



# City of Madison

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

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Wednesday, September 12, 2012

5:30 PM

Room 300, Madison Municipal Building  
215 Martin Luther King, Jr. Blvd.

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### CALL TO ORDER/ROLL CALL

**Present:** 6 -

Steve King; Nan Fey; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

**Excused:** 5 -

Marsha A. Rummel; Chris Schmidt; Eric W. Sundquist; Anna Andrzejewski and Melissa M. Berger

Fey was chair for this meeting.

Staff present: Brad Murphy & Tim Parks, Planning Division; Natalie Erdman, Community Development Authority; Chris Petykowski, City Engineering Division, and; Captain Joe Balles, Madison Police Department.

### PUBLIC COMMENT

There were no registrants for public comment.

### DISCLOSURES AND RECUSALS

Regarding Item 8, Rewey noted that he lived in Cherokee Park.

### MINUTES OF THE AUGUST 20, 2012 REGULAR MEETING

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

### SCHEDULE OF MEETINGS

Regular Meetings: October 1, 15 and November 5, 19, 2012

Special Meeting and Working Session on Zoning Code: Thursday, September 27, 2012 (Madison Senior Center)

### ROUTINE BUSINESS

1. [27370](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of a Water Utility Booster Station parcel, located at 2497 Greenway View.

**A motion was made by Cantrell, seconded by Heifetz, to Return to Lead with the Recommendation for Approval to the WATER UTILITY BOARD. The motion**

passed by voice vote/other.

2. [27371](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of Nakoma Park, located at 3800 Nakoma Road.

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

3. [27375](#) Authorizing the execution of an Underground Telecommunications Line Easement to TDS Telecom Service Corporation across a portion of Engineering Stormwater Utility Parcel 533, located at 8002 Mineral Point Road.

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

4. [27382](#) Correcting a clerical error in RES-12-00097 and Determining a Public Purpose and Necessity and adopting Transportation Project Plat No. 5992-08-07 - 4.11 Amendment No: 1 Mineral Point Road / CTH S & South Junction Road / CTH M- South Junction Road, City of Madison, Dane County, Wisconsin for the acquisition of Plat of Land Interests required.

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

5. [27462](#) Authorizing the execution of an Amendment to Utility Easement to Wisconsin Bell Inc. d/b/a AT&T Wisconsin across a portion of a City Water Utility Well #18 parcel, located at 1925 South Park Street.

**A motion was made by Cantrell, seconded by Heifetz, to Return to Lead with the Recommendation for Approval to the WATER UTILITY BOARD. The motion passed by voice vote/other.**

6. [27480](#) Authorizing the Mayor and City Clerk to request a minor amendment to the environmental corridor from the Capital Area Regional Planning Commission.

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

7. [27531](#) Authorizing the Mayor and City Clerk to execute an amendment to the Ground Lease Agreement with Lincoln School Associates Limited Partnership providing for the extension of the lease term, adjustment to rent,

and changes to other various provisions of the Ground Lease Agreement.

In recommending approval of the proposed amendment, the Plan Commission requested clarification whether a community garden could be accommodated on the roof of the parking structure as part of the amended lease agreement.

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

8. [27581](#)

Authorizing the execution of a Purchase Agreement with the Natural Heritage Land Trust, Inc. for the City’s acquisition of lands (the Wheeler Triangle”) for the expansion of the Cherokee Marsh Conservation Park.

The Plan Commission recommended approval of this resolution with the following condition:

- That the location of the existing neighborhood identification sign and lighting be confirmed, and that both be preserved on the subject property if so located.

The motion to recommend approval passed by voice vote/ other.

**A motion was made by Cantrell, seconded by Hamilton-Nisbet, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. 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 Map Amendment & Related Request**

9. [26845](#)

SUBSTITUTE Creating Section 28.06(2)(a)3618. of the Madison General Ordinances rezoning property from R3 Single-Family and Two-Family Residence District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3719. 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: Construction of mixed-use building containing 4,300 sq. ft. of first floor commercial space and 62 apartments; 13th Aldermanic District; 502 South Park Street and 917-925 Drake Street.

The Plan Commission recommended that this matter be re-referred to the October 1, 2012 meeting to allow the required public hearing notices to be completed by the City Clerk’s Office. The motion to re-refer passed by voice vote/ other.

[Note: The Common Council will consider this matter at its October 2, 2012 meeting; the Plan Commission’s October 1 action will be made from the floor.]

**A motion was made by Rewey, seconded by Cantrell, to RECOMMEND TO COUNCIL TO RE-REFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION and should be returned by October 1, 2012. The motion passed by voice vote/other.**

10. [27473](#) Consideration of a demolition permit to allow 3 residences and 1 commercial building to be demolished as part of a Planned Unit Development rezoning at 502 S. Park Street and 917-925 Drake Street; 13th Ald. Dist.

The Plan Commission referred this matter to the October 1, 2012 meeting to allow the required public hearing notices to be completed by the City Clerk's Office.

**A motion was made by Rewey, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by October 1, 2012. The motion passed by voice vote/other.**

There were no registrants on Items 9 and 10.

### Conditional Use/ Demolition Permits

11. [27248](#) Consideration of an alteration to an approved conditional use planned residential development to allow an existing apartment complex to be renovated and a new clubhouse and multi-space garages to be constructed at 1108 Moorland Road; 14th Ald. Dist.

The Plan Commission recessed the public hearing and referred this request to the October 1, 2012 meeting to allow the applicant to continue working with City staff on the operation and management plan, safety plan and service delivery plan for the complex, and for those parties to work with the Madison Police Department on the placement of the proposed detached garages.

The Commission also requested more information on the downzoning of the property that was alluded to during the public hearing, as well as the proposed zoning of the property under the new Zoning Code.

