



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, May 20, 2013

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 -

Ledell Zellers; Scott J. Resnick; Ken Opin; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

**Excused:** 3 -

Steve King; Eric W. Sundquist and John L. Finnemore

Cantrell called the meeting to order and served as chair until following the Election of Chair and Vice-Chair.

Following his election as chair of the Plan Commission, Opin served as chair for the remainder of this meeting.

Ald. Resnick arrived at 7:05 p.m. during the hearing on Item 9.

Staff present: Steve Cover, Secretary; Bill Fruhling, Kevin Firchow and Tim Parks, Planning Division; George Hank, Building Inspection Division; Matt Tucker, Zoning Administrator, and; Scott Langer, Traffic Engineering Division.

### PUBLIC COMMENT

There were no registrants for public comment.

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

Berger disclosed that she lived one block from the site of Item 7, but that she did not feel that would affect her ability to consider that matter.

Cantrell disclosed that he lived one block from the site of Item 15, but that he did not feel that would affect his ability to consider that matter.

Heifetz disclosed that he received an e-mail regarding the rezoning and preliminary plat for 9601 Elderberry Road, which the Plan Commission reviewed at its May 6, 2013 meeting. Heifetz noted that he forwarded the e-mail to Planning staff, who responded on his behalf.

Rewey recused himself on Item 2.

### MINUTES OF THE MAY 6, 2013 MEETING

**A motion was made by Rewey, seconded by Hamilton-Nisbet, to Approve the Minutes. The motion passed by the following vote:**

**Ayes:** 5 -

Ledell Zellers; Melissa M. Berger; Michael G. Heifetz; Michael W. Rewey and Tonya L. Hamilton-Nisbet

- Abstentions:** 1 -  
Ken Opin
- Excused:** 3 -  
Steve King; Scott J. Resnick; Eric W. Sundquist and John L. Finnemore
- Non Voting:** 1 -  
Bradley A. Cantrell

**SCHEDULE OF MEETINGS**

June 3, 17 and July 8, 22, 2013

**SPECIAL ITEM OF BUSINESS**

**- Election of Chair and Vice-Chair of the Plan Commission**

On a motion by Rewey, seconded by Ald. Zellers, the Plan Commission elected Opin as Chair of the Plan Commission without opposition. The election passed by voice vote/ other, with Opin abstaining.

On a motion by Rewey, seconded by Berger, the Plan Commission elected Cantrell as Vice-Chair of the Plan Commission without opposition. The election passed by voice vote/ other, with Cantrell abstaining.

**ROUTINE BUSINESS**

- 1. [29967](#) Authorizing the City of Madison to accept ownership from Junction Ridge Neighborhood Association of two neighborhood entrance signs to be located in the public right-of-way of Junction Road.

**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.**

- 2. [30019](#) Authorizing the City of Madison to accept ownership from Cherokee Park Neighborhood Association of an existing neighborhood entrance sign located in Cherokee Marsh Conservation Park.

**A motion was made by Cantrell, seconded by Heifetz, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS,. The motion passed by the following vote:**

**Ayes:** 5 -  
Ledell Zellers; Melissa M. Berger; Michael G. Heifetz; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

**Recused:** 1 -  
Michael W. Rewey

**Excused:** 3 -  
Scott J. Resnick; Eric W. Sundquist; John L. Finnemore and Steve King

**Non Voting:** 1 -  
Ken Opin

- 3. [30020](#) Authorizing the acceptance of a Permanent Limited Easement for Public Sidewalk Purposes from the Board of Regents University of Wisconsin System over a portion of the property located at 451 S. Pleasant View Road.

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

- 4. [30021](#) Authorizing the City of Madison to accept ownership from Lake Edge Neighborhood Association of a gathering circle to be located in Lake Edge Park.

**A motion was made by Cantrell, seconded by Hamilton-Nisbet, to Return to Lead with the Recommendation for Approval 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.

**Zoning Map Amendment**

- 5. [29816](#) Creating Section 28.022 -- 00055 of the Madison General Ordinances rezoning property from PD-GDP (Planned Development- General Development Plan) District to PD-SIP (Planned Development - Specific Implementation Plan) District. Proposed Use: Construct 50-unit apartment building; 6th Aldermanic District; 1924 Atwood Avenue.

The Plan Commission found that the standards and criteria met and recommended approval of the proposed zoning map amendment subject to the comments and conditions contained in the Plan Commission materials. The recommendation of approval passed by voice vote/ other.

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

Speaking neither in support nor opposition to the proposed development was Mike Parsen of Madison.

Registered in support and wishing to speak was J. Randy Bruce, Knothe & Bruce Architects, LLC of Middleton, representing the applicant, Scott Lewis, CMI Management, Inc.

**Extraterritorial Subdivision**

- 6. [29710](#) Approving the final plat of Wood Ger Development generally located at 3370 Burke Road, Town of Burke, within City of Madison's Extraterritorial Plat Approval Jurisdiction.

