



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, April 23, 2012

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 -

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

**Excused:** 3 -

John L. Finnemore; Eric W. Sundquist and Anna Andrzejewski

Ms. Fey was chair for the meeting. Ms. Andrzejewski arrived during the discussion of item 13.

Staff Present: Steven Cover, Secretary; Kevin Firchow and Brian Grady, Planning Division; Kay Rutledge and Sarah Lerner, Parks Division; Rob Phillips and Chris Petykowski, City Engineering Division; and Dan Rolfs, Office of Real Estate Services.

### PUBLIC COMMENT

There was no public comment provided under this item.

### DISCLOSURES AND RECUSALS

Ald. Rummel disclosed she was contacted by Mr. Dan Brown of the Ho-Chunk Nation.

### MINUTES OF THE APRIL 9, 2012 REGULAR MEETING

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

### SCHEDULE OF MEETINGS

Regular Meetings: May 7, 21 and June 4, 18, 2012

The special meetings and working sessions scheduled for Wednesday, April 25 and Thursday, April 26, 2012 were cancelled. An upcoming working session on the zoning code and map is scheduled for May 3 at 5:30 pm.

### ROUTINE BUSINESS

1. [25770](#) Authorizing the Mayor and City Clerk to execute a First Amendment to Definitive Agreement regarding the future branch public library at Grandview Commons

The motion passed unanimously.

**A motion was made by Cantrell, seconded by Schmidt, to Return to Lead with the Recommendation for Approval to the MADISON PUBLIC LIBRARY BOARD.**

**The motion passed by voice vote/other.**

Registered in support and available to answer questions was Tripp Widder, 4026 Mandan Circle, representing the Madison Public Library Board.

- 2. [25771](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the reconstruction and maintenance of existing public sanitary sewer and stormwater drainage improvements associated with the N. Franklin - N. Blair Street Sanitary Crossover. (2nd AD)

The motion passed by the following vote: 6:1 [AYE: Ald. Schmidt; Sundquist, Rewey, Cantrell, Hamilton-Nisbit, Ald. King, Ald. Rummel; NO: Heifetz; NON-VOTING: Fey.]

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

- Ayes:** 6 -  
Steve King; Marsha A. Rummel; Chris Schmidt; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet
- Noes:** 1 -  
Michael G. Heifetz
- Excused:** 2 -  
John L. Finnemore; Eric W. Sundquist and Anna Andrzejewski
- Non Voting:** 1 -  
Nan Fey

- 3. [25773](#) Approving the Redevelopment Plan and District Boundary for the Wingra Creek Redevelopment District.

The motion passed unanimously.

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

- 4. [25814](#) Authorizing the Common Council to accept ownership from Rolling Meadows Neighborhood Association of a neighborhood entrance sign and decorative landscaping to be located in the public right-of-way of Portland Parkway, near the intersection of Milwaukee Street.

The motion passed unanimously.

**A motion was made by Schmidt, 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. [25826](#) Authorizing the Common Council to accept ownership from Dunn's Marsh Neighborhood Association of a neighborhood entrance sign to be located within a public right-of-way at 1806 Seminole Highway.

The motion passed unanimously.

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

Registered in support and available to answer questions were Robert Hague 4353 De Volis Parkway and Mary Mullen, 4337 Milford Road both representing the Dunn's Marsh Neighborhood Association.

- 6. [25829](#) Authorizing the grant of a permanent limited easement to American Transmission Company for an electric transmission line across a portion of the Orchard Ridge Valley Park, located at 961 Gilbert Road.

The motion to approve failed by a 1:6 vote [AYE: Cantrell; NO: Ald. King, Ald. Rummel, Ald. Schmidt, Heifetz, Rewey, Hamilton-Nisbet; and NON-VOTING: Fey.] No other action was taken on this item.

**A motion was made by King, seconded by Hamilton-Nisbet, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion failed by the following vote:**

**Ayes:** 1 -  
Bradley A. Cantrell

**Noes:** 6 -  
Steve King; Marsha A. Rummel; Chris Schmidt; Michael G. Heifetz; Michael W. Rewey and Tonya L. Hamilton-Nisbet

**Excused:** 2 -  
Eric W. Sundquist; Anna Andrzejewski and John L. Finnemore

**Non Voting:** 1 -  
Nan Fey

- 7. [25832](#) Authorizing the grant of a permanent limited easement to American Transmission Company for an electric transmission line across a portion of the Odana Hills Golf Course, located at 4635 Odana Road.

