MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings:

- Mondays, March 21 and April 11, 25, 2022 at 5:30 p.m.

Special Meeting/Working Session:

- Thursday, March 24, 2022 at 5:00 p.m.

AGENDA NOTE:

Note: Hearing items may be called at any time after the beginning of the meeting. Those wishing to speak on an item must register with the Secretary. The Plan Commission uses a consent agenda, which means that the Commission can consider any item where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

ROUTINE BUSINESS

- 2. [69819](#) Authorizing the City's acceptance of ownership from the Wisconsin Cooperative Housing Association of a "Little Free Seed Library" located in Owen Park at 6021 Old Sauk Road. (19th AD)

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

- 3. [70094](#) Relief from conditions of gifts and dedication per Section 66.1025(1) Wisconsin Statutes, of Outlot 3, Tradesmen Commerce Park for the replatting of a portion the development, being located in the NE 1/4 of the SW 1/4 of Section 26, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (16th AD)

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

- 4. [70107](#) Authorizing the execution of a License with New Cingular Wireless PCS, LLC for premises at the High Crossing Water Tower located at 3518 Cross Hill Drive. (17th AD)

A motion was made by Cantrell, seconded by Fernandez, to Return to Lead with the Recommendation for Approval to the WATER UTILITY BOARD. The motion passed by voice vote/other.

- 5. [70109](#) Authorizing the execution of a Lease with Cellco Partnership d/b/a Verizon Wireless, for premises at McPike Park located at 1130 E. Wilson Street. (6th AD)

On a motion by Cantrell, seconded by Fernandez, the Plan Commission referred the request to March 21, 2022 at the request of the Parks Division. The motion to refer passed by voice vote/ other.

A motion was made by Cantrell, seconded by Fernandez, to Refer to the PLAN COMMISSION and should be returned by 3/21/2022. The motion passed by

voice vote/other.

- 6. [70199](#) Vacating and discontinuing multiple unimproved public street right-of-ways within the plat of Acacia Ridge to allow the replatting of a portion the development. Being located in the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 7 North, Range 8 East, City of Madison, Dane County, Wisconsin. (1st AD)

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

PUBLIC HEARINGS

Tax Incremental Finance District

- 7. [69941](#) Approving the Creation of and the Project Plan and Boundary for Tax Incremental District (TID) #49 (Femrite Dr), City of Madison.

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

Zoning Text Amendments

- 8. [69382](#) Amending Chapter 28 to create an outdoor eating area, temporary, associated with a food and beverage establishment as a use category in Chapter 28, amending Tables 28D-2, 28E-2, 28F-1 and 28G-1 to include the new use category, and amending Subchapter 28J: Supplemental Regulations.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission recommended approval of the proposed zoning text amendment to the Common Council.

On a motion by Ald. Heck, seconded by Ald. Albouras, the motion to recommend approval was amended to allow taller screening/ fencing as staff deems appropriate. The motion to add the amended language to the main motion by voice vote/ other.

The main motion to recommend approval with the amended language passed by voice vote/ other, with Fernandez voting No.

A motion was made by Cantrell, seconded by Sheppard, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other, with Fernandez voting No.

Conditional Use Requests & Demolition Permits

Note: Items 9 and 10 are related and were considered together

- 9. [69321](#) 2902 Dryden Drive; 12th Ald. Dist.: Consideration of a demolition permit to demolish a bank/office building.

On a motion by Cantrell, seconded by Fernandez, the Plan Commission found the standards met and approved the demolition 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 Fernandez, to Approve. The motion passed by voice vote/other.

10. [69322](#) 2902 Dryden Drive; 12th Ald. Dist.: Consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for a multi-family dwelling with greater than 36 dwelling units, and consideration of a conditional use to allow construction of a new 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 four-story, 45-unit apartment building.

On a motion by Cantrell, seconded by Fernandez, 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 Fernandez, to Approve. The motion passed by voice vote/other.

11. [69554](#) 614 University Avenue; 2nd Ald. Dist.: Consideration of a conditional use in the Urban Mixed-Use (UMX) District for a nightclub.

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 and the following additional condition:

- That there be no live or amplified music after 11:00 p.m. Sunday-Wednesday (live or amplified music shall end at midnight Thursday-Saturday).