The Plan Commission referred this matter to June 17, 2013 at the request of the applicant.

**A motion was made by Heifetz, seconded by Cantrell, to Refer to the PLAN COMMISSION and should be returned by June 17, 2013. The motion passed by voice vote/other.**

There were no registrants on this matter.

### Conditional Use/ Demolition Permits

7. [29715](#) Consideration of a conditional use to allow construction of an accessory building greater than 576 square feet in the TR-C3 zoning district with an accessory dwelling unit at 1030 Vilas Avenue; 13th Ald. Dist.
- The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials.
- A motion was made by Cantrell, seconded by Rewey, to Approve. The motion passed by voice vote/other.**
- Registered in support of the request and wishing to speak but not present when the matter was considered was Mitch of Madison.
8. [29716](#) Consideration of a conditional use for a walk-up service window for a restaurant at 418 E. Wilson Street; 6th Ald. District.
- The Plan Commission found that the standards were met and approved the conditional use subject to the comments and conditions contained in the Plan Commission materials and the following revisions:
- That condition #1 of the Planning Division staff report be revised to provide the applicant with flexibility to work with staff on the location of the required trash receptacles.
  - That condition #2 be revised as follows: "Restaurant staff shall remain ~~for 30 minutes~~ following the end of window service to clean trash, disperse patrons and remove trash receptacles."
  - That comment #7 from the Traffic Engineering Division be removed, as the conditional use request was approved.
- A motion was made by Cantrell, seconded by Rewey, to Approve. The motion passed by voice vote/other.**
- Speaking in support of the request were Chris Berge of Madison, the applicant, and William Butcher of Madison.
- Registered in support of the request but not wishing to speak was Luke Batchelor-Clark of Madison, representing Machinery Row Bicycles.
9. [29723](#) Consideration of a demolition permit and conditional use to allow a single-family residence to be demolished and a new residence and two accessory buildings to be constructed on a lakefront property at 1437 Morrison Street; 6th Ald. Dist.
- The Plan Commission found that the standards were met and approved the demolition permit and conditional use subject to the comments and conditions contained in the Plan Commission materials.
- A motion was made by Cantrell, seconded by Resnick, to Approve. The motion passed by voice vote/other.**
- Speaking in support of the request were: Mariann Bertram of Madison, the applicant; Mark Wohlferd of Middleton, representing the applicant; Gary Peterson of Madison, and; Michael Druhan of Madison.
- Registered in support of the request but not wishing to speak were: Pamela Druhan of Madison; Susan Schmitz of Madison; Louis Miller of Madison, and; Nancy McCartan of Madison.

- 10. [30026](#) Consideration of a demolition permit to allow a fire-damaged single-family residence to be razed with no proposed use at 1218 Artisan Drive; 17th Ald. Dist.

The Plan Commission found that the standards were met and approved the demolition permit subject to the comments and conditions contained in the Plan Commission materials.

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

There were no registrants on this matter.

**Zoning Text Amendments**

- 11. [29975](#) Amending Section 28.061 of the Madison General Ordinances to return non-accessory temporary outdoor events in the Traditional Shopping Street (TSS) district to a conditional use, add a supplemental regulation, and will be retroactive to January 3, 2013.

The Plan Commission recommended approval of the proposed zoning text amendment by voice vote/ other.

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

- 12. [29992](#) Amending Section 28.141(13)(b) of the Madison General Ordinances to allow for a reduction in required loading spaces through the conditional use process.

The Plan Commission recommended approval of the proposed zoning text amendment by voice vote/ other.

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

- 13. [29995](#) Amending Section 28.072 of the Madison General Ordinances to add "Accessory dwelling unit" as a Conditional Use in DR1 and DR2.

On a motion by Ald. Zellers, seconded by Cantrell, the Plan Commission recommended approval of the proposed zoning text amendment on the following 5-1 vote: AYE: Ald. Zellers, Berger, Cantrell, Hamilton-Nisbet, Rewey; NAY: Heifetz; NON-VOTING: Opin; EXCUSED: Ald. King, Ald. Resnick, Finnemore, Sundquist.

**A motion was made by Zellers, seconded by Cantrell, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote:**

**Ayes:** 5 -  
 Melissa M. Berger; Michael W. Rewey; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Ledell Zellers

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

**Excused:** 3 -  
 Scott J. Resnick; Eric W. Sundquist; John L. Finnemore and Steve King

**Non Voting:** 1 -  
 Ken Opin

14. [29996](#) Amending Section 28.082(1) of the Madison General Ordinances to allow auto rental as a conditional use, with supplemental regulations, in the Suburban Employment (SE) District.

The Plan Commission recommended approval of the proposed zoning text amendment by voice vote/ other.

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

There were no registrants on Items 11-14.

