



City of Madison

Meeting Minutes - Final

PLAN COMMISSION

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

Monday, July 9, 2007

5:30 PM

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

ROLL CALL

Present: Tim Gruber, Lauren Cnare, Julia S. Kerr, Sarah Davis, James C. Boll, Judy Bowser, Michael A. Basford and Beth A. Whitaker

Excused: Nan Fey, Brian W. Ohm and Kelly A. Thompson-Frater

Boll was chair for the meeting.

Staff present: Mark A. Olinger, Secretary; Brad Murphy, Kevin Firchow & Tim Parks, Planning Division; Joe Gromacki, Real Estate Section; Dan McCormick, Traffic Engineering Division, and; Rebecca Cnare, Mayor's Office.

MINUTES OF THE June 18, 2007 MEETING

Minutes were approved with one alteration. Ald. Marsha Rummel, 6th District, was not registered in support or opposition to agenda item 6, E Wash Capitol Gateway Corridor Plan & Urban Design Guidelines.

A motion was made by Kerr, seconded by Bowser, to Approve the Minutes. The motion passed by acclamation.

SCHEDULE OF MEETINGS

July 23; and August 6, 20, 2007

APPOINTMENTS

James Boll was reappointed to serve as a Plan Commission representative to the State Street Design Project Oversight Committee.

ROUTINE BUSINESS

1. [06727](#) Accepting a Public Storm Sewer Easement from the Board of Regents of the University of Wisconsin System across a portion of the UW-Madison's property located at 821 W. Johnson Street.
A motion was made by Bowser, seconded by Kerr, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.
2. [06733](#) Authorizing the Mayor and City Clerk to execute a lease with Collegiate Gothic Associates Limited Partnership, 740 Regent Street Associates, 700 Regent Street Associates, and City Station Associates Limited Partnership, collectively, of City-owned property held for future transportation purposes.

A motion was made by Bowser, seconded by Kerr, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.

3. [06758](#) Authorizing the acceptance of an Offer to Sell from Leonard J. Filut for a single-family property located at 4302 Loeprich Lane in the Town of Westport for the expansion of Cherokee Marsh Conservation Park.

A motion was made by Bowser, seconded by Kerr, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.

4. [06742](#) Accepting a Public Sanitary Sewer Easement from Bruce Zauft and Karen Zauft across property located at 2912 Waunona Way.

A motion was made by Bowser, seconded by Kerr, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.

5. [06813](#) Vacating a remaining portion of an unimproved public alley right-of-way, one rod (16.5 feet) in width, dedicated by the subdivision plat of Hoyts Subdivision of Outlot No. 3 in the University Addition to Madison, and located adjacent to and reversion rights to, Lots 8-17 (inclusive), being located in part of the Southwest 1/4 of the Northwest 1/4 of Section 23, Town 07 North, Range 09 East, City of Madison, Dane County, Wisconsin. (4th AD)

A motion was made by Bowser, seconded by Kerr, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.

PUBLIC HEARING-6:00 p.m.

Zoning Map Amendments/Land Divisions

6. [06126](#) Creating Section 28.06(2)(a)3266. of the Madison General Ordinances rezoning property from C3L Commercial Service and Distribution District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3267. 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: 159 Condominium Units; 19th Aldermanic District: 6500 Normandy Lane.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:

- That planning and park staff utilize parkland fees collected from this development to improve park and open space opportunities in this area.

A motion was made by Kerr, seconded by Gruber, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by acclamation.

Speaking in support of the proposal were Steve Yoder, 3101 Stratton Way, and Jerry Bourquin, 313 W Beltline Highway, representing the petitioner, Normandy Square LLC; and Ald. Mark Clear, 19th District;

