



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, March 7, 2011

5:30 PM

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

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### CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:30 p.m.

**Present:** 9 -

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

**Excused:** 1 -

Michael Schumacher

Fey was chair for this meeting. Heifetz arrived before consideration of item #3.

Staff present: Steve Cover, Secretary; Kevin Firchow, Michael Waidelich & Tim Parks, Planning Division, and; Mario Mendoza, Mayor's Office.

### PUBLIC COMMENT

There were no registrants for public comment.

### DISCLOSURES AND RECUSALS

Regarding item #11, Gruber stated that his parents lived near the subject site but that he had no financial interest in this matter and he would have no trouble reviewing the application objectively.

Regarding item #12, Basford noted that he reviewed the proposed development as a member of the Zoning Board of Appeals using different standards and criteria from the conditional use standards. He stated that he did not believe his involvement as a ZBA member would affect his review of the project for the Plan Commission.

### MINUTES OF THE February 21, 2011 MEETING

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

### SCHEDULE OF MEETINGS

March 21 and April 11, 2011

### SPECIAL ITEMS OF BUSINESS

– Plan Commission appointment to the Pedestrian/ Bicycle/ Motor Vehicle Commission

No appointment was made; staff will next place the filling of this appointment on the May 16, 2011 Plan Commission agenda.

1. [21238](#) Informational Presentation by Bethel Lutheran Church regarding construction of an expansion in the 300-block of North Carroll Street.  
The Plan Commission received an informational presentation regarding construction of an expansion of Bethel Lutheran Church in the 300-block of N. Carroll Street.  
**No action was taken by the Commission.**  
Speaking on behalf of Bethel Lutheran Church were: Alice Mowbray, Bethel Lutheran Church, 312 Wisconsin Avenue; Bill White, 2708 Lakeland Avenue, and; Randall Alexander, 309 W. Washington Avenue.
2. [21558](#) Approving a final list of potential Comprehensive Plan map amendments that either correct an error or omission in the adopted plan, or that were recommended in other City plans adopted or amended since January 2006; and authorizing the Planning Division to prepare the amendments for future consideration as part of the 2010-2011 Comprehensive Plan review.  
The Plan Commission requested that the list of final amendments be prepared per the recommendations in the adopted plans.  
**A motion was made by Kerr, seconded by Basford, to Approve the preliminary list of "Track 1" potential amendments as described in the "Process for Considering Limited Amendments to the Comprehensive Plan." The motion passed by voice vote/other.**

## OLD BUSINESS

3. [21559](#) Consideration of a request by Edgewood College to amend the conditions of approval for a previously approved demolition permit and conditional use for 901 Woodrow Street. 10th Ald. Dist.  
**A motion was made by Cnare, seconded by Olson, to Approve the request by Edgewood College to remove a condition of their January 24, 2011 demolition permit and conditional use approval. The motion passed by voice vote/other.**  
Speaking in support of the removal of the condition was Doug Hursh, Potter Lawson, Inc., 15 Ellis Potter Court, representing Edgewood College.  
Registered in support of the request and available to answer questions was the applicant, Maggie Balistreri-Clarke, Edgewood College, 1000 Edgewood College Drive.

## ROUTINE BUSINESS

4. [21257](#) Determining a Public Purpose and Necessity and adopting an Alternative Relocation Order for the acquisition of land interests required for the construction of South Point Road from Mineral Point Road to 2600 feet south - Engineering Project No. 53W0902. (9th AD)  
**A motion was made by Olson, seconded by Kerr, to Return to Lead with a Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
5. [21399](#) Amending the Master List of Street Names and Designations and amending the City Engineer's Street Numbering Map, referred to in Sections 10.34(1)

and 10.35, Madison General Ordinances

Changing the existing name of Arrowwood (2-W's) Drive to Arrowwood (1-W) Drive from Sheridan Drive to Almo Avenue.

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

6. [21435](#) Authorizing a first amendment to the lease between the City of Madison and Yahara Square Associates, LLP within the East Rail Transportation Corridor.

**A motion was made by Olson, seconded by Gruber, to Return to Lead with a 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.

### **Land Division**

7. [21243](#) Consideration of a Certified Survey Map within the City's extraterritorial jurisdiction creating one lot and a 56-acre remnant parcel at 3450 Milwaukee Street, Town of Blooming Grove.

The Plan Commission found the criteria for non-agricultural land divisions met and granted approval subject to the comments and conditions contained in the Plan Commission materials except for condition #9 of the February 7, 2011 staff report, which was removed at the request of staff.

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

Registered in support of the proposed land division and available to answer questions was the applicant, Tom Voit, Voit Family Trust, 4526 Sandpiper Trail.

Registered neither in support nor opposition to the request but not wishing to speak was Steve Krinkey, 219B N. Fair Oaks Avenue.

### **Zoning Map Amendment**

8. [21170](#) Creating Section 28.06(2)(a)3522. 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: Construct 31,000 square-foot office/laboratory building with attached greenhouse. 16th Aldermanic District; 5402 World Dairy Drive.

The Plan Commission recommended referred to their March 21, 2011 meeting to allow adjacent property owners and occupants to be properly noticed of the Plan Commission and Common Council public hearings.

**A motion was made by Kerr, seconded by Olson, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION, due back on March 21, 2011. The motion passed by voice vote/other.**

There were no registrants on this matter.