The motion to approve failed by a 1:6 vote [AYE: Cantrell; NO: Ald. King, Ald. Rummel, Ald. Schmidt, Heifetz, Rewey, Hamilton-Nisbet; and NON-VOTING: Fey.] No other action was taken on this item.

**A motion was made by King, seconded by Hamilton-Nisbet, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion failed by the following vote:**

**Ayes:** 1 -  
Bradley A. Cantrell

**Noes:** 6 -  
Marsha A. Rummel; Chris Schmidt; Michael G. Heifetz; Michael W. Rewey; Tonya L. Hamilton-Nisbet and Steve King

**Excused:** 2 -  
Eric W. Sundquist; Anna Andrzejewski and John L. Finnemore

**Non Voting:** 1 -  
Nan Fey

- 8. [25848](#) Authorizing the execution of a lease with Madison Theatre Guild for the use of 2410 Monroe Street.

The motion passed unanimously.

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

- 9. [25914](#) Authorizing the Common Council to accept ownership from Arbor Hills Neighborhood Association of a neighborhood entrance sign to be located in the public right-of-way at 2699 Post Road, near the Cannonball bike path.

The motion passed unanimously.

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

- 10. [25931](#) Authorizing the Mayor and City Clerk to execute an amendment to the lease with Kayser Ford, Inc. allowing for the City's temporary use of premises leased by Kayser Ford, Inc. within the Cannonball Bike Path corridor, formerly a part of the Union Pacific Railroad corridor.

The motion passed unanimously.

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

**NEW BUSINESS**

- 11. [25928](#) A Resolution Adopting the 2012-2017 Park and Open Space Plan as a Supplement to the City of Madison Comprehensive Plan.

**A motion was made by Schmidt, 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.**

- 12. [25812](#) Approving City of Madison Report regarding Converting Private Street to Public Right of Way and Providing City Services to Private Streets

The motion passed unanimously.

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

Speaking in support was Ald. Lauren Cnare, 5218 Kevins Way, representing the 3rd District, and Bob Mickelson, 6221 Kilpatrick Lane, representing the Birchwood Ridge Condominium Association.

Registered in support and not wishing to speak was Ruthann Mickelson, 6221 Kilpatrick Lane, also representing the Birchwood Ridge Condominium Association.

**ROLL CALL**

**Present:** 9 - Steve King; Marsha A. Rummel; Chris Schmidt; Nan Fey; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell; Anna Andrzejewski and Tonya L. Hamilton-Nisbet

**Excused:** 2 - John L. Finnemore and Eric W. Sundquist

- 13. [25669](#) Accepting the report by Strand Associates - East Johnson Traffic Study and maintain the one way pair street system of East Johnson Street and East Gorham Street and authorizing City Engineering and City Traffic Engineering to proceed with a design for reconstruction of East Johnson Street with one-way traffic. (2nd AD)

The vote passed by the following vote: 5:3 [AYE: Ald. King, Ald. Rummel, Ald. Schmidt, Heifetz, and Andrzejewski; NO: Rewey, Cantrell, and Hamilton-Nisbet; and NON-VOTING: Fey.]

**A motion was made by King, seconded by Rummel, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS,. The motion passed by the following vote:**

**Ayes:** 5 -  
Steve King; Marsha A. Rummel; Chris Schmidt; Michael G. Heifetz and Anna Andrzejewski

**Noes:** 3 -  
Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

**Excused:** 1 -  
John L. Finnemore and Eric W. Sundquist

**Non Voting:** 1 -  
Nan Fey

Speaking in support of this item was Jeff Held, Strand Associates, Inc; 910 West Wingra Drive.

- 14. [25885](#) Accepting a Selection Committee’s recommendation of the Urban Land Interests, LLC proposal for the purchase and redevelopment of City-owned properties in the 800 Block of East Washington Avenue and authorizing the execution of a Purchase and Sale Agreement with Urban Land Interests, LLC for the purchase and redevelopment of these properties.

