



City of Madison

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

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Monday, February 9, 2009

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 5:40 p.m.

Present: 11 -

Judy Bowser; Eric W. Sundquist; Tim Gruber; Lauren Cnare; Julia S. Kerr;
Nan Fey; Judy K. Olson; James C. Boll; Michael A. Basford; Beth A.
Whitaker and Michael G. Heifetz

Fey was the chair for this meeting.

Staff present: Mark Olinger, Secretary; Brad Murphy & Tim Parks, Planning Division, and; Randall S. Wiesner, City Engineering Division.

MINUTES OF THE January 26, 2009 MEETINGS (4:30 Special Meeting & 5:45 Regular Meeting)

A motion was made by Sundquist, seconded by Kerr, to Approve the Minutes of the Special Meeting. The motion passed by voice vote/other.

The Plan Commission approved the revised draft of the regular meeting minutes provided by staff, which corrected the comments regarding the public hearing for 1419 Monroe Street (ID #13349).

A motion was made by Cnare, seconded by Bowser, to Approve the Minutes of the Regular Meeting. The motion passed by the following vote:

Ayes: 7 -

Judy Bowser; Eric W. Sundquist; Tim Gruber; Lauren Cnare; Judy K. Olson; James C. Boll and Michael A. Basford

Abstentions: 1 -

Julia S. Kerr

Non Voting: 3 -

Beth A. Whitaker; Michael G. Heifetz and Nan Fey

SCHEDULE OF MEETINGS

Regular Meetings: February 23 and March 9, 23, 2009

Plan Commission Subcommittee on Demolitions Meeting: February 16, 2009 at 4:00 p.m. in Room LL-130, Madison Municipal Building.

ROUTINE BUSINESS

- 1. [13455](#) Authorizing the execution of a lease with the State of Wisconsin, Department of Transportation for approximately 743 square feet of land located at 5601 Eastpark Boulevard for the installation of an early warning siren.

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

Registered in support and available to answer questions was Randall S. Wiesner, City Engineering Division.

- 2. [13486](#) Authorizing the Office of Real Estate Services to proceed with the acquisition of required land interests from the leasehold interest from The Bridges Golf Course, LLC for the property owned by Dane County Airport, as shown on the previously approved Transportation Project Plat No. 5992-08-04-4.02 and authorizing the Mayor and City Clerk to sign all required documents necessary to accomplish the acquisition of said land interests. (15th AD)

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

NEW BUSINESS

- 3. [13465](#) CHARTER ORDINANCE - Creating Section 16.01(4)(c) of the Madison General Ordinances to add a non-voting member to the Plan Commission.

A motion was made by Kerr, seconded by Bowser, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER (14 VOTES REQUIRED). The motion passed by the following vote: AYE: Kerr, Bowser, Cnare, Gruber, Olson; NAY: Sundquist, Basford, Boll; NON-VOTING: Fey, Whitaker, Heifetz.

Plan Commission members in support of the charter ordinance noted that the addition of an MMSD representative on the Commission could create an important dialogue on planning and development matters affecting the school district.

Members voting in opposition to the charter ordinance noted that there are other school districts and interest groups that will not be represented on the Plan Commission and that there may be more efficient ways to better coordinate the work of the Commission and these groups.

A motion was made by Kerr, seconded by Bowser, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by the following vote:

Ayes: 5 -
Judy Bowser; Tim Gruber; Lauren Cnare; Julia S. Kerr and Judy K. Olson

Noes: 3 -
Eric W. Sundquist; James C. Boll and Michael A. Basford

Non Voting: 3 -
Beth A. Whitaker; Michael G. Heifetz and Nan Fey

Ald. Mark Clear, District 19, was present and spoke in support of the proposed charter ordinance.

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 Map Amendments

- 4. [13107](#) Creating Section 28.06(2)(a)3399 of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3400 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish medical office and construct mixed-use building with 42 apartments, office/retail space and a health club; 4th Aldermanic District: 425 West Washington Avenue.

This matter was referred at the request of the applicant and pending a recommendation by the Urban Design Commission.

A motion was made by Boll, seconded by Bowser, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on 2/23/2009. The motion passed by voice vote/other.

- 5. [13110](#) Creating Section 28.06(2)(a)3405. of the Madison General Ordinances rezoning property from C3 Highway Commercial District and R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3406. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Construct mixed-use building with 65 apartments and 4,200 square feet of retail space; 8th Aldermanic District: 904 & 906 Regent Street; 909-913 College Court.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials.

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

Speaking in support of the project and representing the applicant, Tom Degen, were: Michael Christopher, Dewitt, Ross & Stevens, SC, 2 E. Mifflin Street and Stu LaRose and Dale Streitenberger, Epstein Uhen Architects, 333 E. Chicago Street, Milwaukee.

Mr. Degen, 3518 Blackhawk Drive, was registered in support and available to answer questions.

Conditional Use/ Demolition Permits

6. [13533](#) Consideration of a major alteration to an existing conditional use to allow the addition of a dwelling unit in an existing apartment building at 529 North Pinckney Street, Mansion Hill Local Historic District. 2nd Ald. Dist.

The Plan Commission found that the standards could be met and approved the project subject to the comments and conditions contained in the Plan Commission materials.

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

There were no registrants on this matter.

7. [13534](#) Consideration of a major alteration to an existing conditional use for a commercial center containing 40,000 square feet or more of floor area of which 25,000 square feet or more are retail to allow construction of a grocery store with a drive-up service window and outdoor eating area at 160 Westgate Mall. 20th Ald. Dist.

