



City of Madison

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

Meeting Minutes - Approved PLAN COMMISSION

This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at www.madisoncitychannel.tv.

Monday, February 8, 2010

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 11 -

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

Excused: 1 -

Douglas J. Pearson

Fey was chair for the meeting until 10:45 p.m., when she left during consideration of Items 10-12. Boll was chair for the remainder of the meeting.

Staff present: Mark A. Olinger, Secretary; Brad Murphy & Tim Parks, Planning Division; Matt Tucker, Zoning Administrator; Anne Zellhoefer & Kitty Noonan, City Attorney's Office; Greg Fries, City Engineering Division; David Dryer, Dan McCormick & John Leach, Traffic Engineering Division, and; Larry Studesville, Mayor's Office.

MINUTES OF THE January 25, 2010 MEETING

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

SCHEDULE OF MEETINGS

- Regular Meetings: February 22 and March 8, 22, 2010
- Zoning Code Rewrite Working Session: February 15, 2010 (Room LL-110, Madison Municipal Building)
- Downtown Plan Working Session: February 17, 2010 (Room LL-110, Madison Municipal Building)

ROUTINE BUSINESS

1. [17085](#) Authorizing the Mayor and City Clerk to execute a lease with Community Action Coalition of South Central Wisconsin, Inc. for a portion of the public greenway located at 702 McCormick Avenue for use as community gardens.

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

2. [17221](#) Authorizing the Common Council to accept ownership from Spring Harbor Neighborhood Association of rain garden and turtle-shaped garden plantings, bench and commemorative plaque to be located in the intersection of Spring Court and Lake Mendota Drive.

A motion was made by Boll, seconded by Kerr, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.

3. [17223](#) Authorizing the Mayor and the City Clerk to execute a release of a 60-foot wide right-of-way reservation acquired by dedication in Certified Survey Map No. 6123, Albrecht Industrial Park.

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

4. [17250](#) A resolution authorizing the City Attorney to petition Dane County Circuit Court to vacate/discontinue a portion of the lands dedicated to the public within the plat of 1st Addition to Allied Terrace to allow recording of the Allied Drive Phase II plat.

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

5. [17269](#) Authorizing an Offer to Purchase to Wildcat Investment Partnership to acquire the land and building located at 5702 Femrite Drive for the establishment of a Madison Police Department training facility.

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

6. [17139](#) Creating Sec. 28.06(2)(a)3475. of the Madison General Ordinances rezoning property from Temp A Agriculture District & R1 Single Family Residence District & PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(GDP) Planned Unit Development (General

Development Plan) District. Proposed Use: General Development Plan for the Future Construction of 39,000 Square Feet of Commercial in Six Buildings and 110 Apartments in Four Residential Buildings; 7th Aldermanic District: 6701-6801 McKee Road & 3210 Maple Grove Drive.

The Plan Commission recommended referral to February 22, 2010 at the request of the applicant. The motion passed by voice vote/ other. To be referred to March 2, 2010 pending a recommendation from the Plan Commission and in accordance with the public hearing notice for this rezoning.

A motion was made by Boll, seconded by Kerr, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on 2/22/2010. The motion passed by voice vote/other.

There were no registrants on this item.

Conditional Use/Demolition Permits

- 7. [17309](#) Consideration of a demolition permit to allow a single-family residence to be razed and a new residence to be constructed at 5517 Lake Mendota Drive. 19th Ald. Dist.

The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials. The motion passed by voice vote/ other.

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

Registered in support and available to answer questions were the applicants, Kim Vergeront & Andy Cohn, 3210 Lake Mendota Drive and Ald. Mark Clear, 110 Shiloh Drive, representing the 19th District.

Planned Unit Development Alteration

- 8. [17310](#) Consideration of an alteration to an approved Planned Unit Development - Specific Implementation Plan to allow construction of a new waste transfer facility at Rodefild Landfill, 7102 US Highway 12 & 18. 16th Ald. Dist.

The Plan Commission approved this alteration subject to the comments and conditions contained within the Plan Commission materials. The motion passed by voice vote/ other.

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

Registered in support and available to answer questions was the applicant, John Welch, Dane County Dept. of Public Works, 1919 Alliant Energy Center Way.

Zoning Text Amendment

- 9. [17096](#) Amending Sec. 28.04(19)(b)1. and 28.04(19)(c) of the Madison General Ordinances to limit the application of the existing development pattern setback calculation to property whose principal use is residential.