The motion to approve with the added condition passed by voice vote/ other.

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

12. [69564](#) 2702 Agriculture Drive; 16th Ald. Dist.: Consideration of a conditional use in the Suburban Employment (SE) District for an auto repair business.

On a motion by Cantrell, seconded by Fernandez, 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 Fernandez, to Approve. The motion passed by voice vote/other.

13. [69566](#) 557 North Street; 12th Ald. Dist.: Consideration of a conditional use in the Neighborhood Mixed-Use (NMX) District for a brewpub; consideration of a conditional use in the NMX District for an outdoor eating area; consideration of a conditional use in the NMX District for free-standing vending located within 200 feet from the property line of a lot with a residential use; and consideration of a conditional use in the NMX District for a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking, all to allow an existing commercial building to be converted into a multiple food and beverage establishments, related goods sales, outdoor eating area and a food cart.

On a motion by Cantrell, seconded by Fernandez, the Plan Commission referred the request to March 21, 2022 at the request of the applicant. The motion to refer passed by voice vote/ other.

A motion was made by Cantrell, seconded by Fernandez, to Refer to the PLAN COMMISSION and should be returned by 3/21/2022. The motion passed by voice vote/other.

Oscar Mayer Special Area Plan-Related Matters

- Official Map Amendments:

14. [69518](#) Amending the City of Madison Official Map to establish mapped reservations for future Streets and Highways in the City of Madison to connect Shopko Drive and Pankratz Street consistent with recommendations in the adopted *Oscar Mayer Special Area Plan*.
- On a motion by Cantrell, seconded by Fernandez, the Plan Commission referred the request to March 21, 2022 (March 29, 2022 Common Council) at the request of staff and the affected property owner. The motion to recommend referral passed by voice vote/ other.
- A motion was made by Cantrell, seconded by Fernandez, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 3/21/2022. The motion passed by voice vote/other.**
15. [69519](#) Amending the City of Madison Official Map to establish mapped reservations for future Streets and Highways in the City of Madison consistent with recommendations in the adopted *Oscar Mayer Special Area Plan*.
- On a motion by Fernandez, seconded by Cantrell, the Plan Commission recommended approval of the proposed official map amendment to the Common Council by voice vote/ other, with Solheim voting No.
- A motion was made by Fernandez, seconded by Cantrell, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other, with Solheim voting No.**

- Zoning Map Amendments:

16. [69497](#) Creating Section 28.022-00540 of the Madison General Ordinances to change the zoning of property located at 1010 North Street, 12th Aldermanic District, from TR-C4 (Traditional Residential-Consistent 4) District to PR (Parks and Recreation) District.
- On a motion by Cantrell, seconded by Sheppard, the Plan Commission found the standards met and recommended approval of the proposed zoning map amendment to the Common Council by voice vote/ other.
- A motion was made by Cantrell, seconded by Sheppard, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.**
17. [69498](#) Creating Section 28.002-00541 of the Madison General Ordinances to change the zoning of the property located at 2003 Aberg Avenue, 910 Oscar Avenue, 2228 Myrtle Street, 2231 Myrtle Street, and portions of 2002 and 2150 Commercial Avenue, 12th Aldermanic District, from CC-T (Commercial Corridor-Transitional) District and IG (Industrial-General) District to IL (Industrial-Limited) District; and creating Section 28.022-00542 of the Madison General Ordinances to change the zoning of the property located at portions of 2002 and 2150 Commercial Avenue and 702 Oscar Avenue, 12th Aldermanic District from IG (Industrial-General) District to RMX (Regional Mixed-Use) District; and creating Section 28.022-00543 of the Madison General Ordinances to change the zoning of property located at 1201 Huxley Street, 12th Aldermanic District from IL (Industrial-Limited) District to TR-U1 (Traditional Residential-Urban 1) District; and creating Section 28.022-00544

of the Madison General Ordinances to change the zoning of property located at 1201 Huxley Street and 1910 Roth Street, 12th Aldermanic District from IL (Industrial-Limited) District to TR-U2 (Traditional Residential-Urban 2) District; and creating Section 28.022-00545 of the Madison General Ordinances to change the zoning of property located at 1126 Huxley Street, 12th Aldermanic District from IL (Industrial-Limited) District to CC-T (Commercial Corridor-Transitional) District.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission found the standards met and recommended approval of the proposed zoning map amendment to the Common Council by voice vote/ other.