The Plan Commission recommended that this item be re-referred to the Plan Commission meeting of June 4, 2012. That motion passed by the following vote:7:1 [AYE:Steve King, Ald. Rummel, Ald. Schmidt, Heifetz, Rewey, Andrzejewski, and Hamilton-Nisbet; NO: Cantrell; NON-VOTING: Fey.]

**A motion was made by King, seconded by Rewey, to Return to Lead with the Following Recommendations(s) to the Board of Estimates – Refer to the Plan Commission, due back on June 4, 2012. The motion passed by the following vote:**

**Ayes:** 7 -  
Steve King; Marsha A. Rummel; Chris Schmidt; Michael G. Heifetz; Michael W. Rewey; Anna Andrzejewski and Tonya L. Hamilton-Nisbet

**Noes:** 1 -  
Bradley A. Cantrell

**Excused:** 1 -  
Eric W. Sundquist and John L. Finnemore

**Non Voting:** 1 -  
Nan Fey

- 15. [25966](#) Rejecting a Selection Committee's recommendation of the Urban Land Interests, LLC proposal and The Rifken Group, LTD proposal for the purchase and redevelopment of City-owned properties in the North and South 800 Blocks of East Washington Avenue, authorizing the creation of a Don Miller Land Banked Property Selection Committee and authorizing

the execution of a Request For Proposal ("RFP") for the purchase and redevelopment of these properties.

The Plan Commission recommended that this item be re-referred to the Plan Commission meeting of June 4, 2012. That motion passed by the following vote:7:1 [AYE:Steve King, Ald. Rummel, Ald. Schmidt, Heifetz, Rewey, Andrzejewski, and Hamilton-Nisbet; NO: Cantrell; NON-VOTING: Fey.]

**A motion was made by King, seconded by Rewey, to Return to Lead with the Following Recommendations(s) to the Board of Estimates – Refer to the Plan Commission, due back on June 4, 2012. The motion passed by the following vote:**

**Ayes:** 7 -  
 Marsha A. Rummel; Chris Schmidt; Michael G. Heifetz; Michael W. Rewey; Anna Andrzejewski; Tonya L. Hamilton-Nisbet and Steve King

**Noes:** 1 -  
 Bradley A. Cantrell

**Excused:** 1 -  
 Eric W. Sundquist and John L. Finnemore

**Non Voting:** 1 -  
 Nan Fey

Items 14 and 15 were considered together.

Speaking in support of item 14 and in opposition to item 15 were Kevin O'Driscoll, Urban Land Interests, 150 Lakewood Boulevard and Rosemary Lee, 111 West Wilson Street.

Speaking in opposition to item 14 were Patty Prime, 432 Sidney Street and Richard Freihoefer, 919 East Dayton Street, representing the Tenney Lapham Neighborhood Association.

Speaking in opposition to item 14 and in support of item 15 was Ald. Bridget Maniaci, representing District 2.

Registered in opposition and not wishing to speak to item 14 were Richard Linster, 432 Sidney Street and Lia Vellardita, 24 North Baldwin Street, representing Matt Kiriega.

**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 Text Amendment**

- 16. [25777](#) Amending Secs 28.12(13)(a)4. and 5., creating Secs. 28.12(13)(a)9. and 10. and renumbering current Secs. 28.12(13)(a)9. through 11. to Secs. 28.12(13)(a)11. through 13., respectively, of the Madison General Ordinances to increase fees for certain conditional use requests and to add fees for site plan review and alterations to PUD's approved by the Plan Commission.

The Plan Commission recommended approval of the proposed zoning text amendment by the following vote: 7:1 [AYE: Ald. Schmidt; Sundquist, Rewey, Cantrell, Andrzejewski, Hamilton-Nisbet, Ald. King, Ald. Rummel; NO: Heifetz; NON-VOTING: Fey.]

