



City of Madison

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

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Monday, March 4, 2013

5:30 PM

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

CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:35 p.m.

Present: 11 -

Steve King; Marsha A. Rummel; Chris Schmidt; Nan Fey; Eric W. Sundquist; Anna Andrzejewski; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell; Melissa M. Berger and Tonya L. Hamilton-Nisbet

Excused: 1 -

John L. Finnemore

Fey was chair for this meeting. Heifetz arrived at 6:00 p.m. at the beginning of the public hearing.

Staff present: Steve Cover, Secretary; Bill Fruhling, Kevin Firchow and Tim Parks, Planning Division, and; Tom Woznick, Traffic Engineering Division/ Parking Utility.

PUBLIC COMMENT

There were no registrations for public comment.

DISCLOSURES AND RECUSALS

Fey disclosed that she lived in a building managed by ULI, who was the applicant on Item 11, but that it would not impact her consideration of that item.

Berger disclosed that she had a discussion with Pete Ostlind during which Items 6 and 7 were discussed. She indicated that it would not impact her consideration of that project.

MINUTES OF THE FEBRUARY 18, 2013 MEETING

A motion was made by Cantrell, seconded by Andrzejewski, to Approve the Minutes. The motion passed by the following vote:

Ayes: 7 -

Steve King; Marsha A. Rummel; Chris Schmidt; Eric W. Sundquist; Anna Andrzejewski; Michael G. Heifetz and Bradley A. Cantrell

Abstentions: 2 -

Michael W. Rewey and Tonya L. Hamilton-Nisbet

Non Voting: 2 -

Melissa M. Berger and Nan Fey

SCHEDULE OF MEETINGS

March 18 and April 8, 22, 2013

ROUTINE BUSINESS

1. [28968](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of the Irwin A. and Robert D. Goodman Path, a new multi-purpose (bicycle and pedestrian) path and on-street bike route from the Capital City path at Marquette Street to the Marsh View path at Highway 30. (6th and 15th AD)

A motion was made by Rummel, 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. [29173](#) Creating Section 20.08(11) of the Madison General Ordinances to establish the Jeffy Trail Sanitary Sewer Improvement Impact Fee and District, amending Section 4.081(2)(f) and 4.081(4)(b)4. to allow for deferred assessments for specified criteria, and amending Subsections 20.04(12) and 20.09(1) to bring the impact fee ordinance in line with State law.

The Plan Commission recommended approval of this ordinance noting the minor revision of the spelling of "Jeffy" in the title.

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

3. [29183](#) Authorizing the execution of farm leases on lands dedicated to the City of Madison located in undeveloped plats.

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

4. [29192](#) Vacation/Discontinuance of two portions of Kilpatrick Lane as platted by Grandview Commons, being located in part of the Southeast one-quarter (1/4), of the Northwest one-quarter (1/4) and the Southwest one-quarter (1/4), of the Northeast one-quarter (1/4) of Section 11, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin. (3rd AD)

A motion was made by Cantrell, seconded by Andrzejewski, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. 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.

Annexation

- 5. [29175](#) Creating Section 15.01(587) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing City-owned land located at 7960 Raymond Road to the 1st Aldermanic District and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(121) of the Madison General Ordinances to assign the attached property to Ward 121, and amending Section 15.03(1) of the Madison General Ordinances to add Ward 121 to Aldermanic District 1.

On a motion by Rewey, seconded by Cantrell, the Plan Commission recommended approval of this annexation by voice vote/ other.

[A two-thirds vote of the Common Council is required in order for this annexation to be adopted.]

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

There were no registrants on this matter.

Zoning Map Amendments & Related Requests

- 6. [28940](#) Creating Section 28.022 -- 00029. of the Madison General Ordinances rezoning property from DR-2 (Downtown Residential 2) and UMX (Urban Mixed Use) District to UMX (Urban Mixed Use) District. Proposed Use: Demolish 3 apartment buildings to allow construction of 319-unit apartment building; 4th Aldermanic District; 415 W. Johnson Street; 226 N. Broom Street, and 424 W. Dayton Street.

The Plan Commission found the standards and criteria met and recommended approval of the proposed zoning map amendment subject to the comments and conditions in the Plan Commission materials and the following conditions:

- That the applicant place the overhead utilities adjacent to the site underground and install "Bassett District" pedestrian lights adjacent to the development;
- That the applicant dedicate a 3-foot wide Permanent Limited Easement for sidewalk to the City along the W. Johnson Street frontage of the site;
- That the applicant work with the tenants of the existing buildings on relocation prior to receiving demolition permits for the new project;
- That the applicant work with the City Forester to preserve as many street/ terrace trees as possible.

