



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, August 8, 2011

5:30 PM

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

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### CALL TO ORDER/ROLL CALL

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

**Present:** 8 -

Steve King; Chris Schmidt; Nan Fey; Eric W. Sundquist; Judy K. Olson;  
Michael G. Heifetz; Michael W. Rewey and Anna Andrzejewski

**Excused:** 1 -

Marsha A. Rummel

Fey was chair for this meeting. Ald. Schmidt left the meeting during the public hearing on item #3.

Staff present: Steve Cover, Secretary; Brad Murphy & Tim Parks, Planning Division, and; Joe Gromacki, Economic Development Division

### PUBLIC COMMENT

There were no registrants for public comment.

### DISCLOSURES AND RECUSALS

Rewey stated that he was a member of the Friends of Cherokee Marsh but that he would not recuse himself from the consideration of item #2.

Andrzejewski re-stated her need to recuse herself from the consideration of any of the matters on the Erdman site, including item #3.

Heifetz stated his need to recuse himself from item #3 due to professional reasons.

### MINUTES OF THE July 25, 2011 MEETING

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

### SCHEDULE OF MEETINGS

August 29 and September 19, 2011

Fey also noted upcoming Zoning Code Re-Write Advisory Committee meetings on August 19 and September 14, 2011 at 5:30 p.m. at the Madison Senior Center.

### SPECIAL ITEM OF BUSINESS

On a motion by Heifetz, seconded by Andrzejewski, the Plan Commission appointed Michael Rewey as the Plan Commission's representative to the Pedestrian/ Bicycle/ Motor Vehicle Commission.

**ROUTINE BUSINESS**

1. [22843](#) Authorizing the Mayor and City Clerk to execute an airspace lease with the Board of Regents of the University of Wisconsin System for use of the public right-of-way over East Campus Mall for an enclosed elevated gallery connecting two buildings comprising the Chazen Museum of Art.

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

2. [23414](#) Accepting title to three vacant lots in the Third Addition to Cherokee Park from Cherokee Park, Inc. and, in exchange, authorizing the release of the open space easements in Outlot 1 of CSM 12991.

**A motion was made by Olson, seconded by Ald. Schmidt, to Return to Lead with No Recommendation. Sent to the BOARD OF PARK COMMISSIONERS. 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.

**Tax Incremental Finance District**

Andrzejewski and Heifetz reiterated their need to recuse themselves from the consideration of this matter and left the meeting room.

3. [23263](#) Creating Tax Incremental Finance (TIF) District #41 (University - Whitney) City of Madison and approving a Project Plan and Boundary for said TIF District.
- The Plan Commission recommended approval of the Project Plan and Boundary for Tax Incremental Finance District #41 with the following revisions:
- Revise the Existing Zoning Map on page 14 and the Proposed Zoning Map on page 15 and the related text references in the Plan to note the boundaries of the Wellhead Protection Zone District 14 zoning overlay;
  - Revise the Proposed Zoning Map on page 15 to show PUD-GDP-SIP zoning for only the approximately 14-acre parcel owned by Erdman Holdings, LLC, which is proposed for redevelopment by Krupp Construction; the zoning of the other properties within the proposed Plan boundaries is not proposed to be changed at this time;
  - Revise the Proposed Land Use Map on page 17 and the related text references in the Plan to reflect the Common Council's May 17, 2011 adoption (Ord. No. 11-00070) of a revised Comprehensive Plan Generalized Future Land Use Map 2-2h and related Map Note 34 to call for Community Mixed-Use development instead of Neighborhood Mixed-Use development per a recommendation in the adopted Spring Harbor Neighborhood Plan (2006);
  - Due to the existence of the Wellhead Protection Zone District 14 zoning overlay, the Plan should

exclude any land use not allowed within that zone and should note that all land uses within the zone require the approval of the General Manager of the Madison Water Utility or his/ her designee.

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

Speaking in support of this matter were Gary Peterson, 210 Marinette Trail and Paul Lenhart, 16 S. Allen Street.

Speaking in opposition to this matter were: Jeff Turner, 5106 Minocqua Crescent; Michael Kienitz, 5108 Tomahawk Trail, and; David Knoll, 1615 Norman Way.

Speaking neither in support nor opposition were Shary Bisgard, 1 Julia Circle, representing the Spring Harbor Neighborhood Association University Crossing Committee, and Thomas Smith, 1635 Norman Way.

