CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:35 p.m.

Present: 10 -  
Ledell Zellers; Scott J. Resnick; Ken Opin; Eric W. Sundquist; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Maurice C. Sheppard

Excused:  2 -  
Steve King and John L. Finnemore

Opin was chair for this meeting.

Ald. Resnick arrived at 5:45 p.m.

Heifetz arrived at 6:20 p.m. during the consideration of Items 11-13.

Staff present: Steve Cover, Secretary; Heather Stouder, Kevin Firchow and Tim Parks, Planning Division.

PUBLIC COMMENT

There were no registrants for public comment.

COMMUNICATIONS, DISCLOSURES AND RECUSALS

Ald. Zellers disclosed that her son worked for Vierbicher, who was involved with the applications on this agenda, but that her relationship would not impact her ability to consider those items.

MINUTES OF THE JANUARY 13, 2014 MEETING

A motion was made by Cantrell, seconded by Hamilton-Nisbet, to Approve the Minutes. The motion passed by voice vote/other, with Sundquist abstaining.

SCHEDULE OF MEETINGS

February 10, 24 and March 10, 24, 2014

The Plan Commission also discussed the scheduling of special meetings for a training session on the new Zoning Code and a review of the first year under the new code. Staff recommended that the Commission keep February 11 and March 17 available for these special meetings.

ROUTINE BUSINESS

1. 32650  
Determining a Public Purpose and necessity and adopting a Relocation Order for the City of Madison to obtain a Temporary Limited Easement for Grading and Sloping over a portion of and also purchase a portion of the
Garfoot Living Trust property within the Town of Middleton (Parcel No. 038-0708-214-9000-4), being adjacent to the recorded subdivisions of Blackhawk Church Town Center Plat and Woodstone Replat No. 3, which are required for the planned public street improvements for Bear Claw Way from Brader Way to Cobalt Street, and authorizing the Mayor and City Clerk to sign all documents necessary to accomplish the acquisition of said properties.

(9th AD)

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

2. 32748

Authorizing the Mayor and Clerk to execute an Offer to Purchase and approving the sale by Quit Claim Deed of 4230 Milford Road to abutting property owners Richard and Lajean Hoffmann (the “Buyers”).

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

NEW BUSINESS

3. 32803

Creating Section 15.01(591) of the Madison General Ordinances entitled “City Boundaries” and being part of the chapter entitled “Aldermanic Districts and Wards” attaching to the 9th Aldermanic District the Elderberry Attachment, creating Section 15.01(124) of the Madison General Ordinances to assign the attached property to Ward 124, and authorizing submittal of an amendment the Central Urban Service Area.

Note: The ordinance includes language authorizing the Planning Division to submit an application to the Capital Area Regional Planning Commission to amend the Central Urban Service area to add the attached lands and other properties nearby. More detailed development proposals and land use entitlement requests for the property to be attached and other properties nearby will be required prior to construction. The Plan Commission recommend adoption of the ordinance to the Common Council by voice vote/ other.

A motion was made by Berger, seconded by Cantrell, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

PUBLIC HEARING-6:00 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 6:00 p.m. where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

Zoning Text Amendments

4. 32704

Creating Section 28.149 and amending Section 28.151 of the Madison General Ordinances to regulate wind energy systems.

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

Ayes: 7 - Ledell Zellers; Scott J. Resnick; Eric W. Sundquist; Melissa M. Berger; Michael W. Rewey; Bradley A. Cantrell and Maurice C. Sheppard

Noes: 1 - Tonya L. Hamilton-Nisbet

Excused: 2 - Michael G. Heifetz; John L. Finnemore and Steve King

Non Voting: 1 - Ken Opin

5. **32705**

Amending Sections 28.032, 28.033, 28.045(2) and 28.151 and creating Section 28.045(2)(b) of the Madison General Ordinances to allow two-family twin dwelling units in the TR-C4 District.

The Plan Commission recommended approval of the zoning text amendment by voice vote/other.

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

6. **32708**

Amending Section 28.182(5)(a)4.a. of the Madison General Ordinances to establish the order of zoning districts from most to least restrictive.

The Plan Commission recommended approval of the zoning text amendment by voice vote/other.

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

7. **32709**

Amending Section 28.183(6)(a)9. of the Madison General Ordinances to create design-based criteria of approval for a conditional use.

The Plan Commission recommended approval of the zoning text amendment by voice vote/other.