The Plan Commission found that the standards could be met and approved the project subject to the comments and conditions contained in the Plan Commission materials with the following amendments:

- That condition #2 be revised to now read: That the applicant work with the Planning Division staff prior to final approval of the conditional use to identify the location of outdoor sales areas along the western and southern facades. These sales areas shall be limited to 20% of the length of those facades, shall maintain an 8-foot wide pedestrian walkway, shall not exceed 4 feet in height and shall be limited to a list of materials for sale approved by staff.

- That condition #3a be removed.

- That condition #3b be revised to only apply to the eastern wall (removing the northern facade)

- That condition #3d be revised to only apply to the pedestrian walkways (removing the western facade)

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

Speaking in support of the project were: John Brehm & Pete Hosch, Hy-Vee, Inc., 5820 Westtown parkway, West Des Moines, Iowa, the applicants; Henry A. Gempeler, Foley & Lardner, LLP, 150 E. Gilman Street, representing the applicants; Patrick Listermann, J. Herzog & Sons/ Westgate Mall 1999, LLC, 1920 S. Bellaire Street, Suite 1209, Denver, Colorado, the property owner; John Lichtenheld & David Schreiber, Schreiber Anderson Associates, 717 John Nolen Drive, representing the applicants and property owner; Ald. Thuy Pham-Remmele, 5406 Denton Place, representing the 20th District; David Glomp, 1705 Redwood Lane; David Keller, 1102 Winston Drive; Gary J. Baldarotta, 5317 Odana Road; James Mankowski, 22 Quinn Circle; Anne F. Albrecht, 4972 Scheubel Road, Black Earth; Jerry Gulesserian, 130 Westgate Mall; Sean Arney, 518 Edward Street; Scott Carlson, 5788 Tudor Drive; Rich Becker, 3621 Turning Leaf Drive; Ron Hoogenaker, 616 Westgate Mall; Len Rogan, 17 Bridge Street, Mazomanie, representing Integrated Community Work, Inc., a tenant in the mall, and; David Remmele, 5406 Denton Place.

Speaking in opposition to the project was Ron Rotter, 4817 Sherwood Road.

Registered in support and available to answer questions were: Dr. John Carey, 114 Westgate Mall; Matt Paske, CB Richard Ellis, 10 E. Doty Street, Suite 410; Peter Celaster (sp), 777 E. Wisconsin Avenue, Suite 3250, Milwaukee; Jim Rodman, 238 Westgate Mall; Bill Dunlop, Foth Infrastructure & Investment, LLC, 1402 Pankratz Street, representing the applicants; Chris Schneider, 402 Westgate Mall, and; Russ Kowalski, 4701 Lafayette Drive, representing the property owner.

Registered neither in support nor opposition to the project were Denise L. Iamb, 4409 Mineral Point Road, president of the Midvale Heights Community Association and Judy Skog, 626 Orchard Drive, representing the Midvale Heights-Westmoreland Joint Steering Committee.

Registered in support but not wishing to speak were: Kevin Keyes, 6392 Pheasant Lane, Verona; John Davis, 6950 Gisholt Drive; Nate Johnston, 50 Park Heights Court #3; Tom Weigland, 2601 Fitcharona Road, Verona; Melanie Perttunen, 1018 S. Thompson Drive; Susan Giardine, 3901 CTH M, Edgerton, representing Hancock Fabrics, 150 Westgate Mall; Samantha River, 4322 Buckeye Road; Marge

Axelsen, 621 Shagbark Lane, DeForest, and; John Schneider, 402 Westgate Mall.

Registered in opposition but not wishing to speak was Cathy Rotter, 4817 Sherwood Road.

Registered neither in support or opposition but not wishing to speak was Paul Haskew, 453 Togstad Glen.

Zoning Text Amendments

- 8. [13222](#) Amending Secs. 28.06(3)(a), 28.105(1)(c)4.b., and 28.105(2)(d)4.c., of the Madison General Ordinances to update the Floodplain Insurance Rate Map and the Flood Insurance Study for the City of Madison.

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

BUSINESS BY MEMBERS

Nan Fey noted the new staff report format and asked if Plan Commission members had any comments regarding the same. No Commission members had specific comments and were generally very supportive of the new format.

COMMUNICATIONS

None

SECRETARY'S REPORT

Upcoming Matters - February 23, 2009

- 1419 Monroe Street - Continuing jurisdiction review of an approved conditional use for a beer garden for the Stadium Bar (to be further referred to the March 23, 2009 meeting)
- 542 Northport Drive - R2T & PUD-SIP to Amended PUD-GDP & SIP, revised GDP, first phase SIP and Final Plat of the Park Homes at Northport Commons
- 430 South Thornton Avenue - R4 to PUD-GDP-SIP to relocate an existing two-unit building and construct underground parking and a new two-unit building
- 1148 Jenifer Street - R4L to PUD-GDP-SIP to relocate two-unit building from 430 S. Thornton Avenue onto vacant portion of property
- 1045-1047 East Wilson Street - M1 to PUD-GDP-SIP to allow creation of two parcels for two existing residences

Upcoming Matters - March 9, 2009

- 9305-9437 Elderberry Road - R2T/PUD-GDP to R2T/PUD-GDP to demolish two houses; preliminary and final plat of Woodstone with 104 residential lots
- 9202 Silverstone Lane - Amended PUD-GDP-SIP to convert 20 approved townhouse condominiums to 20 garden apartments
- 924 Williamson Street - Conditional use for a parking reduction to allow establishment of a restaurant/bar in an existing building

ANNOUNCEMENTS

None

ADJOURNMENT

A motion was made by Boll, seconded by Bowser, to Adjourn at 9:05 p.m. The motion passed by voice vote/other.