**A motion was made by King, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by October 1, 2012. The motion passed by voice vote/other.**

Speaking in support of the project were: Jim Borris and Mike Mervis, Zilber Ltd., 710 N. Plankinton Avenue, Milwaukee; Jonathon Brinkley, 229 E. Division Street, Fond du Lac and Dewayne Pohl, 5218 Ridge Oak Drive, both representing Nob Hill Apartments, LLC; Kevin Newell and Terrell Walter, Royal Capital Group, 710 N. Plankinton Avenue, Milwaukee; Patrick Gallagher, 3601 N. Hackett Avenue, Shorewood, representing the seller of Nob Hill Apartments; Teresa Burkeland, 1110 Moorland Road #8; Ivan Cyars, 1108 Moorland Road #8; Shellie Pierce, 1108 Moorland Road #214, and; Renee Greck, 1106 Moorland Road #211.

Speaking in opposition to the project was Ald. Tim Bruer, 3310 Leyton Lane, representing the 14th District.

Registered neither in support nor opposition and available to answer questions were Natalie Erdman, Community Development Authority, 215 Martin Luther King, Jr. Blvd. and Elvis Green, 1114 Moorland Road #108.

Registered in opposition to the project and available to answer questions was Captain Joe Balles, Madison Police - South District, 625 Hughes Place.

The following were registered in support and wishing to speak but deferred their comments until the next hearing of this project: Laura K. Paglusch, 1114 Moorland Road, and Lisa Freitag, 1038 Moorland Road #202.

12. [27377](#) Consideration of an alteration to an existing conditional use to allow construction of an addition to an existing single-family residence on a lakefront lot at 5206 Harbor Court; 19th Ald. Dist.

The Plan Commission recessed the public hearing and referred this request to the October 1, 2012 meeting at the request of the alder.

**A motion was made by King, seconded by Hamilton-Nisbet, to Refer to the PLAN COMMISSION and should be returned by October 1, 2012. The motion passed by voice vote/other.**

The following were registered in opposition to the project and wishing to speak but deferred their comments until the next hearing of this project: Jon Grefsheim, 5209 Harbor Court, and Marilyn Myers, 5214 Harbor Court.

- 13. [27584](#) Consideration of a demolition permit to allow a retail building at 8302 Mineral Point Road to be razed as part of the reconstruction of the Mineral Point Road-Junction Road intersection; 9th 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 Cantrell, seconded by King, to Approve. The motion passed by the following vote:**

**Ayes:** 4 -  
Steve King; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

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

**Excused:** 5 -  
Marsha A. Rummel; Chris Schmidt; Eric W. Sundquist; Anna Andrzejewski and Melissa M. Berger

**Non Voting:** 1 -  
Nan Fey

There were no registrants on this item.

- 14. [27595](#) Consideration of a conditional use for a parking reduction and an outdoor eating area to serve a restaurant located at the rear of 809 Williamson Street; 6th Ald. Dist.

The Plan Commission referred this request to the October 15, 2012 meeting at the request of the applicant.

**A motion was made by King, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by October 15, 2012. The motion passed by voice vote/other.**

There were no registrants on this item.

**Subdivision**

- 15. [27476](#) Approving the preliminary plat of Voges Road Business Center and a Certified Survey Map of property owned by St. John's Properties, Inc. located at 4800-4950 Voges Road; 16th Ald. Dist.

The Plan Commission recommended approval of the preliminary plat and Certified Survey Map subject to the comments and conditions contained within the Plan Commission materials.

**A motion was made by Cantrell, seconded by Rewey, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER. The motion passed by voice vote/other.**

Speak in support of the proposed subdivision were the applicant, Greg Fax, St. John Properties, Inc., 1020 James Drive, Suite G, Hartland, and Chris Jackson, 9205 W. Center Street, Suite 214, Milwaukee, representing the applicant.

**BUSINESS BY MEMBERS**

Heifetz thanked the chair and the other members of the Commission for their indulgence during the public hearing on Item 11.

Cantrell noted that the Upper Midwest Conference of the American Planning Association was scheduled to be held at Monona Terrace on September 26 and 27, 2012 and that the conference program looked very strong.

## COMMUNICATIONS

There were no communications.

## SECRETARY'S REPORT

### - Upcoming Matters - October 1, 2012

- 125 N. Bedford Street - Demolition Permit & R6 to PUD-GDP-SIP - Demolish single-family residence to construct eight-unit apartment building
- 5922 Lien Road - PUD-GDP to PUD-GDP - Re-approving the General Development Plan for multi-family housing in the Village at Autumn Lake Planned Unit Development
- 809 Williamson Street - Conditional Use - Construct outdoor eating area for restaurant
- 9400-block of Stoneywood Blvd. & 9404-9444 Cobalt Street - Preliminary Plat & Final Plat - Woodstone Replat No.2, replatting 33 single-family lots and a public alley into 29 single-family lots without an alley
- 449 Toepfer Avenue - Demolition Permit - Demolish single-family residence and construct new residence
- New Zoning Code revisions, map, and downtown & urban zoning districts (ID 26657 and 27278)

### - Upcoming Matters - October 15, 2012

- 305-325 W. Johnson Street - Demolition Permit and C3 & C4 to PUD-GDP-SIP - Demolish 2 commercial buildings and Madison Fire Department Administration Building to allow construction of a mixed-use building containing 250 apartments and 60,000 square feet of retail and office space
- 306 W. Main Street - PUD-SIP to Amended PUD-GDP-SIP - Construct 176-unit apartment building

## ANNOUNCEMENTS

There were no announcements.

## ADJOURNMENT

**A motion was made by King, seconded by Rewey, to Adjourn at 8:10 p.m. The motion passed by voice vote/other.**