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

18. [69517](#)

SUBSTITUTE. Creating Section 28.022-00546 of the Madison General Ordinances to change the zoning of property located at 2007 Roth Street, 12th Aldermanic District, from IG (Industrial-General) District to CN (Conservancy) District; and creating Section 28.002-00547 of the Madison General Ordinances to change the zoning of the property located at 2007 Roth Street, 12th Aldermanic District, from IG (Industrial-General) District to TR-U2 (Traditional Residential-Urban 2) District; and creating Section 28.022-00548 of the Madison General Ordinances to change the zoning of the property located at 701-705 Ruskin Street, 2007 Roth Street, and 1810 and 1834 Commercial Avenue, 12th Aldermanic District from IL (Industrial-Limited) District to RMX (Regional Mixed-Use) District.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission found the standards met and recommended approval of the proposed zoning map amendment to the Common Council by voice vote/ other, with Solheim voting 'No'.

A motion was made by Cantrell, seconded by Heck, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other, with Solheim voting No.

19. [69535](#)

Creating Section 28.022-00549 of the Madison General Ordinances to change the zoning of property located at 1115 O'Neill Avenue and 1810 Roth Street, 12th Aldermanic District, from IL (Industrial-Limited) District to CC-T (Commercial Corridor-Transitional) District; and creating Section 28.002-00550 of the Madison General Ordinances to change the zoning of property located at 1125-1135 Ruskin Street and 1126-1138 O'Neill Avenue, 12th Aldermanic District, from CC-T (Commercial Corridor-Transitional) to TR-U1 (Traditional Residential-Urban 1) District; and creating Section 28.002-00551 of the Madison General Ordinances to change the zoning of the property located at 1113-1117 Ruskin Street, 1106-1114 O'Neill Avenue, and 1802-1804 Roth Street, 12th Aldermanic District, from CC-T (Commercial Corridor-Transitional) to TR-U1 (Traditional Residential-Urban 1) District.

On a motion by Cantrell, seconded by Sheppard, the Plan Commission found the standards met and recommended approval of the proposed zoning map amendment to the Common Council by voice vote/ other.

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

20. [69538](#) Creating Section 28.022-00552 of the Madison General Ordinances to change the zoning of property located at 702 Ruskin Street, 12th Aldermanic District, from IL (Industrial-Limited) District to CC-T (Commercial Corridor-Transitional) District; and creating Section 28.002-00553 of the Madison General Ordinances to change the zoning of property located at 702 Ruskin Street, 12th Aldermanic District, from IL (Industrial-Limited) District to CN (Conservancy) District.

On a motion Cantrell, seconded by Hagenow, the Plan Commission made the following recommendations on this zoning map amendment to the Common Council:

- The Plan Commission found the standards met and recommended **approval** of Section 28.022-00552 to rezone the southern portion of 702 Ruskin Street from IL to CC-T; and

- The Plan Commission found the standards were not met and recommended **denial** of Section 28.002-00553 to rezone the remainder of 702 Ruskin Street from IL to CN to the Common Council.

The above recommendations passed by voice vote/ other.

The motion to recommend as noted above followed a motion by Fernandez, seconded by Sheppard, to find the standards met and recommend approval of the zoning map amendment as presented. The motion to recommend approval failed on the following 3-4 vote: AYE: Ald. Lemmer, Fernandez, Sheppard; NAY: Ald. Heck, Cantrell, Hagenow, Solheim; NON-VOTING: Zellers; EXCUSED: Ald. Albouras, Spencer.

A motion was made by Cantrell, seconded by Hagenow, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING Section 28.022-00552 to rezone the southern portion of 702 Ruskin Street from IL to CC-T, and to RECOMMEND TO COUNCIL TO DENY - PUBLIC HEARING Section 28.002-00553 to rezone the remainder of 702 Ruskin Street from IL to CN. The motion passed by voice vote/other.

21. [69539](#) Creating Section 28.022-00554 of the Madison General Ordinances to change the zoning of the northerly approximately 100 feet of 1741 and 1825 Commercial Avenue, and all of 2001 and 2125 Commercial Avenue, and 2401, 2413, 2417, and 2510 Pennsylvania Avenue, 12th Aldermanic District, from IL (Industrial-Limited) District to CC-T (Commercial Corridor-Transitional) District.

