



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, August 20, 2012

5:30 PM

215 Martin Luther King, Jr. Blvd.  
Room 260 (Madison Municipal Building)

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### CALL TO ORDER/ROLL CALL

**Present:** 10 -

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

**Excused:** 1 -

Eric W. Sundquist

Fey was Chair for the Meeting.

Staff Present: Steven Cover, Secretary; Brad Murphy, Michael Waidelich, Bill Fruhling, Rick Roll, and Kevin Firchow Planning Division

### PUBLIC COMMENT

**Present:** 10 -

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

**Excused:** 1 -

Eric W. Sundquist

### DISCLOSURES AND RECUSALS

Mr. Heifetz stated he was recusing himself from agenda item 8 for professional reasons. Ms. Hamilton-Nisbet disclosed she lives in the neighborhood and was an officer in the association of the neighborhood covering the project area for agenda item 1. She indicated this would not impact her ability to review the proposal. Ms. Berger disclosed she knows the applicant for agenda item 10 and indicated this would not impact her ability to review this proposal. Ald. Schmidt indicated he received correspondence from Gary Peterson regarding agenda item 15 and 16, noting that additional copies had been provided to the Commission.

### MINUTES OF THE AUGUST 6, 2012 REGULAR MEETING

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

### SCHEDULE OF MEETINGS

Wednesday, September 12 and Monday, October 1, 15, 2012 (Meetings scheduled to be held in Room 201, City-County Building)

Special Meetings and Working Sessions on Zoning Code: Thursday, August 30, Thursday, September 6 (both in Room 300, Madison Municipal Building), and Thursday, September 27, 2012 (Madison Senior Center)

**ROUTINE BUSINESS**

- 1. [27200](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Capital City Trail - Segment 2 public bike path between Leona Court and Sandlewood Circle. (16th AD)

The Plan Commission recommended approval of the resolution subject to correcting the spelling of the street as "Sandalwood" Circle. That motion passed by voice vote/ other.

[Note: Following the August 20 meeting, the City Engineer provided Planning staff with information regarding the spelling of Sandlewood Circle. While it is not the traditional spelling, Sandlewood is the legal street name designation found on the recorded Woodridge subdivision plat that established this street and how it appears on the City's Official Map, street directory and all other databases and records .]

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

- 2. [27212](#) Authorizing a minor amendment to an Environmental Corridor within the Central Urban Service Area to remove portions of an existing developed residential lot located generally north of Golf Parkway, west of the Cherokee Country Club clubhouse.

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

- 3. [27233](#) Authorizing the execution of an Offer to Purchase Real Property, Acceptance and Sales Agreement for the purchase of the former Truman O. Olson Army Reserve Center located at 1402 South Park Street and authorizing the City to indemnify and hold harmless the United States of America.

The vote passed by the following vote: 7:1 [AYE: Ald. King, Ald. Schmidt, Andrzejewski, Heifetz, Rewey, Cantrell, and Berger; NO: Ald. Rummel, NON-VOTING: Hamilton-Nisbet and Fey.]

**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 the following vote:**

**Ayes:** 7 -

Steve King; Chris Schmidt; Anna Andrzejewski; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Melissa M. Berger

**Noes:** 1 -

Marsha A. Rummel

**Excused:** 1 -

Eric W. Sundquist

**Non Voting:** 2 -

Tonya L. Hamilton-Nisbet and Nan Fey

Speaking on this item and registered in support was Allen Barkoff, 2930 Barlow Street. Registered in support and available to answer questions was Ald. Sue Eliingson, 1922 Vilas Avenue, representing District 13.

- 4. [27237](#) Approving the sale of the residential structure located at 704 East Gorham Street (the "Building Improvement") within James Madison Park to Robert E. Klebba & David P. Waugh, (the "Lessees") and approving a ground lease (the "Ground Lease") for the land underneath said Building Improvement (the "Leased Land").

The motion passed unanimously.

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

Registered in support and not wishing to speak was Scott B. Thornton, 1104 Jenifer Street.

**NEW BUSINESS**

- 5. [26603](#) ALTERNATE Amending Sections 12.915(8)(a) and (b) and Section 11.06(3) (r) of the Madison General Ordinances to prohibit taxicabs waiting for passengers on State Street and permits them to provide service on State Street between the hours of 10:00 p.m. and 4:00 a.m.

The Plan Commission recommended approval of the alternate ordinance with the following changes:

- That the effective date be subject to the approval by the Federal Transit Administration (FTA).
- That the hours of operation permitting taxicab service on State Street is amended to be from midnight to 4:00 a.m.

This motion passed by the following vote: 6:2: [AYE: Ald. Rummel, Andrzejewski, Heifetz, Rewey, Cantrell, and Ald. King; NO: Ald. Schmidt and Berger; NON-VOTING: Hamilton-Nisbet and Fey.]