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

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

- 7. [29092](#) Consideration of a demolition permit to allow 3 existing apartment buildings to be demolished and consideration of a conditional use for a multi-family building complex to allow construction of a 319-unit apartment building at 415 W. Johnson Street, 226 N. Broom Street and 424 W. Dayton Street; 4th Ald. Dist.

The Plan Commission found the standards and criteria met and granted approval of the demolition permit and conditional use subject to approval of the related zoning map amendment (ID 28940), the comments and conditions in the Plan Commission materials, and the following conditions:

- That the applicant place the overhead utilities adjacent to the site underground and install "Bassett District" pedestrian lights adjacent to the development;
- That the applicant dedicate a 3-foot wide Permanent Limited Easement for sidewalk to the City along the W. Johnson Street frontage of the site;
- That the applicant work with the tenants of the existing buildings on relocation prior to receiving demolition permits for the new project;
- That the applicant work with the City Forester to preserve as many street/ terrace trees as possible.

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

The following were registered on Items 6 and 7, which were considered together:

Speaking in support of the proposed development were: Eric Lawson, Potter Lawson, Inc., 15 Ellis Potter Court, representing the developer, Dayton Square; Rosemary Lee, 111 W. Wilson Street #108, and; Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Speaking in opposition to the proposed development was Jeff Ripp, 312 N. Bassett Street.

Speaking neither in support nor opposition to the proposed development were Damon Terrell, 630 W. Olin Avenue, and C.J. Terrell, 150 S. Hancock Street.

Registered in support and available to answer questions were Brett Miller, Fiduciary Real Estate Development, Inc., 789 N. Water Street #200, Milwaukee, and Ron Locast, Potter Lawson, Inc., 15 Ellis Potter Court.

Registered in opposition but not wishing to speak was Lee Hautz, 418 W. Johnson Street.

8. [28943](#)

Creating Section Section 28.022-00026 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 apartment complex with 61 units; 3rd Aldermanic District; 6801 Littlemore Drive.

The Plan Commission found the standards and criteria met and recommended approval of the proposed zoning map amendment subject to the comments and conditions in the Plan Commission materials and the following conditions:

- That the applicant work with staff from the Traffic Engineering Division, Fire Department and Planning Division on the design of the northerly fire access prior to final approval of the project and issuance of building permits;
- That the project receive final approval from the Urban Design Commission prior to final approval of the project and issuance of building permits.

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

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

Speaking in support of the proposed development were J. Randy Bruce, Knothe & Bruce Architects, LLC, 7601 University Avenue, Middleton, representing the applicant, Dan Schmidt/ EMI Development, and Ald. Lauren Cnare, 5218 Kevins Way, representing the 3rd District.

Subdivisions

9. [28790](#)

Approving the preliminary plat and final plat of Hawks Woods Estates located at 2033-2055 Woods Road; 1st Ald. Dist.

The Plan Commission recommended approval of the preliminary and final plats subject to the comments and conditions contained within the Plan Commission materials. The motion passed by voice vote/ other.

A motion was made to RECOMMEND TO COUNCIL TO ADOPT WITH

**CONDITIONS UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 -
REPORT OF OFFICER. The motion passed by voice vote/other.**

Registered in support of the proposed subdivision and available to answer questions were Dave Glusick, Vierbicher, 999 Fourier Drive, and Ron Trachtenberg, Murphy Desmond, SC, 33 E. Main Street #500, both representing the applicant, Patrick Sweet.

Conditional Use/ Demolition Permits

10. [29093](#) Consideration of a demolition permit to allow an existing single-family residence to be demolished and a new residence to be constructed at 3934 Manitou Way; 10th Ald. Dist.
- The Plan Commission found the standards for demolition permits met and granted approval subject to the comments and conditions contained in the Plan Commission materials and the following condition:
- That the applicant protect the stone neighborhood identification feature and repair it if it is damaged during demolition and construction.
- A motion was made by Helfetz, seconded by Sundquist, to Approve. The motion passed by voice vote/other.**
- Speaking in support of the project was the applicant, Kevin Carey, 3934 Manitou Way.
- Registered in support of the project and available to answer questions was Melissa Destree, Destree Design Architects, 222 W. Washington Avenue #310, representing Mr. Carey.
11. [29108](#) Reconsideration of a conditional use (ID 28791) to allow construction of an addition and major exterior alterations to an existing office building with an outdoor eating area for future restaurant tenant at 25 W. Main Street; 4th Ald. Dist.
- The Plan Commission found the standards for conditional uses met and granted approval subject to the comments and conditions contained in the Plan Commission materials and the following conditions:
- That the applicant explore the addition of public art or wall display cases to the W. Doty Street wall of the parking structure to enliven and add visual interest to that facade;
 - That condition #45 of the staff report be revised to now read: "The Applicant shall reimburse the City of Madison Parking Utility \$39,550 for one metered on-street parking space lost due to the proposed development. This is to compensate the Parking Utility for the lost revenue stream of the parking space. Please contact Thomas Woznick at 266-4761 if you have any questions."
- A motion was made by Schmidt, seconded by King, to Approve. The motion passed by voice vote/other.**
- Registered in support of the project and available to answer questions was the applicant, Brad Binkowski, Urban Land Interests, 10 E. Doty Street.