7. [06572](#) Creating Section 28.06(2)(a)3271. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Remove 1 House, Demolish 2 Houses and 3 Garages, and Build 4-Story Apartment Building; 2nd Aldermanic District: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street.
- Referred to Plan Commission pending Urban Design Commission Review*
- A motion was made by Kerr, seconded by Davis, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.**
8. [06573](#) Creating Section 28.06(2)(a)3272. 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: 58-Unit Assisted Living Center; 9th Aldermanic District: 8210 Highview Drive.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials*
- A motion was made by Bowser, seconded by Gruber, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**
- Registered in support and wishing to speak was David C. Baum, All Saints Senior Housing, 244 N. Broadway.*
- Registered in support and available to answer questions was Scott Kwiecinski, Horizon Development Group, 1031 N Edge Trail, Verona.*
- Registered in support but not wishing to speak was James Durham; 905 Oakland Avenue.*
9. [06574](#) SUBSTITUTE - Creating Section 28.06(2)(a)3273. of the Madison General Ordinances rezoning property from A Agriculture District to O-1 Limited Office-Residence District. Proposed Use: 14,000-19,000 Square Foot Physician Clinic; 7th Aldermanic District: 8001 Raymond Road.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:*
- That the applicant work with staff to ensure the continued viability of the Ice Age Trail.
 - That the applicant develop a master plan for the entire property within one year.
 - That the Plan Commission review the completed master plan.
- A motion was made to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote:**
- Excused:** 3 - Fey, Ohm and Thompson-Frater
- Aye:** 5 - Cnare, Kerr, Davis, Bowser and Basford

No: 2 - Gruber and Whitaker

Non Voting: 1 - Boll

10. [06866](#) Approving a Certified Survey Map of property owned by Meriter Hospital, Inc. at 8001 Raymond Road. 7th Ald. Dist.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Kerr, seconded by Basford, 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 the following vote:

Excused: 3 - Fey, Ohm and Thompson-Frater

Aye: 5 - Cnare, Kerr, Davis, Bowser and Basford

No: 2 - Gruber and Whitaker

Non Voting: 1 - Boll

The following persons were registered on Items #9 and 10:

Speaking in support of the proposal were Melissa Huggins, 202 South Park Street and Richard Slayton 821 W Lakeside Street, representing the applicant, Meriter Health Services. Also speaking in support was Ald. Zach Brandon, District 7.

Registered in support and available to answer questions, Ed Anderson, Marshall Erdman Associations, 6602 Greenbriar Road, Middleton; Fred McGee 202 S. Park Street; and Bill White, 2708 Lakeland Avenue, representing the applicant, Meriter Health Services.

Speaking in neither support nor opposition was Gary Werner, 2302 Lakeland Avenue.

11. [06575](#) Creating Section 28.06(2)(a)3274. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Amend GDP to Allow for Office Use; 3rd Aldermanic District: 5939 Sharpsburg Drive.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Cnare, seconded by Gruber, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.

12. [06870](#) Approving a Certified Survey Map of property owned by DJK Real Estate, LLC at 5939 Sharpsburg Drive. 3rd Ald. Dist.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Cnare, seconded by Gruber, 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 acclamation.

The following persons were registered on Items #11 and 12:

Registered in support and available to answer questions was Brian Munson, Vandewalle and Associates, 120 East Lakeside, representing the petitioner, Veridian Homes.

Registered in support was Greg Miller 6165 Vicksburg Road.

13. [06728](#)

Creating Section 28.06(2)(a)3275. of the Madison General Ordinances rezoning property from C2 General Commercial District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 1 Building & Build 4-Story Mixed-Use Building; 13th Aldermanic District: 1501 Monroe Street.

Referred 120 days to allow developer to further work with the neighborhood.

Michael A. Bashord requested the City attorney's opinion on when it is necessary for an alder to recuse themselves on projects in their own district.

A motion was made by Basford, seconded by Bowser, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by the following vote:

Excused: 3 - Fey, Ohm and Thompson-Frater

Recused: 1 - Kerr

Aye: 5 - Cnare, Davis, Bowser, Basford and Whitaker

No: 1 - Gruber

Non Voting: 1 - Boll

Speaking in support of the proposal were petitioner Bob Sieger, 1501 Monroe Street; Debra Sieger, 73 White Oaks Lane; Matt Weygandt, 1707 Madison Street; Mike Daniel, 154 Vine Street, representing the petitioner; Joe Malkowski, 2406 Columbus Lane #206, representing the petitioner; Jason Guart, 1405 Glacier Hill Drive; Bill Towell, 1225 Farwell Drive, representing the petitioner; Bill Kolar, 7815 Wildlife Trail, representing the petitioner; Tom Frost, 2701 Gregory Street; and Joel Webster, 205 Valorie Lane #6, Monona.