**Conditional Use/Demolition Permits**

- 9. [21560](#) Consideration of a demolition permit to allow a restaurant to be demolished and consideration of a conditional use to allow construction of two multi-tenant retail buildings with two drive-up service windows and an outdoor eating area at 4120-4208 East Washington Avenue. 17th 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 and the following conditions:

- That condition #2 of the staff report be revised as follows: "That the applicant receives final Urban Design Commission approval, incorporating all recommended changes including the incorporation of operational doors facing the frontage road.
- That condition #7 of the staff report be revised as follows: "~~That the applicant confirms that the street side elevation includes clear windows on the elevation drawings.~~ Any equipment, shelving, or other similar obstruction shall be placed a minimum of five (5) feet behind the windows. Window displays are allowed consistent with other applicable ordinances provided that no more than 30% of the window area be covered by advertisements, products, or coverings.
- That bicycles are permitted to use the drive-up service lanes.

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

Speaking in support of the project were Scott Faust, Boardwalk Investments, 210 N. Bassett Street, Suite 100, the applicant, and Jerry Bourquin, Dimension IV Madison, 6515 Grand Teton Plaza, Suite 120, representing the applicant.

Registered in support of the project and available to answer questions was Tom Sanford, Sanford Enterprises, Inc., 210 N. Bassett Street, Suite 100, representing Lake City Plaza, LLC.

- 10. [21561](#) Consideration of a conditional use to allow construction of a replacement accessory building on a lakefront lot at 1020 Sherman Avenue. 2nd 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.

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

Registered in support of the request was the applicant, Mike Theisen, 1020 Sherman Avenue.

- 11. [21562](#) Consideration of a major alteration to an approved conditional use to allow an expansion of an outdoor eating area at 1336 Drake Street. 13th 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 and the following revised condition of approval:

- That condition #3 of the staff report be revised to now read: "If the existing fence between this property and the property to the east is removed in the future, the applicant (or future owner of the subject property) is required to build and maintain a 6- to 8-foot tall opaque fence along this shared property line, as long as the outdoor eating area is in front of the building. At that time, detail for the new fence shall be submitted to Zoning staff and reviewed as a minor alteration.

**A motion was made by Kerr, seconded by Basford, to Approve. The motion passed by the following vote:**

**Excused:** 1 -  
Michael Schumacher

**Ayes:** 7 -

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

**Noes:** 1 -

Michael G. Heifetz

**Non Voting:** 1 -

Nan Fey

Speaking in support of the proposed alteration were: Kate Zirbel, ZuZu Cafe, 1336 Drake Street, the applicant; Amy Rountree, 1315 Hoven Street; Siri Carpenter, 1314 Vilas Avenue, and; J. Steven House, 413 S. Randall Avenue.

Speaking in opposition to the proposed alteration was Terry Roach, 1330 Drake Street.

Registered in support of the request and available to answer questions were: Robert Shapiro, 1336 Drake Street, the applicant, and Jim Glueck, 110 N. Few Street, representing the applicants.

12. [21563](#)

Consideration of a major alteration to an existing conditional use to convert a fraternity house into a multi-family residential building with 11 apartments and a fraternity common room at 640 North Henry Street. 2nd 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.

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

Registered in support of the project and available to answer questions were Joe McCormick, 101 N. Mills Street, the applicant, and J. Randy Bruce, Knothe Bruce Architects, 7601 University Avenue, Middleton, representing the applicant.

Registered in support but not wishing to speak was Mike Derenne, S37W22245 Crestview Drive, Waukesha.

13. [21564](#)

Consideration of a conditional use for an outdoor eating area for a restaurant/ tavern at 554 West Main Street. 4th 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.

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

Speaking neither in support nor opposition to the request was Michael D. May, 533 W. Main Street #307.

Registered in support of the request and available to answer questions were: Patrick H. Rynes, 6518 Doral Drive, the applicant; Rosemary Lee, 111 W. Wilson Street, and; Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Registered in support but not wishing to speak was Victor Villacrez, 108 Melody Circle, Verona.

**BUSINESS BY MEMBERS**

There was no business by members.

## COMMUNICATIONS

The Plan Commission noted the communication provided to them from Ald Satya Rhodes-Conway, 12th Ald. Dist. regarding a proposed McDonald's restaurant in the Madison East Shopping Center at 2705 East Washington Avenue. The Commission asked that this correspondence be provided again if an application for this project is submitted for formal consideration.

## SECRETARY'S REPORT

Kevin Firchow summarized the upcoming Plan Commission matters.

### Upcoming Matters - March 21, 2011

- Development Process Improvement Initiative Final Report (ID 21454)
- Zoning Text Amendment, changing the definition to "Auto Title Loan" (ID 21497)
- 12 Dempsey Road - Conditional use alteration to convert existing 25-unit senior apartment building to 25 non-age restricted apartments
- 505 Walnut Street - Conditional use alteration to construct an addition to existing MG&E substation to house electrical switchgear
- 517 South Baldwin Street - Demolition permit to demolish a portion of a single-family residence to construct an addition

### Upcoming Matters - April 11, 2011

- 14 South Franklin Street - R5 to PUD-GDP-SIP and Demolition Permit to demolish four-unit apartment building to allow construction of two-family residence
- 402 Troy Drive - C to M1 to construct State of Wisconsin Joint Preservation Facility

## ANNOUNCEMENTS

There were no announcements.

## ADJOURNMENT

**A motion was made by Olson, seconded by Cnare, to Adjourn at 7:35 p.m. The motion passed by voice vote/other.**