



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://www.cityofmadison.com)

## Meeting Minutes - Amended PLAN COMMISSION

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Monday, February 11, 2008

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 -

Tim Gruber; Lauren Cnare; Julia S. Kerr; Nan Fey; Judy Bowser; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

**Excused:** 2 -

Judy K. Olson and James C. Boll

Fey was chair for the meeting.

Staff present: Mark Olinger, Secretary; Brad Murphy, Kevin Firchow, Michael Waidelich, Brian Grady, Katherine Rankin, Planning Division; Larry Nelson, City Engineering.

### MINUTES OF THE January 28, 2008 MEETING

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

### SCHEDULE OF MEETINGS

February 25 and March 10 & 24, 2008

### ROUTINE BUSINESS

1. 08993 Authorizing the Mayor and City Clerk to execute a Subterranean and Air Space Lease with Opitz Real Estate Limited Partnership and Perina 509 Company LLC, the owners of property located at 676 State Street, to accommodate the existing encroachments of an underground vault, a building canopy and two business identification signs into the State Street and North Lake Street Public rights of way.

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

2. 09007 Authorizing the Mayor and City Clerk to execute a Subterranean and Air Space Lease with Arist Christ, the owner of property located at 226 State Street, to accommodate the existing encroachments of an underground vault, a building

cornice, a business identification sign and below-awning lighting into the State Street public right-of-way.

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

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

#### **Annexation**

**3. 08827**

Creating Section 15.01(567) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(143) of the Madison General Ordinances to assign the attached property to Ward 143.

14 Votes Required.

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

**4. 08854**

Petition dated January 8, 2008 from Cherokee Park, Inc. re: direct annexation from the Town of Westport to the City of Madison.

**A motion was made by Basford, seconded by Cnare, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER- Accept the petition. The motion passed by voice vote/other.**

The following registrants were for agenda items three and four.

Registered in support and available to answer questions was Craig Makole, 319 Highview Lane, Columbus; and Bill White, 2708 Lakeland Avenue.

#### **Zoning Map Amendment**

**5. 08819**

Creating Section 28.06(2)(a)3338. 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: Hyatt Place Hotel at Capitol West; 4th Aldermanic District: 333 West Washington Avenue.

Referred pending a recommendation by the Urban Design Commission.

**A motion was made by Kerr, seconded by Bowser, to RECOMMEND TO**

**COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.**

There were no registrants on this item.

### **Conditional Uses/ Demolition Permits**

6. 09072 Consideration of a demolition permit to allow demolition of a 45-unit apartment building at 1314 West Johnson Street to allow the property to be used as a construction staging area for the Wisconsin Institute for Discovery and Morgridge Institute for Research and the future redevelopment of Union South. 8th Ald. Dist.

The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials.

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

Registered in support and available to answer questions was George Austin, 2316 Chamberlain Avenue.

7. 09073 Consideration of a conditional use to allow motorcycle and power sport parts and accessory sales at 2421 South Stoughton Road. 16th Ald. Dist.

The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials.

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

Registered in support and available to answer questions was Judy Parker, 2613 S. Stoughton Road.

8. 09074 Consideration of a conditional use for a planned residential development with 11 duplexes at 5101 Unity Way. 16th Ald. Dist.

Referred at the request of the applicant.

**A motion was made by Bowser, seconded by Kerr, to Rerefer to the PLAN COMMISSION, due back on 2/25/2008. The motion passed by voice vote/other.**

There were no registrants on this item.

### **ROLL CALL**

**Present:** 6 -

Tim Gruber; Nan Fey; Judy Bowser; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

**Excused:** 4 -

Lauren Cnare; Julia S. Kerr; Judy K. Olson and James C. Boll

**Zoning Text Amendment**

9. **06956** Amending Section 28.04(22) of the Madison General Ordinances to change various provisions of the ordinance regulating the demolition of buildings.

The Plan Commission recommended approval of the ordinance recommended by the Landmarks Commission with the following changes: (Additional language recommended by the Plan Commission is underlined.)