Registering in support of the project and not wishing to speak were Hank Reese, 607 Oakland Avenue and Tim Stapelton, 1501 Monroe Street.

Speaking in opposition were Michael Christopher, 2 East Mifflin Street, representing the Chinese Christian Church; Sally Orr, 1915 Regent Street; Rosemary Bodolay, representing the Vilas Neighborhood Association; Fraser Gurd, 1526 Jefferson Street; Lydia Hung, 1510 Madison Street, and David J. Schwartz, 2 East Mifflin Street, representing the Chinese Christian Church;

Registering in opposition and available to answer questions was Richard Scott, 1501 Monroe Street.

Registering in opposition and not wishing to speak were Geraldine Bodley, 809 Grant Street; Janet Thonguam, 1511 Monroe Street; Melissa Huggins 1101 Lincoln Street; Jianping Philip Wang, 2514 Farmington Way; Hans E. Burcherding, 1524 Jefferson Street; and Chuck Erickson, 1541 Jefferson Street.

Speaking in neither support or opposition of the proposal were Ald. Robbie Webber, 5th District and Ald. Julia Kerr, 13th District.

Registered in neither support or opposition and not wishing to speak was George Hall representing the Regent Street Neighborhood Association.

Subdivisions

14. [06729](#) Approving a Certified Survey Map of property owned by the Hilldale Building, LLC at 702 N. Midvale Boulevard. 11th Ald. Dist.
Referred at applicant's request.
- A motion was made by Cnare, seconded by Davis, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
15. [06730](#) Approving the preliminary/final plat of Hilldale, Phase 2 located at 702 N. Midvale Boulevard. 11th Ald. Dist.
Referred at applicant's request
- A motion was made by Cnare, seconded by Davis, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
16. [06867](#) Approving the preliminary plat of MMSD Sprecher School Estates located at 651 South Sprecher Road and 733 Dominion Drive. 3rd Ald. Dist.
Approval recommended subject to the comments and conditions contained in the Plan Commission materials.
- A motion was made by Basford, seconded by Cnare, 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 acclamation.**
- Registered in neither support or opposition and available to answer questions was Dave Sampson, Jenkins Survey and Design, 161 Horizon Drive, Verona, representing the applicant.*

Conditional Uses/ Demolition Permits

17. [06069](#) Consideration of a conditional use to allow construction of an 8-unit townhouse building at 602 Bear Claw Way. 9th 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 Cnare, to Approve. The motion passed by acclamation.**
- Registered in support and available to answer questions was David Hull, Christopher Homes, 7206 Blue Maple Trail.*
18. [06313](#) Consideration of a conditional use/demolition permit to demolish a house and build a new house on a lakeshore lot located at 5320 Lake Mendota Drive. 19th Ald. Dist.

A motion was made by Bowser, seconded by Whitaker, to Rerefer to the PLAN COMMISSION. The motion passed by the following vote:

Excused: 3 - Fey, Ohm and Thompson-Frater

Aye: 4 - Davis, Bowser, Basford and Whitaker

No: 3 - Gruber, Cnare and Kerr

Non Voting: 1 - Boll

Speaking in support were applicant, Heidi Baxter, 5320 Lake Mendota Drive; Peter Rott, 710 Eugenia Avenue, representing the applicant; and Michael J. Lawton, 740 Regent Street, representing the applicant.

Registered in support and not wishing to speak were Sandra Halbach, 5229 Harbor Court; Ted Halbach, 5229 Harbor Court; Leslie Dierauf, 5235 Harbor Court; and Jim Hurley, 5235 Harbor Court.

Speaking in opposition were Alice Erickson, 5109 Spring Court; Shary Bisgard, 1 Julia Circle; and Kim McBride, 5320 Lake Mendota Drive.

