



# City of Madison

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

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Monday, November 22, 2010

5:30 PM

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

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### CALL TO ORDER/ROLL CALL

**Present:** 8 -

Lauren Cnare; Nan Fey; Eric W. Sundquist; Judy K. Olson; Michael G. Heifetz; Michael A. Basford; Tim Gruber and Anna Andrzejewski

**Excused:** 3 -

Michael Schumacher; Julia S. Kerr and Judy Bowser

Fey was chair for the meeting.

Staff Present: Mark A. Olinger, Secretary; Brad Murphy and Kevin Firchow, Planning Division; Mathew Tucker, Zoning Administrator; and Mario Mendoza, Mayor's Office.

### PUBLIC COMMENT

There was no public comment provided under this agenda item.

### DISCLOSURES AND RECUSALS

During the discussion of item 10, Judy Olson indicated she was a co-worker of Elizabeth Lynch, wife of the applicant for that item. Ms. Olson indicated she did not believe this would impact her decision on this item and did not recuse herself.

### MINUTES OF THE November 8, 2010 MEETING

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

### SCHEDULE OF MEETINGS

December 6, 20, 2010 and January 10, 24, 2011

### SPECIAL ITEM OF BUSINESS

1. [20586](#) Informational presentation by St. Paul's University Catholic Center regarding redevelopment of its facility at 723 State Street. 8th Ald. Dist.  
No action was taken on this item.  
  
Speaking in support of this item was Mark Landgraf, 5964 Executive Drive; Father Eric Nielsen, 129 West Gorham Street; Robert Shipley, 211 Parmenter Street, Middleton; Mathew Alderman, 9418 North Green Bay Road, Apt 347, Brown Deer, WI; and Ron Trachtenberg, 7222 Branford Lane.  
  
Registered in support and available to answer questions was Scott Hackel, 2223 Montana Avenue.

**ROUTINE BUSINESS**

- 2. [20415](#) Determining a Public Purpose and Necessity and adopting Transportation Project Plat No. 5420-03-21-4.01 Amendment No. 1 - Relocation Order STH 113- (First Street to Knutson Drive) City of Madison for the acquisition of Plat of Land Interests required for the STH 113- (First Street to Knutson Drive) Engineering Project No. 53W0321 and authorizing the Mayor and City Clerk to execute all necessary documents relative to the acquisition of the necessary real estate interests to perform the improvements for STH 113- (First Street to Knutson Drive), WDOT Right-of-Way Transportation Project Plat No. 5420-03-21-4.01 Amendment No. 1.

The motion passed unanimously.

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

- 3. [20436](#) Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the future renovation and expansion of the University’s Charter Street Heating Plant

And

Authorizing the Mayor and City Clerk to Enter into an Agreement with the University of Wisconsin-Madison for financing costs related to the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the renovation and expansion of the University’s Charter Street Heating Plant

The motion passed unanimously.

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

- 4. [20460](#) Authorizing the execution of a Purchase and Sale Agreement with East Washington LLC and East Washington II, LLC (collectively the “Seller”) for the purchase of properties owned by the Seller located in Blocks 133, 143 and 144 of the Original Plat of the City of Madison and authorizing the use of Land Banking Funds for the acquisition.

The motion passed unanimously.

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

Registered in support and available to answer questions was Jim Bower, 1411 Morrison Street.

5. [20461](#) Authorizing the execution of a Purchase and Sale Agreement with Perry J. Schappe 1987 Revocable Trust (the "Seller") for the purchase of property owned by the Seller located at 819 East Washington Avenue and authorizing the use of Land Banking Funds for the acquisition.

The motion passed unanimously.

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

Registered in support and available to answer questions was Jim Bower, 1411 Morrison Street.

## NEW BUSINESS

6. [20239](#) Providing the Wisconsin Department of Transportation with the City of Madison's comments on the Supplemental Draft Environmental Impact Statement (SDEIS) for the Verona Road/USH 18/151 Project.

The motion passed unanimously.

**A motion was made by Gruber, seconded by Basford, to Return to Lead with the Recommendation for Approval to the LONG RANGE TRANSPORTATION PLANNING COMMITTEE. The motion passed by voice vote/other.**

There were no registrations on this item.