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

There were no registrants on Items 4-7.

**Conditional Use & Demolition Permits**

8. **32128**

Consideration of a demolition permit to demolish 3 buildings and a portion of a fourth to allow construction of an addition to an existing five-story building and surface parking, all on property located at 901-945 E. Washington Avenue and 902-946 E. Main Street; Urban Design Dist. 8; 6th Ald. Dist.

The Plan Commission found that the standards were met and approved the demolition permit subject to the comments and conditions contained in the Plan Commission materials, with Ald. Resnick recused on the matter.
A motion was made by Heifetz, seconded by Sundquist, to Approve. The motion passed by voice vote/other, with Ald. Resnick recused.

Speaking in support of the proposed development was Steve Harms, Tri-North Builders of Research Park Drive.

Registered in support of the project and available to answer questions was Curt Brink of Acadia Lane; Doug Hursh, Potter Lawson, Inc. of University Avenue, representing Archipelago Village, and; Michael Schmidt of Fourier Drive.

9. 32281

Consideration of a demolition permit to allow an office building to be demolished and an auto repair and preparation facility to be constructed at 5708 Odana Road; 19th Ald. Dist.

The Plan Commission found that the standards were met and approved the demolition permit subject to the comments and conditions contained in the Plan Commission materials.

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

Registered in support of the project and available to answer questions were Allen Foster, Smart Motors, Inc. of Odana Road, the applicant, and Jim Triatik, Sullivan Design-Build of Emil Street.

10. 32627

Consideration of a conditional use for a residential building complex to allow construction of 72 apartments in 2 buildings at 1902 Tennyson Lane; 12th Ald. Dist.

The Plan Commission found that the conditional use standards were met and approved the request subject to the comments and conditions contained in the Plan Commission materials and the following conditions:

- That Condition 9 be revised to add the following additional design comments after points “a” and “b” from the staff report: c) Reduce the front yard setbacks where feasible due to grade; d) Continue to consider ways to reduce some pavement/parking to enhance open space; and e) The rain garden/bioswale shown in the previous plans has been replaced with a more standard stormwater pond. This feature shall be revised to include the rain garden/bioswale feature, subject to the approval of reviewing agencies.

- That a new condition be added requiring that a management plan be filed with the City that includes staffing details, contact information, and office hours for onsite-management.


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

Ayes: 5 - Ledell Zellers; Scott J. Resnick; Eric W. Sundquist; Melissa M. Berger and Michael W. Rewey

Noes: 3 - Michael G. Heifetz; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Excused: 1 - John L. Finnemore and Steve King

Non Voting: 2 - Ken Opin and Maurice C. Sheppard

Note: This item was a recessed public hearing from January 13, 2014.

Speaking in opposition to the proposed development were Beverly Metcalfe of Eliot Lane and Christofer Schroeder of Eliot Lane.

Registered in support and available to answer questions were: Tom Sather of Normandy Lane, the applicant; Aaron Williams of E. Badger Road and Jeff Liebergen of Camelot Driver, Fond du Lac, both representing the property owner, Tom Keller of W. Washington Avenue, who was registered in support.
Consideration of a conditional use to allow construction of a two-family-twin residence at 1908-1910 Dondee Road; 16th Ald. Dist.
The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials.

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

Consideration of a conditional use to allow construction of a two-family-twin residence at 1914-1916 Dondee Road; 16th Ald. Dist.
The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials.

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

Consideration of a conditional use to allow construction of a two-family-twin residence at 1920-1922 Dondee Road; 16th Ald. Dist.
The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials.

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

The following were registered on Items 11-13, which were considered together:

Speaking in support of the conditional use requests was James Dresen of Melinda Drive.

Registered in support and available to answer questions were: Eric D. Gordon of Lamplighter Way, applicant for Item 11; Don Imhoff of Lamplighter Way, applicant for Item 12, and; Michael Veserat of Southern Circle, Monona, applicant for Item 13.

Zoning Map Amendments & Related Requests

Creating Section 28.022 -- 00091 of the Madison General Ordinances to change the zoning of property located at 149 East Wilson Street, 4th Alderbornic District, from UMX (Urban Mixed Use) District to DC (Downtown Core) District to allow demolition of an office building and construction of a mixed-use building with 9,100 square feet of commercial space and 127 apartments.