Registered in neither support or opposition was Ald. Mark Clear, 19th District.

19. [06724](#)

Consideration of a conditional use for an outdoor eating area for a restaurant/tavern located at 5404 Raywood Road. 14th 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 with the following additional conditions:

- That no outdoor amplified sound be permitted for the outdoor eating area.*
- That operation of the outdoor eating area cease at 10:00 P.M. seven days a week.*
- That occupancy of the outdoor eating area be limited to no more than 15 persons at any time.*
- That the north-facing side door to the establishment facing the neighborhood remains closed except for ingress and egress to the tavern from 5:00 P.M. until closing, seven days a week. The door may be opened for ventilation purposes prior to 5:00 P.M.*
- That the applicant monitor patron conduct in parking lot and on the patio.*

This motion was amended on a motion by Davis and seconded by Bowser to add conditions 1-3 from email submitted by Dan and Sue O'Connor. Motion passed with Commissioners Whitaker, Basford, and Gruber voting no.

A motion was made by Davis, seconded by Bowser, to Approve. The motion passed by acclamation.

Speaking in support of the project were applicant David Arms, 3138 Ashford Lane and Tim Ringgenberg, 5322 Raywood Road.

Registered in support and not wishing to speak was Les Cammer, 5412 Raywood Road.

Speaking in opposition were Dan and Sue O'Connor, 2610 Frazier Avenue.

20. [06868](#)

Consideration of a conditional use for a Planned Residential Development for a 30-unit condominium project located at 2425 Jeffy Trail. 1st 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 Basford, seconded by Whitaker, to Approve. The motion passed by acclamation.

Registered in support of the project and available to answer questions were J. Randy Bruce, 7601 University Avenue, representing applicant, Rick McKy.

21. [06869](#)

Consideration of a Demolition Permit to allow demolition five commercial buildings and construction of a mixed-use development located at 2501 West Beltline Highway (at Todd Drive). 14th 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 Kerr, seconded by Gruber, to Approve. The motion passed by acclamation.

Registered in support and available to answer questions were applicant Brad Hutter, Arbor Gate LLC, 4720 Signature, Middleton; Andrew Inman, Vierbicher Associates, Doug Hursh, Potter Lawson, 15 Ellis Potter Court; Michael Lawton, 740 Regent Street, and Jason Bollig, 1406 Emil Street, all representing the applicant.

Registering in support and not wishing to speak were Tim Ganser, 3001 West Beltline Highway and Dave Martin, 514 West Shore Drive.

Zoning Text Amendments

22. [06798](#)

Amending Section 28.07(7)(b) of the Madison General Ordinances to add certain radio and television towers as a permitted use in the Wetland District.

There were no registrants on this item.

This matter was RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed.

BUSINESS BY MEMBERS

COMMUNICATIONS

SECRETARY'S REPORT

Brad Murphy noted the upcoming matters for the Plan Commission.

Upcoming Matters - July 23, 2007

- 1507 Burningwood Way - PUD-SIP for three duplexes
- 4802 Sheboygan Avenue - Hill Farms redevelopment
- 403 West Lakeside Street - Residential use on first floor in C1 zoning
- 4109 Mandan Crescent - Garage in excess of 576 sq. ft in R2 zoning
- 603 State Street - Walk-up service window for restaurant
- 3802 Mineral Point Road - Conditional use for a radio tower
- 1110-12 East Gorham Street - Demolish/rebuild duplex
- 2110 North Sherman Avenue - Demolish restaurant to build office building

Upcoming Matters - August 6, 2007

- 702 North Midvale Boulevard - PUD-SIP to Amended PUD-SIP, 150-room hotel
- 821 S Gammon Road - Temp A to C1/Demo/Conditional use to build commercial building w/drive up
- Lots 1-5 Silicon Prairie Business Park - SM to RPSM for office development
- 109 Cottage Grove Road - Conditional use for outdoor eating area
- Red Granite Addition to Hawks Creek - Final plat of eight lots

ANNOUNCEMENTS**ADJOURNMENT**

A motion was made by Boll, seconded by Davis, to Adjourn at 10:46 pm. The motion passed.