## PUBLIC HEARING-6:00 p.m.

The public hearing began at 6:16 pm.

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

7. [20138](#) Creating Section 28.06(2)(a)3504. of the Madison General Ordinances rezoning property from R3 Single-Family and Two-Family Residence District to C2 General Commercial District. Proposed Use: Demolish former school building and construct Resilience Research Center containing school, neighborhood center, office and retail with outdoor eating area and aquaculture; 14th Aldermanic District: 501 East Badger Road.

Approval unanimously recommended subject to the comments and conditions contained within the Plan Commission materials and the following additional condition:

-That the applicant work with staff to develop a final screening plan for staff approval.

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

Speaking in support of this item were Joe Sensenbrenner, 818 Prospect Place; Tom Dunbar, 200 North Blount Street; and Catherine Cruickshank, 122 East College Avenue, Suite 1G, Appleton, all representing the Center for Resilient Cities; and Ald. Tim Bruer representing District 14.

Registered to speak in support of this item was Sara Alvarado, 3042 Artesian Lane; Ms. Alvarado had to leave before speaking.

Registered in support and answering questions was Kate Stalker, 2033 Rutledge Street, representing the Center for Resilient Cities; Isadore Knox, Jr, 1735 Baird Street.

Registered in support and not wishing to speak was Susana Vazquez Garcia, 3045 Artesian Lane, representing the Resilience Research Center; Jamie Domini, 2372 West Lawn Avenue; Nan Youngerman, and Kathy Price 544 W. Main Street; all representing Badger Rock Middle ; Brenda Baker, 1511 Chandler Street; Tom Mosgaller, 718 Huron Hill; and, Joseph Mathers, 2975 Rimrock Road.

8. [20141](#) Creating Section 28.06(2)(a)3502. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3503. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Amend Kohl Center PUD to allow construction of an addition to Kohl Center and Nicholas Johnson Pavilion with an ice hockey arena, locker room facilities and athletic offices; 4th Aldermanic District; 601 West Dayton Street.

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

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

Registered in support and available to answer questions was Melissa Huggins, University of Wisconsin, 614 Walnut Street.

**Conditional Use/ Demolition Permits**

9. [20587](#) Consideration of a demolition permit to allow a former restaurant to be demolished and a multi-tenant retail building to be constructed at 1902 Northport Drive. 12th Ald. Dist.

The Commission found the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials.

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

Registered in support and wishing to speak was John Bieno, TJK, representing the applicant.

Registered in support and available to answer questions was Lydia Maurer, 1913 Shelley Lane.

10. [20588](#) Consideration of a conditional use for an accessory off-site parking lot at 2223 Atwood Avenue to serve a business at 2305 Atwood Avenue. 6th Ald. Dist.

The Commission found the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials with the following additions and amendments:

- That the applicant installs a rain garden on the property in the area designed "proposed grass area."
- That condition 14 (c) of the November 20 staff report be revised as follows: "The parking area may not be used to park/store an individual vehicle for more than ten days."
- That condition 21 of the November 20 staff Report be revised as follows: If a concrete contractor is

mobilized on site for other planned improvements, the applicant shall install a concrete passenger boarding pad in the terrace between the curb and sidewalk, adjacent the existing curb ramp at the corner of Atwood and Evergreen Avenues.

The original motion by Olson, seconded by Gruber, approving this item subject to the comments and conditions contained in the Plan Commission materials and the first two above conditions, was approved unanimously. That motion was replaced after reconsideration of this item.

The reconsideration motion was made by Ald. Cnare and seconded by Olson, to address comments provided after the original action by Ald. Rummel regarding revising the bus boarding pad condition. Due to technical difficulties, Ald. Rummel was not able to provide these comments during the original discussion on this item.

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

Speaking in support of this item was Bill White, 2708 Lakeland Avenue, representing the applicant, Lynch Auto Body.

Registered in support and available to answer questions were Ralph Johansen, 322 Evergreen Avenue; Aaron Stephenson, 314 Evergreen Avenue; and Gregory G. Ginter, 2215 Atwood Avenue.

Speaking in opposition was Victoria Kohlman, 2302 Sommers Avenue.