On a motion by Rewey, seconded by Sundquist, the Plan Commission found the standards and criteria met and recommended approval of the zoning map amendment and approved the related demolition permit and conditional use (ID 32124) subject to the recommendation of the Urban Design Commission, the comments and conditions contained in the Plan Commission materials, and the following conditions:

- The applicant upon submittal of final plans shall include a move-in/ move-out plan for approval by the Traffic Engineering Division. This plan shall include use of the loading zone for all moves unless a move requires use of a semi. The plan shall address where the semi will unload, including an alternate plan in the event a contra-flow bike lane is added to E. Wilson Street. Use of the moving plan shall be included as a requirement of all building commercial and residential leases.

- The applicant upon submittal of final plans shall include a delivery plan for approval by the Traffic Engineering Division. This plan shall address how commercial deliveries to the building’s office/ retail and residential tenants will be conducted. Use of the delivery plan shall be included as a requirement of all building commercial and residential leases.

- The applicant upon submittal of final plans shall include a refuse and recycling collection plan for approval by the Planning Division and Traffic Engineering Division. The refuse and recycling plan shall...
provide that all residential tenants will be provided regular, at a minimum weekly, recycling service on each residential floor.

- If the Traffic Engineer and Zoning Administrator determine that the project needs additional bike parking, they shall have the ability to require the conversion of other parking to provide the additional bike parking.

- A food or beverage establishment shall only be allowed if approved pursuant to Section 28.183(8) of the Zoning Code, except that any outdoor eating area for a food and beverage establishment shall require a separate conditional use approved by the Plan Commission following a public hearing.

- On a motion by Rewey, seconded by Sundquist, that the applicant investigate incorporating a 1- to 2-foot setback for the planter walls adjacent to the E. Wilson Street sidewalk to allow for a wider pedestrian space. The amendment adding this condition passed on the following 6-2 vote: AYE: Ald. Resnick, Ald. Zellers, Berger, Heifetz, Rewey, Sundquist; NAY: Cantrell, Hamilton-Nisbet; NON-VOTING: Opin, Sheppard; EXCUSED: Ald. King, Finnemore.

The main motion to recommend approval of the rezoning and to approve the demolition permit and conditional use passed by voice vote/other.

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

15. 32124

Consideration of a demolition permit and conditional use to allow an office building to be demolished and a mixed-use building containing 9,100 square feet of commercial space and 127 apartment units to be constructed at 149 E. Wilson Street; 4th Ald. Dist

On a motion by Rewey, seconded by Sundquist, the Plan Commission found the standards and criteria met and approved the demolition permit and conditional use and recommended approval of the related zoning map amendment and (ID 32265) subject to the recommendation of the Urban Design Commission, the comments and conditions contained in the Plan Commission materials, and the following conditions:

- The applicant upon submittal of final plans shall include a move-in/ move-out plan for approval by the Traffic Engineering Division. This plan shall include use of the loading zone for all moves unless a move requires use of a semi. The plan shall address where the semi will unload, including an alternate plan in the event a contra-flow bike lane is added to E. Wilson Street. Use of the moving plan shall be included as a requirement of all building commercial and residential leases.

- The applicant upon submittal of final plans shall include a delivery plan for approval by the Traffic Engineering Division. This plan shall address how commercial deliveries to the building’s office/ retail and residential tenants will be conducted. Use of the delivery plan shall be included as a requirement of all building commercial and residential leases.

- The applicant upon submittal of final plans shall include a refuse and recycling collection plan for approval by the Planning Division and Traffic Engineering Division. The refuse and recycling plan shall provide that all residential tenants will be provided regular, at a minimum weekly, recycling service on each residential floor.

- If the Traffic Engineer and Zoning Administrator determine that the project needs additional bike parking, they shall have the ability to require the conversion of other parking to provide the additional bike parking.

- A food or beverage establishment shall only be allowed if approved pursuant to Section 28.183(8) of the Zoning Code, except that any outdoor eating area for a food and beverage establishment shall require a separate conditional use approved by the Plan Commission following a public hearing.

- On a motion by Rewey, seconded by Sundquist, that the applicant investigate incorporating a 1- to 2-foot setback for the planter walls adjacent to the E. Wilson Street sidewalk to allow for a wider pedestrian space. The amendment adding this condition passed on the following 6-2 vote: AYE: Ald. Resnick, Ald. Zellers, Berger, Heifetz, Rewey, Sundquist; NAY: Cantrell, Hamilton-Nisbet; NON-VOTING: Opin, Sheppard; EXCUSED: Ald. King, Finnemore.