On a motion by Ald. Cnare, seconded by Ald. Kerr, the Plan Commission recommended approval of an alternate ordinance to the Common Council with the following language:

- Replacing the underlined text in the Second Substitute proposed by Ald. Clear with: "For development lots where the principal use is non-residential and a building exists, any addition, alteration or expansion of the building may not be sited less than the waterfront setback of the existing principal building. New buildings with non-residential principal uses on non-residentially zoned lots shall conform to the waterfront development setback provisions in Section 28.04 (19) of the Zoning Ordinance. This provision shall not apply to undeveloped non-residential development

lots."

The above motion replaced an earlier motion by Boll, seconded by Ald. Schumacher, to recommend that the Common Council review the waterfront development standards as elected officials without a recommendation from the Plan Commission, citing that there were no standards for the Plan Commission to review the text amendment against.

The Plan Commission made the Ald. Cnare/ Ald. Kerr substitute motion the main motion on a 5-3 vote by the following vote: AYE: Ald. Cnare, Ald. Kerr, Ald. Schumacher, Sundquist, Boll; NAY: Bowser, Olson, Basford; NON-VOTING: Fey, Heifetz, Gruber.

The main motion to recommend approval of the alternate language to the Common Council passed 5-4 on the following vote: AYE: Ald. Cnare, Ald. Schumacher, Fey, Boll, Sundquist; NAY: Ald. Kerr, Basford, Bowser, Olson; NON-VOTING: Heifetz, Gruber.

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

Excused: 1 -

Douglas J. Pearson

Ayes: 5 -

Michael Schumacher; Lauren Cnare; Eric W. Sundquist; James C. Boll and Nan Fey

Noes: 4 -

Julia S. Kerr; Judy K. Olson; Judy Bowser and Michael A. Basford

Non Voting: 2 -

Michael G. Heifetz and Tim Gruber

Speaking in support of the proposed zoning text amendment were: Susan Schmitz, Downtown Madison, Inc., 615 E. Washington Avenue; Bob Dunn, Hammes Company, 22 E. Mifflin Street, Suite 800; Allen Arntsen, 2817 Milwaukee Street, representing the Hammes Company, and; Ald. Mark Clear, 110 Shiloh Drive, representing the 19th District.

Speaking in opposition to the proposed zoning text amendment were: Fae Dremock, 1211 Rutledge Street; David Waugh, 1213 E. Mifflin Street; Paul Schoeneman, 1108 E. Gorham Street #3; Bob Klebba, 1213 E. Mifflin Street; Jonathon Cooper, 208 S. Henry Street; Gene Devitt, 28 E. Gilman Street; James Roper, 746 E. Gorham Street; Jim Skretney, 511 E. Main Street; Peter Ostlind, 533 W. Main Street; Don Sanford, 1211 Garfield Street; John Sheean, 25 Langdon Street; John Martens, 4118 Hegg Avenue; Fred Mohs, 512 Wisconsin Avenue; Adam Plotkin, 304 N. Pinckney Street, representing Capitol Neighborhoods, Inc.; Ledell Zellers, 510 N. Carroll Street, and; Charles Dykman, 4611 Tonyawatha Trail.

Speaking neither in support nor opposition to the proposed zoning text amendment was Scott B. Thornton, 1104 Jenifer Street, representing the Marquette Neighborhood Association.

Registered in support but not wishing to speak were: Terri Whalen, 4601 Tonyawatha Trail; Gary Stebnitz, 915 Waban Hill; Rebecca deBoer, Ken Saiki Design, 303 S. Paterson Street, representing the Hammes Company; Tom Bergamini, 402 N. Baldwin Street; Amy Supple, Sarah Carpenter & Eric DeWald, Hammes Company, 22 E. Mifflin Street, Suite 800; Phil Santebin, 6516 Harvest Moon Court, Waunakee; Dave Breck-Engel, 921 Burning Wood Way; Luke Porath, 739 E. Gorham Street, representing the Hammes Company; Rosemary Lee, 111 W. Wilson Street; Harold Stafford, 8206 Starr Grass Drive #401; Steve Turnbush, 3534 Timber Lane, McFarland; Beth Donley, 9201 Bear Claw Way; Steve Brietlow, 1602 S. Park Street; Paul Cuta, Engberg Anderson Architects, 1 N. Pinckney Street; Stuart Zadra, 5312 Lighthouse Bay Drive, representing the Hammes Company, and; Tom Benish, 5202 Monument Lane.

Registered in opposition but not wishing to speak were: Patrick McDonnell, 441 N. Paterson Street; Gene R. & Kitty Rankin, 2818 Ridge Road; Pat Sheldon, 504 Wisconsin Avenue, and; Michelle Martin, 2217 Superior Street.