11. [20589](#)

Consideration of a major alteration to an existing conditional use for a public utility and public service use in R2 Single-Family Residence zoning to allow an existing generator to remain and for three additional wireless communication antennas to be installed at Larkin Tower, 125 Larkin Street. 11th Ald. Dist.

The Commission found the standards were met and approved this item subject to the comments and conditions contained within the Plan Commission materials with the following additional condition:

-That the generator shall not be operated for more than 15 minutes per week (for testing purposes) except when operating during power outages.

As part of the discussion on this item, questions were raised as to the sources of noise at the park and whether City facilities were a source of this noise. Mr. Gruber noted that if residents have concerns about noise potentially being generated from City-operated facilities, they should contact Keith Lippert in City Traffic Engineering. Mr. Gruber noted that there may be other City agencies including Parks and the Water Utility that may also be involved in the operations. He noted that there are other follow up measures through City staff and that the Plan Commission retains "continuing jurisdiction" over conditional uses, and as such, if complaints about a conditional use arise, the Plan Commission has the ability to reconsider its approval or add additional conditions it finds necessary to bring the project into compliance with standards.

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

Speaking in support of this item was the applicant, Scott Steano, 3619 Flagstone Circle, Middleton and

Speaking in opposition to this item was Pamela Erlanger, 3902 Plymouth Circle; Bob Downing, 3901 Priscilla Lane; and John Harrington, 133 Larkin Street. Registered in opposition and available to answer questions was Howard Erlanger, 3902 Plymouth Circle. Registered in opposition and not wishing to speak were Andrea Poulos, 137 Larkin Street; George Olsen, 11 Larkin Street; and Mary Ann Halvorson, 11 Larkin Street.

Speaking in neither support nor opposition was Jurgen Patau; 114 Alden Drive and Ald. Chris Schmidt, 4210 Odana Road, representing District 11.

12. [20590](#)

Continuing jurisdiction review by the Plan Commission of an approved conditional use for an automobile upholstery business at 3863 Clover Lane. 15th Ald. Dist.

The Commission referred final action on this item until the first Plan Commission hearing of June 2011. The action by the Commission allows the conditional use to remain in operation, subject to the additional conditions recommended by staff in the November 18, 2010 memorandum from the Zoning Administrator.

**A motion was made by Cnare, seconded by Gruber, to Rerefer to the PLAN COMMISSION and should be returned by June 6, 2011. The motion passed by voice vote/other.**

Speaking in support was Lee Boushea, representing Philip Iturbide, the proponent and property owner.

## **BUSINESS BY MEMBERS**

There was no business by members.

## **COMMUNICATIONS**

Commission members noted receipt of the email from Bill White regarding the conditional use at 2223 Atwood Avenue (agenda item #10). Eric Sundquist noted he exchanged emails with Fred Mohs regarding questions and comments on parking maximums.

## **SECRETARY'S REPORT**

Brad Murphy summarized the upcoming matters.

### **November 17, 2010 memo summarizing Plan Commission comments on Economic Development Committee report on the Development Review Process**

#### **Upcoming Matters - December 6, 2010**

- Downtown Plan draft recommendations
- 120 East Lakeside Street - PUD-SIP to Amended PUD(GDP-SIP) to construct fourth floor addition to existing office building to create 1 residential unit and additional office space
- 4002 Nakoosa Trail - M1 and W to C2 and W rezoning to facilitate future residential development
- 2103 Zeier Road - Conditional use to establish payday loan business in existing retail space
- 1515 Morrison Street - Conditional use to construct accessory building on a lakefront lot

#### **Upcoming Matters - December 20, 2010**

- 2052 Woods Road - Temp. A to R1 and R2T and Preliminary Plat of Hawks Valley, creating 82 future single-family lots and 3 outlots for public parkland and stormwater management
- 2508-2544 University Avenue & 516-518 Highland Avenue - C2 to PUD(GDP-SIP) and demolish 6 buildings to construct mixed-use building with 130 residential units and approximately 8,600 square feet of retail space
- 3897 Vilas Hope Road - Extraterritorial Certified Survey Map to create 3 lots in the Town of Cottage Grove

## **ANNOUNCEMENTS**

There were no announcements.

## **ADJOURNMENT**

**A motion was made by Olson, seconded by Gruber, to Adjourn at 8:06 pm. The motion passed by voice vote/other.**