The main motion to recommend approval of the rezoning and to approve the demolition permit and conditional use passed by voice vote/other.

A motion was made by Rewey, seconded by Sundquist, to Approve. The motion passed by voice vote/other.
The following were registered on Items 14 and 15, which were considered together as a recessed public hearing from January 13, 2014:

Speaking in opposition to the proposed development were: Jay Van Cleave of E. Wilson Street; Linda Green of E. Wilson Street, and; Michael Peters of E. Wilson Street.

Speaking neither in support nor opposition to the proposed development was Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Registered in support of the proposed development and available to answer questions were: Lance McGrath, McGrath Property Group, LLC of S. Bedford Street, the applicant, and Paul Cuta and Marc Schellpfeffer, CaS4 Architecture of Monroe Street, representing the applicant.

Registered in opposition and available to answer questions were: Julie Van Cleave of E. Wilson Street; Steve Lesgold of E. Wilson Street; Mary Waitrovich of E. Wilson Street; Anita Peters of E. Wilson Street, and; Francisco Scarano of E. Wilson Street;

Registered in support of the project but not wishing to speak was Michael Ertmer of E. Main Street.

Registered in opposition to the project but not wishing to speak were: Olga Scarano of E. Wilson Street; Abbie Hill of E. Wilson Street; Janet Lesgold of E. Wilson Street; Debra Calder of E. Wilson Street; Maria Antoinette Cannella of E. Wilson Street; and; Paul M. and Florence DeLuca of E. Wilson Street.

16. 32562

Creating Section 28.022 -- 00097 of the Madison General Ordinances to change the zoning of property located at 2029, 2033, 2037 South Park Street and 2032 Taft Street, 14th Aldermanic District, from TR-C4 (Traditional Residential-Consistent 4) District to TR-V2 (Traditional Residential - Varied 2) District to demolish 3 single-family residences to allow construction of a residential building complex containing 11 townhouse units in 2 buildings in Urban Design District 7

On a motion by Cantrell, seconded by Heifetz, the Plan Commission found the standards met and recommended approval of the zoning map amendment and approved the related demolition permit and conditional use (ID 32282) subject to the recommendation of the Urban Design Commission and the comments and conditions contained in the Plan Commission materials.

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

17. 32282

Consideration of a demolition permit and conditional use to allow 3 single-family residences to be demolished and a residential building complex containing 11 townhouse units to be constructed at 2029-2037 S. Park Street and 2032 Taft Street; Urban Design Dist. 7; 14th Ald. Dist

On a motion by Cantrell, seconded by Heifetz, the Plan Commission found the standards met and approved the demolition permit and conditional use and recommended approval of the related zoning map amendment and (ID 32562) subject to the recommendation of the Urban Design Commission and the comments and conditions contained in the Plan Commission materials.

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

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

Speaking in support of the proposed development was J. Randy Bruce, Knothe Bruce Architects, LLC of University Avenue, Middleton, representing the applicant, Frank Staniszewski, Madison Development Corporation of W. Washington Avenue, who was registered in support and available to answer questions.

18. 32564

Creating Section 28.06(2)(a)000098. of the Madison General Ordinances to change the zoning of property located at 5899-5901 Milwaukee Street, 3rd Aldermanic District from A (Agricultural) District to TR-P (Traditional Residential-Planned) District; and creating Section 28.06(2)(a)00099 of the
Madison General Ordinances to change the zoning of property located at 5899-5901 Milwaukee Street, 3rd Aldermanic District from A (Agricultural) District to TR-U1 (Traditional Residential - Urban 1) District to create 190 single-family lots, 8 lots for 4-unit residences, 12 lots for 2-family-twin residences, 2 lots for 200 future multi-family units and 11 outlots.

On a motion by Rewey, seconded by Cantrell, the Plan Commission recommended re-referral of the zoning map amendment and related subdivision plat (ID 32285) to the March 10, 2014 meeting at the request of the applicant.

A motion was made by Rewey, seconded by Cantrell, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by March 10, 2014. The motion passed by voice vote/other.

19. 32285

Approving the preliminary plat and final plat of North Addition to Grandview Commons located at 5899-5901 Milwaukee Street; 3rd Ald. Dist.

