



City of Madison

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

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Monday, December 14, 2009

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 9 -

Julia S. Kerr; Nan Fey; Eric W. Sundquist; Judy K. Olson; James C. Boll;
Michael A. Basford; Michael G. Heifetz; Tim Gruber and Douglas J.
Pearson

Excused: 3 -

Michael Schumacher; Lauren Cnare and Judy Bowser

Fey was chair for the meeting. Ms. Olson arrived after approval of the minutes. Ald. Cnare arrived during agenda item 2.

Staff Present: Brad Murphy, Kevin Firchow, and David Trowbridge, Planning Division; Mathew Tucker, Zoning Administrator; Mathew Mikolajewski, Office of Business Resources; and Mario Mendoza, Mayor's Office.

MINUTES OF THE November 16, 2009 MEETING

A motion was made by Basford, seconded by Boll, to Approve the Minutes. The motion passed by voice vote/other.

ROLL CALL

Present: 9 -

Julia S. Kerr; Nan Fey; Eric W. Sundquist; Judy K. Olson; James C. Boll;
Michael A. Basford; Michael G. Heifetz; Tim Gruber and Douglas J.
Pearson

Excused: 3 -

Michael Schumacher; Lauren Cnare and Judy Bowser

SCHEDULE OF MEETINGS

- Regular Meetings: January 11, 25 and February 8, 22, 2010
- Zoning Code Rewrite Working Session: December 15, 2009 (6:00 p.m., Room LL-110, Madison Municipal Building)

Brad Murphy provided a handout for Commission members to indicate their availability for upcoming Zoning Code Rewrite Working Sessions.

ROLL CALL

Present: 10 -

Lauren Cnare; Julia S. Kerr; Nan Fey; Eric W. Sundquist; Judy K. Olson;
James C. Boll; Michael A. Basford; Michael G. Heifetz; Tim Gruber and
Douglas J. Pearson

Excused: 2 -

Michael Schumacher and Judy Bowser

SPECIAL ITEM OF BUSINESS

- 1. [16565](#) Informational Presentation by the Wisconsin Department of Transportation Regarding the Verona Road Corridor Supplemental Draft Environmental Impact Statement
This was an informational presentation. No action was taken on this item.

ROUTINE BUSINESS

- 2. [16034](#) Accepting a Public Water Main Easement from Sherman Terrace Association, Inc., across property located at 1 Sherman Terrace.
The motion passed unanimously.
A motion was made by Cnare, seconded by Olson, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.
- 3. [16709](#) Authorizing a second amendment to the lease between the City of Madison and Madison-Kipp Corporation within the East Rail Transportation Corridor.
This item was referred to a future Plan Commission meeting because this item was not formally introduced by the Common Council, due to the cancellation of their December 8, 2009 meeting. The motion passed unanimously.
A motion was made by Olson, seconded by Basford, to Rerefer to the PLAN COMMISSION. The motion passed by voice vote/other.
- 4. [16733](#) Accepting a 15-foot wide Public Sanitary Sewer Easement from the Vedders-Shults Trust and the Twesme Trust across property located at 5108 Spring Court.
This item was referred to a future Plan Commission meeting because this item was not formally introduced by the Common Council, due to the cancellation of their December 8, 2009 meeting. The motion passed unanimously.
A motion was made by Olson, seconded by Basford, to Rerefer to the PLAN COMMISSION. The motion passed by voice vote/other.
- 5. [16775](#) Authorizing the execution of an Agreement for Installation, Operation, Maintenance and Repair of Photovoltaic Lighting System with Madison Gas and Electric Company for the installation of a demonstration photovoltaic lighting system in Thut Park, located at 2630 Nana Lane.
This item was referred to a future Plan Commission meeting because this item was not formally introduced by the Common Council, due to the cancellation of their December 8, 2009 meeting. The motion passed by the following vote 7:0: (AYE: Ald. Cnare, Ald. Kerr, Sundquist, Olson, Basford, Heifetz, and Gruber; RECUSED: Boll; NON-VOTING: Fey and Pearson.)
A motion was made by Olson, seconded by Basford, to Rerefer to the PLAN COMMISSION. The motion passed by voice vote/other.

Excused: 2 -
Judy Bowser and Michael Schumacher

Recused: 1 -
James C. Boll

Ayes: 7 -

Lauren Cnare; Julia S. Kerr; Eric W. Sundquist; Judy K. Olson; Michael A. Basford; Michael G. Heifetz and Tim Gruber

Non Voting: 2 -

Douglas J. Pearson and Nan Fey

6. [16765](#)

Adopting the final Legally Binding Agreement (LBA) to accommodate Goodwill Industries of South Central Wisconsin at 4829 Anniversary Lane, amending the City’s previously submitted Redevelopment Plan, Homeless Assistance Submission, and Public Comment documents regarding the Truman Olson United States Army Reserve Center (1402 S. Park Street) property accordingly, authorizing submission by the LRA of said revised documents to the Federal Government, and execution of the LBA by the Mayor and City Clerk upon acceptance by the United States Department of Housing and Urban Development.