Edgewater Hotel - Related Items

Items 10-12 were considered together.

10. [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.
- On a motion by Ald. Kerr, seconded by Basford, the Plan Commission recessed the public hearing and recommended referral of this zoning map amendment to February 22, 2010 pending a recommendation from the Urban Design Commission regarding the Edgewater Hotel redevelopment project. The motion passed by voice vote/ other.
- This motion replaced an earlier motion by Olson, seconded by Heifetz to recess the public hearing and recommended referral of this zoning map amendment to February 22, 2010, which was withdrawn by Olson for the purposes of allowing the Commission to request additional materials from the applicant in advance of the next hearing.
- Members of the Plan Commission requested that the applicant provide information regarding tree cutting; a Transportation Demand Management Plan; a shadow study showing the shade conditions created by the proposed development at 5:00 p.m. in the spring and fall and 7:00 p.m. in the summer; details on truck maneuvering; a draft management agreement for the plaza and lake access; additional information from the Wisconsin Dept. of Natural Resources regarding approval of the proposed pier modifications, and; revised materials (prepared by the applicant) clarifying the waterfront development setback.
- A motion was made by Kerr, seconded by Basford, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.**
11. [17311](#) Consideration of a conditional use for waterfront development to allow redevelopment and expansion of the Edgewater Hotel at 666 Wisconsin Avenue. 2nd Ald. Dist.
- On a motion by Ald. Kerr, seconded by Basford, the Plan Commission recessed the public hearing and referred the subject conditional use to February 22, 2010 pending a recommendation from the Urban Design Commission regarding the Edgewater Hotel redevelopment project. The motion passed by voice vote/ other.
- This motion replaced an earlier motion by Olson, seconded by Heifetz to recess the public hearing and refer the conditional use to February 22, 2010, which was withdrawn by Olson for the purposes of allowing the Commission to request additional materials from the applicant in advance of the next hearing.
- Members of the Plan Commission requested that the applicant provide information regarding tree cutting; a Transportation Demand Management Plan; a shadow study showing the shade conditions created by the proposed development at 5:00 p.m. in the spring and fall and 7:00 p.m. in the summer; details on truck maneuvering; a draft management agreement for the plaza and lake access; additional information from the Wisconsin Dept. of Natural Resources regarding approval of the proposed pier modifications, and; revised materials (prepared by the applicant) clarifying the waterfront development setback.
- A motion was made by Kerr, seconded by Basford, to Rerefer to the PLAN COMMISSION, due back on 2/22/2010. The motion passed by voice vote/other.**

12. [17101](#)

Amending Ordinance Number 1761, File Number 4600-41 adopted on January 28, 1965 which provided for the vacation of a portion of Wisconsin Avenue.

The Plan Commission referred this ordinance to February 22, 2010 pending a recommendation from the Board of Estimates.

A motion was made by Kerr, seconded by Basford, to Rerefer to the PLAN COMMISSION, due back on 2/22/2010. The motion passed by voice vote/other.

The following were registered on Items 10-12:

Speaking in support of the proposed development were: Amy Supple & Bob Dunn, Hammes Company, 22 E. Mifflin Street, Suite 800; Allen Arntsen, 2817 Milwaukee Street, representing the Hammes Company; Rebecca deBoer, Ken Saiki Design, 303 S. Paterson Street, representing the Hammes Company; Stuart Zadra, 5312 Lighthouse Bay Drive, representing the Hammes Company; Delora Newton, 615 E. Washington Avenue, representing the Greater Madison Chamber of Commerce; Susan Schmitz, Downtown Madison, Inc., 615 E. Washington Avenue; George Austin, 2316 Chamberlain Avenue; Gary Stebnitz, 915 Waban Hill; Rosemary Lee, 111 W. Wilson Street; Marshall Smith, 1514 Langley Lane; Richard Baker, 1 Langdon Street #510; Harvey Wendel, 531 N. Pinckney Street, representing the Pinckney Place Condominium Association; James Tye, 410 N. Baldwin Street; Michael Christopher, Dewitt Ross & Stevens, SC, 2 E. Mifflin Street, representing the Hammes Company; Mark Huber, 6482 Rumford Road; Karl Lueschow [no street address], New Glarus; Laura M. Langer, 5652 Nutone Street, Fitchburg, and; Ald. Bridget Maniaci, representing the 2nd District.

Eric Minton, 21 N. Butler Street, was registered in support and wishing to speak but was not present when called.