On a motion by Rewey, seconded by Cantrell, the Plan Commission referred the subdivision plat and related zoning map amendment (ID 32564) to the March 10, 2014 meeting at the request of the applicant.

A motion was made by Rewey, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by March 10, 2014. The motion passed by voice vote/other.

There were no registrants on Items 18 and 19.

20. 32565

Creating Section 28.022 -- 00096 of the Madison General Ordinances to change the zoning of property located at 80 White Oaks Lane, 20th Aldermanic District, from A (Agricultural) District to SR-C1 (Suburban Residential - Consistent 1) District to create 8 single-family lots and 1 outlot for private open space

On a motion by Rewey, seconded by Cantrell, the Plan Commission recommended re-referral of the zoning map amendment and related subdivision plat (ID 32284) to the February 10, 2014 meeting at the request of the applicant.

A motion was made by Rewey, seconded by Cantrell, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by February 10, 2014. The motion passed by voice vote/other.

There were no registrants on Items 20 and 21.

21. 32284

Approving the preliminary plat of White Oak Ridge on property generally addressed as 80 White Oaks Lane; 20th Ald. Dist.

On a motion by Rewey, seconded by Cantrell, the Plan Commission referred the subdivision plat and related zoning map amendment (ID 32565) to the March 10, 2014 meeting at the request of the applicant.

A motion was made by Rewey, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by February 10, 2014. The motion passed by voice vote/other.

There were no registrants on Items 20 and 21.

Land Division Referrals

22. 30331

Approving a Certified Survey Map of property owned by the University of Wisconsin Board of Regents located at 130 E. Gilman Street; 2nd Ald. Dist.

The Plan Commission referred this item at the request of the applicant.

A motion was made by Rewey, seconded by Cantrell, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.
Consideration of a Certified Survey Map within the City's Extraterritorial Jurisdiction creating two lots and one outlot at 3419-3437 Vilas Road, Town of Cottage Grove.

The Plan Commission found the criteria were met and approved this extraterritorial land division subject to the comments and conditions contained in the Plan Commission materials.

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

Registered in support of the proposed land division was John Dott of Vilas Road, Cottage Grove, one of the applicants.

BUSINESS BY MEMBERS

There was no business by members.

SECRETARY'S REPORT

- Upcoming Matters - February 10, 2014
  - Accepting the report of the Lamp House Ad Hoc Planning Committee
  - Adopting a revised Plan Commission meeting manual
  - 3009 University Avenue and 3118 Harley Street - TR-U1 to CC-T, Conditional Use Alteration and Certified Survey Map Referral - Rezone a portion of 3118 Harley Street, approve a two-lot CSM revising common line between properties, and construct carports in the rear yards of existing mixed-use building and apartment building (in Urban Design Dist. 6)
  - 2405 Vondron Road - Temp. A to IL - Provide zoning for recently attached property to be developed with an office building
  - Zoning Text Amendment - Amend MGO Section 28.031(2)(d) to allow for an exception to the sidewall offset requirement for two-family homes
  - Zoning Text Amendment - Amend MGO Sections 28.082, 28.151 and 211 to allow sales of heavy-traffic vehicles in the IL (Industrial-Limited) and IG (Industrial-General) districts
  - Zoning Text Amendment - Amend various sections of MGO Chapter 28 to allow Mission Houses and Daytime Shelters as principal uses of land and to add a new definition for Daytime Shelter
    - 802-854 E. Washington Avenue - Conditional Use - Construct mixed-use building with 170,000 square feet of commercial space and 254 dwellings units
    - 2410 Willard Avenue - Conditional Use - Construct accessory building exceeding 10 percent of the area of the lot

- Upcoming Matters - February 24, 2014
  - 710 E. Mifflin Street and 124 N. Livingston Street - TE & PD to TR-U2 and Demolition Permit - Demolish industrial building as part of future development of property with 196 multi-family dwelling units
  - 7102 Discovery Lane - Amended PD-GDP - Amend general development plan to allow future construction of 8 townhouse units in 2 buildings on site of existing pool
  - 4550 Verona Road - Conditional Use Alteration - Approve outdoor sales and display areas for existing home improvement store
  - 2425 East Springs Drive - Conditional Use Alteration - Approve outdoor sales and display areas for existing home improvement store

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by Sundquist, seconded by Hamilton-Nisbet, to Adjourn at 9:10 p.m. The motion passed by voice vote/other.