Registered in support and available to answer questions was Ald. Mark Clear, 110 Shiloh Drive, representing the 19th District.

Registered in opposition but not wishing to speak were Darin Burleigh, 5018 Tomahawk Trail and Samantha Whisenant, 421 Merrill Crest Drive.

**ROLL CALL**

- Present:** 7 - Steve King; Nan Fey; Eric W. Sundquist; Judy K. Olson; Michael G. Heifetz; Michael W. Rewey and Anna Andrzejewski
- Excused:** 2 - Marsha A. Rummel and Chris Schmidt

**Zoning Map Amendments**

- 4. [23014](#) Creating Section 28.06(2)(a)3550. of the Madison General Ordinances rezoning property from C1 Limited Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a) 3551. 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: Approve general development plan for one-story commercial building and adjacent 28-unit apartment building and specific implementation plan for apartment building. 9th Aldermanic District; 652 Bear Claw Way.

The Plan Commission recommended approval of the proposed development subject to the comments and conditions in the Plan Commission materials.

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

- 5. [23018](#) Creating Section 28.06(2)(a)3549. of the Madison General Ordinances rezoning property from C1 Limited Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Approve general development plan for future two-story commercial building. 9th Aldermanic District; 647 Bear Claw Way.

The Plan Commission recommended approval of the proposed development subject to the comments and conditions in the Plan Commission materials.

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

Registered in support and available to answer questions on items #4 & 5 were the applicants, Alex McKenzie & Tim McKenzie, TR McKenzie, Inc.; 1910 Hawks Ridge Drive, Suite 322; Madison, and Don Schroeder, Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton, representing TR McKenzie, Inc.

6. [23020](#)

Creating Section 28.06(2)(a)3552. of the Madison General Ordinances rezoning property from R6 General Residence District and R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3553. 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: Approve a general development plan for the future construction of an expansion of Bethel Lutheran Church, and approve an specific implementation plan for existing uses. 312 Wisconsin Avenue and 345 N. Carroll Street; 4th Aldermanic District.

The Plan Commission recommended that this matter be re-referred to the Plan Commission at the request of the applicant. No future hearing date has been requested.

**A motion was made by Olson, seconded by Andrzejewski, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING. Sent to the PLAN COMMISSION. The motion passed by voice vote/other.**

There were no registrants on this matter.

**Conditional Use/ Demolition Permits**

7. [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 Plan Commission referred final action on this item to its first hearing in August 2012. The action by the Commission allows the conditional use to remain in operation subject to ongoing enforcement by the Zoning Administrator, with the ability to bring the matter back to the Commission sooner than the referral date for noncompliance.

The conditions recommended by staff in the November 18, 2010 memorandum from the Zoning Administrator shall also remain in effect.

**A motion was made by Rewey, seconded by Olson, to Refer. Sent to the PLAN COMMISSION. The motion passed by voice vote/other.**

Speaking in support of the conditional use was the business operator, Phillip Iturbide, 3863 Clover Lane.

8. [23480](#)

Consideration of a demolition permit and conditional use to allow a single-family residence to be razed and a new residence to be constructed on a lakefront lot at 1810 Waunona Way; 14th Ald. Dist.

The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials and the following additional conditions to be approved by the Planning Division prior to the issuance of permits for this project:

- That the applicant submit a tree preservation and protection plan for the 42-inch burr oak;
- That the applicant revise the landscaping plan for the new residence to show the planting of two oak trees to replace the two trees being removed.

**A motion was made by Rewey, seconded by Olson, to Approve. The motion**

**passed by the following vote:**

**Excused:** 2 -

Marsha A. Rummel and Chris Schmidt

**Ayes:** 5 -

Eric W. Sundquist; Judy K. Olson; Michael W. Rewey; Anna Andrzejewski and Steve King

**Noes:** 1 -

Michael G. Heifetz

**Non Voting:** 1 -

Nan Fey

Speaking in support of the project was Ron Klaas, D'Onofrio Kottke & Associates, 7530 Westward Way, representing the applicants, Michael & Nicola Scott.

Registered in support of the project and available to answer questions was Carol Gillen, 1808 Waunona Way.

9. [23481](#)

Consideration of a conditional use for a non-accessory use associated with events taking place at Camp Randall Stadium to allow a beer garden in a parking lot at 1124 Regent Street; 8th Ald. Dist.