1. **Section 28.04 (22) - Title.** That all terms related to types of demolition (razing, demolition, removal, and wrecking) be included in the title. Subsequent references could be shortened to "demolition", provided a definition of "demolition" is added to include these terms.
2. **Section 28.04 (22) (a) - Statement of Purpose.** That the last sentence be amended to read "The purpose of this section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage reuse of existing buildings, encourage the relocation of existing buildings that are suitable for continued use at another location, and to discourage demolition by neglect."
3. **Section 28.04 (22) (b) 1 - Application for Permit.** That the phrases "the documented age of the building" and "and a plan for recycling materials from the building(s) to be demolished" be removed from the sixth sentence. With new language recommended, the last sentence of this section should read: "An application for a permit also shall include a site plan for any proposed future use and a statement detailing the present and future use of the property and how long they have owned the property."
4. **Section 28.04 (22) (c) 1 b. - Standards.** That the following sentence replaces the second sentence. "Furthermore, the future use must be consistent with the character, massing and density of the neighborhood, or in cases in which the Comprehensive Plan or an adopted neighborhood plan addresses a neighborhood's character, massing and density, the project shall comply with these plans."
5. **Section 28.04 (22) (c) 1 d. - Standards.** That the statement be revised to reads as follows: "For buildings constructed prior to 1946, the City's historic preservation planner shall submit a report to the Plan Commission regarding the historic value of the property."
6. **Section 28.04 (22) (c) 1 e. - Standards.** That the first two sentences are deleted and the remaining sentence reads as follows: "If a demolition permit is approved, it shall not be issued until the reuse and recycling plan is approved."
7. **Section 28.04 (22) (c) 2. - Standards.** That the text be amended to clearly indicate that items c., d., and e. from Section 28.04 (22) (c) 1 apply to this section.
8. **Section 28.04 (22) (d) 1. - Exemptions.** That the phrase "or Neighborhood Conservation District." be added after "Historic District" in the first sentence.

9. **Section 28.04 (22) (d) 2. - Exemptions.** That this entire section be placed back into the ordinance.
10. **Section 28.04 (22) (e)** - That the phrase "Reuse and" be added to the term "Recycling Plan".
11. **Section 28.04 (22) (i)- Penalty.** That the statement including "fails to obtain a permit prior to a demolition" be separated into its own sentence and that an increased fine is established for this type of offense versus the penalty listed for failure to submit a reuse and recycling plan.

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

Ald. Cnare and Ald. Kerr were excused during the discussion and left prior to the vote on this item.

Speaking in support of the project were Michael Bridgeman, 106 South Franklin Street.

Speaking in neither support nor opposition were Carole Schaeffer, 282 Alpine Meadow Circle, Oregon; and Ledell Zellers, 5410 North Carroll Street.

### **Neighborhood Plan**

10. [07613](#) Adopting the Pumpkin Hollow Neighborhood Development Plan as a supplement to the City of Madison Comprehensive Plan, and authorizing the City's applications to amend the Central Urban Service Area as required to implement the development staging recommendations in the neighborhood plan.

**A motion was made by Bowser, seconded by Basford, to Rerefere to the PLAN COMMISSION, due back on 2/25/2008. The motion passed by voice vote/other.**

Speaking in support of the project were Bill White, 2708 Lakeland Avenue; Joe Ring, 721 Anthony Lane; and Mike Lawton, 740 Regent Street.

Speaking in opposition to the project were Scott McNab, 1 North Bedford Street #208.

Speaking in neither support nor opposition was Ald. Joe Clausius, 18 Clarendon Court, representing the 17th District.

### **BUSINESS BY MEMBERS**

None.

### **COMMUNICATIONS**

Nan Fey noted that the Plan Commission had received a communication from T. Wall properties and a copy of this communication will be provided to City staff.

### **SECRETARY'S REPORT**

Brad Murphy reviewed upcoming projects.

**Upcoming Matters - February 25, 2008**

- (Tentative) Discussion with Cunningham Group regarding Zoning Code rewrite
- 702 North Midvale Boulevard - PUD-SIP to Amend PUD-GDP-SIP to replace 11-story residential/ office building with a 5-story office building
- 1301 University Avenue - PUD-GDP to PUD-SIP, Wisconsin Institute for Discovery/ Morgridge Institute for Research specific implementation plan
- 5412 Lake Mendota Drive - Conditional use for a major alteration to an existing single-family residence on a lakefront parcel
- 907 South Park Street - Consideration of a complaint against an approved conditional use (Octopus Car Wash)

**Upcoming Matters - March 10, 2008**

- 101-109 North Franklin Street - R5 to PUD-GDP-SIP to relocate multi-family residence to site with 3 existing residential buildings
- 205 North Prospect Avenue - CSM Referral to create additional single-family lot in University Heights Historic District
- 4131 Marsh Road - Final Plat for Tradesmen Commerce Park, creating 10 industrial lots and 3 outlots
- 2702 Crossroads Drive - Conditional use to construct an 131-room hotel
- 155 South Brittingham Place - Demolish single-family home to construct a new single-family home

**ANNOUNCEMENTS**

None.

**ADJOURNMENT**

**A motion was made by Bowser, seconded by Basford, to Adjourn at 10:00 PM.  
The motion passed by voice vote/other.**