**A motion was made by Cantrell, seconded by Rewey, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote 7:1: [Aye: Ald. Schmidt, Rewey, Cantrell, Andrzejewski, Hamilton-Nisbet,**

**Ald. King, and Ald. Rummel; NO: Heifetz; NON-VOTING: Fey.]**

**Ayes:** 7 -

Chris Schmidt; Michael W. Rewey; Bradley A. Cantrell; Anna Andrzejewski; Tonya L. Hamilton-Nisbet; Steve King and Marsha A. Rummel

**Noes:** 1 -

Michael G. Heifetz

**Excused:** 1 -

Eric W. Sundquist and John L. Finnemore

**Non Voting:** 1 -

Nan Fey

There were no registrations on this item.

**Conditional Use/ Demolition Permits**

17. [25765](#)

Consideration of a demolition permit and a major alteration to an approved conditional use to allow a warehouse to be demolished and six non-accessory parking stalls to be constructed at 12 North Webster Street; 4th Ald. Dist.

The Plan Commission referred this item to a future meeting at the request of the applicant. No date was specified.

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

There were no registrations on this item.

18. [26055](#)

Consideration of an alteration to an approved conditional use to allow construction of an addition to the West Campus Cogeneration Facility at 515 Walnut Street; 5th Ald. Dist.

The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials. That motion passed unanimously.

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

Registered in support and available to answer questions were Gary Brown, 610 Walnut Street; James Moravec, 155 Ellis Potter Court; Jeff Pollei, 30 North Mills Street; Scott Moll, 5802 Research Park Boulevard; all representing the University of Wisconsin; Mark Zaccagnino, 101 East Wilson Street representing the Wisconsin Department of Administration-Division of State Facilities; and John Schlaefer, 1814 Kendall Avenue, representing the Regent Neighborhood Association.

**BUSINESS BY MEMBERS**

There was no business by members.

**COMMUNICATIONS**

Ald. Rummel noted she had been contacted by Dan Brown of the Ho-Chunk Nation in regards to future land use submittals.

## SECRETARY'S REPORT

Kevin Firchow summarized the upcoming matters.

### - Upcoming Matters - May 7, 2012

- Update on the Hoyt Park Plan
- 531 W. Mifflin Street - Demolition Permit & R6 to PUD-GDP-SIP - Demolish single-family residence to allow construction of four-unit apartment building
- 701-737 Lorillard Court & 159-171 Proudfit Street - Demolition Permit and R5 & PUD-GDP to PUD-GDP-SIP - Demolish 3 single-family residences to allow construction of 116-unit apartment building
- 1323 W. Dayton Street & 1318 Randall Court - Demolition Permit and R6 to PUD-GDP-SIP - Demolish 21-unit apartment building and single-family residence to allow construction of a 9-story, 65-unit apartment building
- 6746 Fairhaven Road - PUD-SIP to Amended PUD-GDP-SIP - Construct 10-unit apartment building on site of approved 10-unit condominium building
- 711 W. Badger Road - Assign C2 zoning to commercial property attached to City in 2006
- 301 North Street - Conditional Use Alteration - Amend plans for outdoor eating and recreation area for restaurant/ tavern to allow special events in the parking lot
- 554 W. Main Street - Conditional Use Alteration - Expand outdoor eating area for restaurant/ tavern
- 454 W. Johnson Street & 437 W. Gorham Street - PUD-SIP Alteration to amend Hampton Inn & Suites and Aberdeen planned unit developments to eliminate previously required private drive connection through those properties

### - Upcoming Matters - May 21, 2012

- 111 E. Gilman Street - R6H to PUD-GDP-SIP - Convert existing carriage house to a single-family residence in the rear yard of existing 3-unit apartment building
- 515 S. Midvale Boulevard - PUD-SIP Alteration - Construct outdoor eating area for restaurant
- 24 N. Webster Street/ 123 E. Mifflin Street - C4 to PUD-GDP-SIP - Construct fifth floor addition to an existing mixed-use building
- 925-933 W. Johnson Street - Demolition Permit & Conditional Use - Demolish two residential buildings to construct temporary surface parking lot
- 5510 Lake Mendota Drive - Demolition Permit & Conditional Use - Demolish a single-family residence and construct a new residence on lakefront lot

## ANNOUNCEMENTS

Nan Fey reminded the Plan Commission of the upcoming May work sessions and encouraged members to attend as many as possible.

## ADJOURNMENT

**A motion was made by Helfetz, seconded by Schmidt, to Adjourn at 8:35 pm.  
The motion passed by voice vote/other.**