Speaking in opposition to the proposed development were: Fae Dremock, 1211 Rutledge Street; David Waugh, 1213 E. Mifflin Street; Paul Schoeneman, 1108 E. Gorham Street #3; Bob Klebba, 1213 E. Mifflin Street; Gene Devitt, 28 E. Gilman Street; Erica Fox Gehrig, 1811 Vilas Avenue; Peter Ostlind, 533 W. Main Street; John Sheean, 25 Langdon Street; John Martens, 4118 Hegg Avenue; Fred Mohs, 512 Wisconsin Avenue; Adam Plotkin, 304 N. Pinckney Street, representing the Mansion Hill District of Capitol Neighborhoods, Inc., and; Ledell Zellers, 510 N. Carroll Street.

Jim Skretney, 511 E. Main Street, was registered in opposition and wishing to speak but was not present when called.

Scott B. Thornton, 1104 Jenifer Street and representing the Marquette Neighborhood Association, was registered neither in support nor opposition and wishing to speak but had to leave due to another commitment. He provided the Commission with written comments that were circulated and entered into the record.

Registered in support but not wishing to speak were: Ken Backus, 1259 E. Johnson Street; Laura Bernhardt, 613 Crandall Street; Ron Hanko & Scott Watson, 1602 S. Park Street, representing Carpenters Local 314; Scott Vaughn, 625 N. Segoe Road #701; Timothy A. Crummy, 2509 Middleton Beach Road; Mark Schemmel, 3717 Busse Street; Patrick Corcoran, 3718 Country Grove Drive; Sheron Zelanka, 18 High Point Woods Drive #203; Terri Whalen, 4601 Tonyawatha Trail; Paul Zimmer & Nick Henke, 2025 Atwood Avenue; Dana Dentice, 204 N. Pinckney Street; Tom Bergamini, 402 N. Baldwin Street; Sarah Carpenter & Eric DeWald, Hammes Company, 22 E. Mifflin Street, Suite 800; Phil Santebin, 6516 Harvest Moon Court, Waunakee; Dave Breck-Engel, 921 Burning Wood Way; Luke Porath, 739 E. Gorham Street, representing the Hammes Company; Harold Stafford, 8206 Starr Grass Drive #401; Steve Brietlow, 1602 S. Park Street, and; Tom Benish, 5202 Monument Lane.

Registered in opposition but not wishing to speak were: Sonja Moskalik, 746 E. Gorham Street; Charles Adair, 116 E. Gilman Street; Joe Bonardi, 1 E. Gilman Street #404; Patrick McDonnell, 441 N. Paterson Street; Jonathon Cooper, 208 S. Henry Street; Gene R. & Kitty Rankin, 2818 Ridge Road; Pat Sheldon, 504 Wisconsin Avenue, and; Michelle Martin, 2217 Superior Street.

BUSINESS BY MEMBERS

There was no business by members.

COMMUNICATIONS

Communications related to the Stadium Bar's desire to operate its beer garden during the Camp Randall Hockey Classic on February 6, 2010.

There were no other communications noted.

SECRETARY'S REPORT

Brad Murphy summarized the upcoming matters for the Plan Commission and noted that none of the items scheduled for the February 22, 2010 meeting appeared likely to be referred.

Upcoming Matters - February 22, 2010

- 6701-6801 McKee Road/ 3210 Maple Grove Drive - Temp A, R1, PUD-GDP to PUD-GDP for future construction of 110 apartments in 4 residential buildings & 39,000 square feet of retail in 6 commercial buildings (GDP for 80-unit senior apartment approved on January 19, 2010)
- 702 North Midvale Boulevard - Amended PUD-GDP-SIP (1st of 2) to amend Hilldale PUD to remove Target store site and improve Sawyer-Frey parking lot
- 4609 University Avenue - Amended PUD-GDP-SIP (2nd of 2) to allow construction of a Target store at Hilldale Shopping Center
- 8839 Ancient Oak Lane - A to A & R2T and CSM Referral to create 2 single-family lots and 1 lot for future development
- 979 Jonathon Drive - Conditional use to construct wireless telecommunications tower
- 545 Zor Shrine Place - Conditional use to construct wireless telecommunications tower
- 4518 Monona Drive - Conditional use and Demolition Permit to demolish commercial building and construct new commercial building with drive-thru

Upcoming Matters - March 8, 2010

- Update on Shady Wood Neighborhood Development Plan
- 1723 Waldorf Boulevard - PUD-SIP to Amended PUD-GDP-SIP to construct 80 apartment units in two multi-family buildings

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by Heifetz, seconded by Basford, to Adjourn at 11:45 p.m. The motion passed by voice vote/other.