The Plan 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 Rewey, seconded by Heifetz, to Approve. The motion passed by voice vote/other.**

Registered in support of the request and available to answer questions were Robert McGuigan, 4313 School Road and Steve Bartlett, 2105 Prairie Road, representing Badger Honor Flight.

**Subdivision Regulations Amendment**

10. [23204](#)

Amending Sec. 16.23(3)(a)4., creating new Sec. 33.19(5)(i)1., renumbering current Secs. 33.19(5)(i)1. through 4. to 2. through 5., respectively, of the Madison General Ordinances to include Landmarks Commission review of land divisions and plats of landmark sites and properties in Historic Districts.

The Plan Commission recommended approval of the proposed text amendment with the revised ordinance language recommended by the Landmarks Commission on August 8, 2011.

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

Registered in support of the text amendment was Ald. Shiva Bidar-Sielaff, 2704 Kendall Avenue, 5th District.

**BUSINESS BY MEMBERS**

Judy Olson requested that information directing the public on how to comment on matters before the Plan Commission be disseminated on the City's website.

Ms. Olson also asked what involvement the Plan Commission had in street tree planting decisions. Brad Murphy commented that staff would contact the City Forester about a possible discussion with the Commission on that subject as a special item of business at an upcoming meeting.

Michael Rewey stated that he felt more information on existing trees was needed on demolition permit plans.

## COMMUNICATIONS

The Plan Commission noted the status report from Linda Horvath, Planning Division regarding the Arbor Hills-Leopold Neighborhood Plan.

## SECRETARY'S REPORT

Brad Murphy summarized the upcoming Plan Commission matters.

Tim Parks noted that Dane County was again considering the renovation of Room 201 of the City-County Building, and that County staff had solicited input from the staff of the City and County boards, committees and commissions that use the room about its renovation plans. Mr. Parks invited members of the Plan Commission to send Mr. Murphy or himself an e-mail with their suggestions on how the room could be improved so that those suggestions could be passed along to the County.

### - Upcoming Matters - August 29, 2011

- 677 S. Segoe Road - Demolition permit & C2 to PUD-GDP-SIP to demolish office building to allow construction of 60 apartment units in two buildings
- 2653 Jeffy Trail/ 2414 Trevor Way - Certified Survey Map creating 3 single-family residential lots (including 2 deep residential lots) and 1 outlot for stormwater management
- 4114 Veith Avenue - Demolition permit & Conditional use to demolish single-family residence and construct new residence on a lakefront lot
- 5001 Coney Weston Place - Demolition permit to demolish single-family residence and construct new residence

### - Upcoming Matters - September 19, 2011

- 1001 University Avenue - R6 to PUD-GDP-SIP to allow relocation of a portion of existing church/student center elsewhere on the same parcel and demolition of the remainder to allow construction of a multi-story apartment building; this matter was re-referred on August 2, 2011 to this Plan Commission meeting by the Common Council to allow consideration of revised plans for the project
- 5063-5119 University Avenue & 702 N. Whitney Way - Demolition Permit & C3 to PUD-GDP and PUD-GDP-SIP to allow demolition of 11 commercial buildings; approval of a general development plan for the future construction of mixed-use/ employment development; approval of a specific implementation plan for medical clinic building, and; approval of the preliminary plat of University Crossing
- 1002-1102 S. Park Street, 906-918 Midland Street & 1101-09 Fish Hatchery Road - Demolition Permit & R4 and C3 to PUD-GDP and PUD-GDP-SIP to allow demolition of dairy, 8 residential structures and electrical substation; approval of a general development plan for future construction of mixed-use/ employment development, and; approval of a specific implementation plan for medical clinic/ office building and parking ramp
- 434 S. Thornton Avenue, 1526 Jenifer Street & 433 Cantwell Court - R4 to PUD-GDP-SIP to allow rehabilitation of 3 existing four-unit apartment buildings

## ANNOUNCEMENTS

There were no announcements.

## ADJOURNMENT

**A motion was made by Olson, seconded by Sundquist, to Adjourn at 7:55 p.m.  
The motion passed by the following vote:**

**Excused:** 2 -

Marsha A. Rummel and Chris Schmidt

**Ayes:** 5 -

Steve King; Eric W. Sundquist; Judy K. Olson; Michael W. Rewey and Anna Andrzejewski

**Noes:** 1 -  
Michael G. Heifetz

**Non Voting:** 1 -  
Nan Fey