BUSINESS BY MEMBERS

The following matters were raised by members:

- Ald. King: Report back on any action taken concerning the trees cut down without permission by the archdiocese on the St. Raphael's Cathedral block;
- Fey: Ask Housing Committee to address concerns about the loss of affordable housing in the downtown area;
- Cantrell: Provide estimate of how many new housing units have been added in the downtown area since January 2010;
- Ald. Rummel: Ask the Office of Real Estate Services to explain which herbicides and/or pesticides are prohibited on lands leased by the City for farming;
- Ald. Rummel: Ask the City Forester and the Fire Department to respond to concerns about the loss of terrace trees due to new development, especially downtown;

- Rewey: Make it a priority to develop a "sidewalk policy" as suggested in the Downtown Plan;
- Fey: Discussion with Steve Cover about the role of neighborhood and special area plans in the development review process and the Plan Commission's standards will be on the March 18th meeting agenda.

COMMUNICATIONS

The Plan Commission noted receiving comments from Jamie Markle and Sup. Heidi Wegleitner regrading Items 6 and 7.

SECRETARY'S REPORT

Tim Parks requested sponsorship from the alders on the Plan Commission of approximately 12 Zoning Map correction ordinances that staff was preparing to address various mapping errors that had come to light since the new Zoning Map took effect on January 2, 2013. Alds. Rummel, King and Schmidt indicated that they would be willing to sponsor introduction of these ordinances.

A brief summary of upcoming matters was also provided by Mr. Parks.

- Upcoming Matters - March 18, 2013

- 2704 Waunona Way - Demolition Permit and Conditional Use - Demolish single-family residence to allow construction of new residence on lakefront property
- 233 Langdon Street - Conditional Use - Convert fraternity house into 12 apartments with religious society offices
- 1417 Morrison Street - Conditional Use - Construct an addition over 500 square feet to an existing single-family residence and construct a new accessory building on a lakefront property
- 6717-6733 Fairhaven Road - PUD-SIP to Amended PUD-GDP-SIP - Construct 51-unit apartment building
- Zoning text amendment to amend the use table in the SEC-Suburban Employment Center District to make health clinics and therapy facilities permitted uses instead of conditional uses (ID 29180)

- Upcoming Matters - April 8, 2013

- 1419 Monroe Street - Demolition Permit, CC-T to TSS, and Conditional Use - Demolish a restaurant/tavern to allow construction of a mixed-use building with approximately 7,900 square feet of retail space and 72 apartments
- 203 Bear Claw Way, 9403 Cobalt Street et al - PD-GDP to TR-C3 and Preliminary Plat and Final Plat - Rezone 8 PD-zoned lots to single-family zoning and Woodstone Replat No. 3, replatting 6 two-family and multi-family lots into 36 single-family lots
- 7960 Raymond Road - Temp. A & SR-C1 and Preliminary Plat and Final Plat - Wolfe Addition to Hawks Creek, creating 16 single-family lots and 2 outlots for public open space
- 304 W. Washington Avenue & 10-12 N. Henry Street - Demolition Permit and Conditional Use - Demolish an apartment building to allow construction of additions to an office building
- (Tentative) 1902 Tennyson Lane & 3802 Packers Avenue - Demolition Permit and Certified Survey Map - Demolish former industrial buildings to allow three-lot land division for future development
- 802 S. Baldwin Street - Conditional Use - Construct addition over 500 square feet to single-family residence on lakefront lot
- 1418 S. Park Street - Conditional Use - Establish food processing facility in an existing building
- 151 Proudfit Street - Demolition Permit - Demolish single-family residence with no proposed alternative use

ANNOUNCEMENTS

Steve Cover invited the Plan Commission to attend the City Employee Talent Show on March 7 at Monona Terrace.

ADJOURNMENT

**A motion was made by Schmidt, seconded by Rewey, to Adjourn at 7:45 p.m.
The motion passed by voice vote/other.**