On a motion by Cantrell, seconded by Hagenow, the Plan Commission found the standards met and recommended approval of the proposed zoning map amendment to the Common Council by voice vote/ other.

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

22. [69540](#) Creating Section 28.022 - 00555 of the Madison General Ordinances to change the zoning of property located at 1902 E Johnson Street and 2010-2030 Pennsylvania Avenue, 12th Aldermanic District, from IL (Industrial-Limited) District to RMX (Regional Mixed-Use) District.

On a motion by Cantrell, seconded by Ald. Lemmer, the Plan Commission found the standards met and recommended approval of the proposed zoning map amendment to the Common Council by voice vote/ other.

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

23. [69541](#) Creating Section 28.022-00556 of the Madison General Ordinances to change the zoning of property located at 1909 Aberg Avenue, 12th Aldermanic District, from IL (Industrial-Limited) District to TR-U1 (Traditional Residential-Urban 1) District.

On a motion by Cantrell, seconded by Solheim, the Plan Commission found the standards met and recommended approval of the proposed zoning map amendment to the Common Council by voice vote/ other.

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

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

Heather Stouder summarized recent Common Council actions and upcoming matters for the Plan Commission.

- Recent Common Council Actions

- 4000-4150 Packers Avenue and 4201 N Sherman Avenue - Rezoning and Preliminary Plat of Raemisch Farm Development - Placed on file without prejudice on February 22, 2022
- 10451 Old Sauk Road 621 Pioneer Road - Rezoning and Preliminary Plat and Final Plat of Fox Knoll - Approved subject to Plan Commission recommendations on February 22, 2022
- 5426 Fen Oak Drive - Certified Survey Map Referral to create two lots for future employment - Approved subject to Plan Commission recommendation on March 1, 2022

- Upcoming Matters – March 21, 2022

- Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan Amendment
- 6831 Odana Road - Conditional Use - Construct restaurant with vehicle access sales and service window in a planned multi-use site
- 700-740 Regent Street - Amended PD(GDP-SIP) and Certified Survey Map Referral - Create three commercial lots to construct 12-story, 341-unit apartment building on proposed Lot 3
- Zoning Text Amendment - Amending Sections 28.071 and 28.151 to allow for residential uses on the ground floor of buildings within the lesser of 40% or 40 feet in Mixed-Use and Multi-Family buildings on specified downtown streets
- 1325-1331 Greenway Cross - Conditional Use for a restaurant-nightclub
- 3302 Dairy Drive - Conditional Use for general retail tenant in multi-tenant industrial building
- 3734 Speedway Road - Demolition Permit and Conditional Use - Demolish commercial building to construct four-story mixed-use building with approximately 800 square feet of commercial space and 31 apartments
- 3315 Nelson Road - Extraterritorial Certified Survey Map to re-divide two residential lots in the Town of Burke
- 5501 Endeavor Lane - Conditional Use - Construct five-story, 261,600 square-foot office/laboratory building

- Upcoming Matters – April 11, 2022

- 428-444 State Street - Demolition Permit, Conditional Use and Certified Survey Map Referral - Demolish three buildings to construct six-story tall mixed-use building adjacent to Lisa Link Peace Park with up to 6,445 square feet of commercial space and 26 apartments on one lot
- 1705-1713 S High Point Road - Temp. A to SR-V2, Conditional Use, and Certified Survey Map Referral - Construct private school on one lot
- 734 E Washington Avenue - Demolition Permit - Demolish commercial building

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by Cantrell, seconded by Hagenow, to Adjourn at 10:10 p.m. The motion passed by voice vote/other.

REGISTRATIONS

A final, complete list of persons registered for items on the Plan Commission agenda will be attached to the below-listed file following adjournment of the meeting. The final list of registrations for a particular meeting will include the meeting date in the title of the file. Registrants will no longer be entered on the minutes after each item. An agenda item with no registrants will not appear on the table of registrants attached for that meeting; however, that item will still have been considered as noted in the proceedings for that meeting.

[69103](#)

Registrants for 2022 Plan Commission Meetings