This item was referred to a future Plan Commission meeting because this item was not formally introduced by the Common Council, due to the cancellation of their December 8, 2009 meeting. The motion passed unanimously.

A motion was made by Olson, seconded by Basford, to Rerefer to the PLAN COMMISSION. 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 Amendments

7. [15028](#)

Creating Section 28.06(2)(a)3439. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3440. 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: The construction of a new six-unit building and additions and renovations to an existing single-family residence and a three-unit residence creating 12 total dwelling units.; 4th Aldermanic District: 115 & 117 South Bassett Street.

Approval recommended subject to the comments and conditions contained within the Plan Commission materials, with the following modifications:

- That the proposed six-unit apartment building at the rear of 115 and 117 South Bassett Street be removed from the plans.
- That recommended condition 4 in the December 14, 2009 Report to the Plan Commission regarding proof-of-financing be deleted.
- That recommended condition 6 in the December 14, 2009 Report to the Plan Commission regarding roof-top details of the new building be deleted.
- That recommended condition 27 in the December 14, 2009 Report to the Plan Commission regarding residential parking permits be deleted.
- That the zoning text be modified to reflect removal of the six-unit apartment building.

- That a revised lanscape plan be submitted for Planning Division staff approval.

The motion passed unanimously.

A motion was made by Kerr, seconded by Olson, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.

Speaking in support of this item was Ald. Mike Verveer; 614 West Doty Street, #407, representing District 4.

Speaking in opposition to this item was Peter Ostlind, 533 West Main Street #302, representing the Bassett Neighborhood.

Registered in support and available to answer questions was the applicant Brandon Cook, 117 South Bassett Street and Matthew Aro, Aro Eberle Architects, 116 King Street, representing the applicant.

8. [15955](#)

Creating Section 28.06(2)(a)3453. of the Madison General Ordinances rezoning property from HIST-MH Mansion Hill Historic District, OR Office Residence District, and R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3454. 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: Redevelop and Expand Existing Edgewater Hotel to a 228-Room Hotel; 666 Wisconsin Avenue: 2nd Aldermanic District.

Referred to the Plan Commission meeting of January 11, 2010 pending a recommendation from the Urban Design Commission.

A motion was made by Boll, seconded by Cnare, to Rerefer to the PLAN COMMISSION, due back on 1/11/2010. The motion passed by voice vote/other.

There were no registrations on this item.

9. [16542](#)

SUBSTITUTE Creating Section 28.06(2)(a)3460. of the Madison General Ordinances rezoning property from R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3462. 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 46-Unit Apartment Building in Place of Surface Parking. 4th Aldermanic District: 129 West Gorham Street.

Referred to the Plan Commission meeting of January 25, 2010, pending a revised recommendation from the Landmarks Commission and a recommendation from the Urban Design Commission. This motion passed unanimously.

A motion was made by Olson, seconded by Sundquist, to Rerefer to the PLAN COMMISSION and should be returned by 1/25/2010. The motion passed by voice vote/other.

There were no registrations on this item.

10. [16543](#) Creating Section 28.06(2)(a)3461. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: General Development Plan for Future Construction of a 62-Unit Apartment Building; 13th Aldermanic District: 1012 Fish Hatchery Road.

Approval recommended subject to the comments and conditions contained within the Plan Commission materials, with the following modifications:

-That the conditions related to bicycle parking (Conditions 31 and 32 in the December 14, 2009 Report to the Plan Commission) be revised to remove the specific requirement for 62 bicycle parking stalls. The applicant is not required to provide 62 bicycle parking stalls and shall work with staff to revise the amount of bicycle and scooter parking.

-That for the purposes of evaluating this proposal for consistency with adopted plans, this site shall be considered part of the Bancroft Dairy Site (property between Park Street and Fish Hatchery Road) and is not part of the adjoining residential neighborhood. Approval of this building does not establish a precedent allowing the encroachment of larger buildings into the adjacent residential neighborhood.

The main motion passed unanimously. The amended condition regarding bicycle parking was moved by Ald. Kerr, seconded by Heifetz, and approved on the following 4:3 Vote: (AYE: Ald. Kerr, Olson, Boll, and Heifetz; NO: Sundquist, Basford, and Gruber; NON-VOTING: Fey and Pearson)

The main motion passed unanimously.

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

Speaking in support of this item was the applicant Tom Sather, Silverstone Partners, Inc, 7447 University Avenue #210, Middleton. Speaking in support of this item and representing the applicant were Randy Bruce, Knothe Bruce Architects LLC, 7601 University Avenue, and Henry A Gempeler, Foley Lardner LLP. Also speaking in support of this item was Tim Sweeney, 1009 South Brooks Street.

Conditional Use/ Demolition Permits

11. [16562](#) Consideration of a conditional use and a demolition permit to allow a single-family residence to be razed and a new residence to be constructed on a lakefront lot at 2708 Waunona Way. 14th Ald. Dist.