### Alterations to Planned Development-Specific Implementation Plans

15. [29734](#) Consideration of an alteration to a Planned Development-Specific Implementation Plan to allow the tenant fitness room for a previously approved apartment complex at 201 S. Bedford Street to be converted into an additional dwelling unit, and for the bike parking for the project to be modified; 4th Ald. Dist.

The Plan Commission separated the question by unanimous consent.

On a motion by Rewey, seconded by Cantrell, the Plan Commission found that the standards were met and approved the proposed alteration to convert the apartment building's fitness room into an additional dwelling unit subject to the comments and conditions contained in the Plan Commission materials. The motion to approve the additional dwelling unit passed by voice vote/ other.

On a motion by Berger, seconded by Rewey, the Plan Commission referred the proposed modifications to the bike parking to June 3, 2013 to allow the applicant to discuss the bike parking modifications with staff.

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

**A motion was made by Berger, seconded by Rewey, to Refer the proposed bike parking modifications to the PLAN COMMISSION and should be returned by June 3, 2013. The motion passed by voice vote/other.**

Speaking in support of the requests were John W. Sutton of Madison, representing the developer, Les Orosz, and Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th Ald. Dist.

16. [29725](#) Consideration of an alteration to the Planned Development-Specific Implementation Plan for Lots 1-53 and Lots 83-226 of the Door Creek subdivision to amend the zoning text to allow the construction of one accessory building per lot; 3rd Ald. Dist.

The Plan Commission found that the standards were met and approved the proposed alterations subject to reducing the maximum allowable height of the accessory buildings from 15 feet to 12 feet.

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

Speaking in support of the proposed alteration were EJ Pazdziora of Madison, the applicant on behalf of the Door Creek Homeowners Association, and Scott Fibikar of Madison.

Speaking in opposition of the proposed alteration were Maria Montello of Madison and Marsha Johnson of Madison.

Speaking neither in support nor opposition to the request were Julia Weston of Madison, and Ald. Lauren Cnare, 5218 Kevins Way, representing the 3rd Ald. Dist.

## SECRETARY'S REPORT

Tim Parks summarized the upcoming matters for the Plan Commission.

### - Upcoming Matters - June 3, 2013

5:30 p.m. Special Item of Business:

- Informational presentation by Mark Woulf on the upcoming review of the Alcohol License Density Ordinance

6:00 p.m. Public Hearing Items:

- 1723 Waldorf Boulevard - PD-GDP to PD-SIP - Construct multi-family building complex containing 80 apartment units in 2 buildings
- 7353 W. Old Sauk Road - Attachment from Town of Middleton with zoning to SR-C1 zoning for existing single-family residence and potential future residential subdivision
- 915 Haywood Drive - Demolition Permit - Demolish auto repair business to construct office building
- 2919 University Avenue - Demolition Permit and Conditional Use - Demolish office building to construct private parking facility for an off-site bakery
- 2501 East Springs Drive - Conditional Use - Planned Multi-Use Site - Construct automobile sales facility and lot
- 1018 Mound Street - Demolition Permit and PD-SIP Alteration - Demolish two-family residence to allow construction of playground for daycare
- 5324 Loruth Terrace - Demolition Permit Follow-up - Approval of plans for single-family home on lot created by 2006 CSM/Demolition
- 2318 Atwood Avenue - Conditional Use - Convert residential/commercial building into two-family residence

### - Upcoming Matters - June 17, 2013

- 5901-6001 Odana Road - Demolition Permit - Demolish retail building at 6001 Odana Road to allow expansion of auto sales business at 5901 Odana Road (in Urban Design Dist. 3)
- 130 E. Gilman Street - Certified Survey Map Referral - Create lots for existing residence and UW Lifesaving Station; dividing a landmark property and creating a deep residential lot
- 402 Rustic Drive - Conditional Use - Construct addition to existing residence creating structure exceeding 10,000 square feet of floor area as part of conversion to adult family home
- 3302 Packers Avenue - Demolition Permit and Conditional Use - Demolish restaurant and construct mixed-use building with 6,700 square feet of commercial space and 61 apartment units
- 101-103 Dempsey Road - Conditional Use - Construct addition to existing mixed-use building within 200 feet of Eastmorland Park
- 939 E. Dayton Street - Conditional Use - Construct accessory building with accessory dwelling unit
- 5328 Lake Mendota Drive - Demolition Permit and Conditional Use - Demolish single-family residence and construct new residence and accessory building on lakefront property
- 6698 Odana Road - Demolition Permit and Conditional Use - Demolish bank and construct multi-tenant retail building with vehicle access service window

## BUSINESS BY MEMBERS

There was no business by members.

## ANNOUNCEMENTS

Berger announced her absence from the June 3 and June 17, 2013 meetings.

## ADJOURNMENT

**A motion was made by Heifetz, seconded by Resnick, to Adjourn at 8:30 p.m.  
The motion passed by voice vote/other.**