The motion passed unanimously.

A motion was made by Olson, seconded by Gruber, to Rerefer to the PLAN COMMISSION and should be returned by 1/11/2010. The motion passed by voice vote/other.

There were no registrations on this item.

12. [16827](#) Consideration of a demolition permit to allow a single-family residence at 5722 Lake Mendota Drive to be razed to create open space for an adjacent residence under the same ownership. 19th 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. This motion passed unanimously. Prior to taking action on this item, Mr. Heifetz clarified that Heifetz Ben Scrap Metal, referenced in the applicant's letter of intent is no longer a family business and he has no conflict of interest regarding the review of this proposal.

A motion was made by Cnare, seconded by Gruber, to Approve. The motion passed by voice vote/other.

There were no registrations on this item.

13. [16828](#)

Consideration of a conditional use to allow construction of an 8-unit apartment building at 4829 Anniversary Lane. 17th 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. This motion passed unanimously.

A motion was made by Basford, seconded by Gruber, to Approve. The motion passed by voice vote/other.

Registered in support and available to answer questions were the applicant Elena Golden, Goodwill Industries, 1302 Mendota St. and Randy Bruce, Knothe and Bruce, 7601 University Ave, Middleton.

Zoning Text Amendment

14. [16570](#)

Amending Sections 9.52, 28.08(2)(b)8.j., 28.08(9)(b)7.c., 28.08(11)(b)7.c., and 28.08(12)(b)2. of the Madison General Ordinances to change the notification requirements for keeping chickens and provide for revocation of a license.

Approval recommended on a 7:1 vote. (AYE: Ald. Cnare, Ald. Kerr, Sundquist, Olson, Boll, Basford, and Gruber; NO: Heifetz; NON-VOTING Fey and Pearson.)

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

Excused: 2 -

Michael Schumacher and Judy Bowser

Ayes: 7 -

Lauren Cnare; Julia S. Kerr; Eric W. Sundquist; Judy K. Olson; James C. Boll; Michael A. Basford and Tim Gruber

Noes: 1 -

Michael G. Heifetz

Non Voting: 2 -

Douglas J. Pearson and Nan Fey

There were no registrations on this item.

BUSINESS BY MEMBERS

None.

COMMUNICATIONS

Nan Fey noted the correspondence regarding community gardens included in the Plan Commission packets.

SECRETARY'S REPORT

Brad Murphy summarized the upcoming matters:

Upcoming Matters - January 11, 2010

- 129 West Gorham Street - R6H to PUD-GDP-SIP to construct 46-unit apartment building in place of surface parking
- 666 Wisconsin Avenue - HIST-MH OR/R6H to PUD-GDP-SIP & conditional use to allow the

redevelopment and expansion of the existing Edgewater Hotel to a 190-room hotel
- 6701-6921 McKee Road/ 3210 Maple Grove Drive - Temp A, R1, PUD-GDP to PUD-GDP, for future construction of 190 apartments in 5 residential buildings and 33,000 sq ft of retail in 5 commercial buildings
- 801 South Park Street - Demolition Permit & C2 to PUD-GDP-SIP to allow demolition of a retail building and construction of a mixed-use building with 9870 square feet of commercial and 12 apartment units
- 5801 Gemini Drive/ 825 Jupiter Drive - Amended PUD-SIP to revise densities of 2 apartment buildings from 33 and 36 units to 40 and 29 units, respectively
- 6402 Millpond Road - Conditional use for outdoor eating and recreation area for a tavern
- 3201 Anderson Street - Conditional use to construct 313-stall surface parking lot to serve Madison (Area Technical) College
- 979 Jonathon Drive - Conditional use to construct a wireless telecommunications tower
- 545 Zor Shrine Place - Conditional use to construct a wireless telecommunications tower
- 1234 Sherman Avenue - Conditional use for an addition to a single-family residence on a lakefront lot

Upcoming Matters - January 25, 2010

- 617-619 Mendota Court - Demolition Permit and R6 to PUD-GDP-SIP to allow demolition of two apartment buildings and construction of a 28-unit apartment building

ANNOUNCEMENTS

Ald. Kerr congratulated Nan Fey on being selected as the recipient of the 2009 Jeffrey Clay Erlanger Civility in Public Discourse Award. Ms. Olson inquired on the status of the Shady Wood Neighborhood Development Plan and questioned when this would return to the Commission. She encouraged this item be scheduled for an upcoming meeting, noting that the previous referral was not intended to be for an indefinite amount of time. A specific date was not requested. Mr. Basford announced that due to scheduling conflicts with the Zoning Board of Appeals, he would not be able to attend several scheduled meetings of the Long Range Transportation Planning Committee (LRTPC) in 2010. He would be willing to step down from that appointment should a replacement be found. Finally, Ms. Fey noted that "Statement of Interest Forms" are due on January 5, 2010.

ADJOURNMENT

A motion was made by Boll, seconded by Gruber, to Adjourn at 7:40 pm. The motion passed by voice vote/other.