The motion amending the main motion regarding the effective date and FTA was moved by Ald. Schmidt and seconded by Ms. Andrzejewski and approved unanimously. The motion amending the main motion adding the revised operation hours was moved by Mr. Cantrell and seconded by Mr. Rewey and approved unanimously.

**A motion was made by Rummel, seconded by King, to Return to Lead with the Recommendation for Approval to the TRANSIT AND PARKING COMMISSION,. The motion passed by the following vote:**

**Ayes:** 6 -  
Marsha A. Rummel; Anna Andrzejewski; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Steve King

**Noes:** 2 -  
Chris Schmidt and Melissa M. Berger

**Excused:** 1 -  
Eric W. Sundquist

**Non Voting:** 2 -  
Tonya L. Hamilton-Nisbet and Nan Fey

Speaking in support of the alternate ordinance was Jon Mack, 2400 Calypso Road #3; Christina Ballard, 1624 Forem Avenue #203, representing the Cab Drivers for Madison Safety; and Rosemary Lee, 111 West Wilson Street #108.

**PUBLIC HEARING-6:00 p.m.**

The public hearing began at 7:36 pm.

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 & Related Requests**

- 6. [26486](#)                    Creating Section 28.06(2)(a)3615 of the Madison General Ordinances rezoning property from C3 Highway Commercial District to M1 Limited Manufacturing District. Proposed Use: Construction of mini-storage warehouses; 12th Aldermanic District; 1321-1331 Everett Street.

The Plan Commission recommended approval subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

**A motion was made by Rewey, seconded by Rummel, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.**
  
- 7. [27379](#)                    Consideration of a demolition permit to allow a single-family residence to be demolished as part of the construction of mini-storage warehouses at 1321-1331 Everett Street; 12th Ald. Dist.

The Plan Commission found the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

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

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

Registered in support and wishing to speak was Matthew Tills, 2501 Balden Street, representing Hermansen Real Estate.

Registered in support and available to answer questions was the applicant, Chet Hermansen, 1745 Boyd Avenue.
  
- 8. [27034](#)                    Creating Section 28.06(2)(a)3623. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish 2 residences to allow construction of daycare facility for Meriter Hospital. 13th Aldermanic District: 201-205 South Mills Street.

The Plan Commission recommended approval subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

**A motion was made by Cantrell, seconded by Berger, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.**
  
- 9. [27380](#)                    Consideration of a demolition permit to allow two residences to be demolished as part of a Planned Unit Development-Specific Implementation Plan approval for 201-205 S. Mills Street; 13th Ald. Dist.

The Plan Commission found the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

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

Registered in support and available to answer questions of Items 8 and 9, which were considered together, was Ald. Sue Ellingson, 1922 Vilas Avenue, representing District 13.

**Conditional Use/ Demolition Permits**

- 10. [25219](#) Consideration of a major alteration to an approved conditional use to allow units in an existing 40-unit senior apartment building at 2801 Dryden Drive to be converted to non-age-restricted units; 12th Ald. Dist.

The Plan Commission found the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials.

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

**Ayes:** 6 -  
Marsha A. Rummel; Anna Andrzejewski; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Melissa M. Berger

**Noes:** 2 -  
Chris Schmidt and Steve King

**Excused:** 1 -  
Eric W. Sundquist

**Non Voting:** 2 -  
Tonya L. Hamilton-Nisbet and Nan Fey

Speaking in support of this item was Mark Hazelbaker, 3555 University Avenue, representing the applicant, Northshore Rentals, LLC.

- 11. [27248](#) Consideration of an alteration to an approved conditional use planned residential development to allow an existing apartment complex to be renovated and a new clubhouse and multi-space garages to be constructed at 1108 Moorland Road; 14th Ald. Dist.

This item was referred to the September 12, 2012 meeting at the request of the applicant.

**A motion was made by Rewey, seconded by Andrzejewski, to Re-refer to the PLAN COMMISSION and should be returned by September 12, 2012. The motion passed by voice vote/other.**

There were no registrations on this item.

- 12. [27376](#) Consideration of a conditional use for an an outdoor eating area and an accessory parking lot in R4 General Residence District zoning to serve a restaurant in C1 Limited Commercial District zoning on the same lot at 5692-5696 Monona Drive; 16th Ald. Dist.

The Plan Commission found the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

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

Speaking in support of this item was Paul Kusuda, 200 Tompkins Drive.

Speaking in neither support nor opposition was Edna Wrchota, 109 Acacia Lane.

Regaistred in support and available to answer questions was Edward Kuharski, 405 Sidney Street, representing the applicant.

Registered in neither support nor opposition and available to answer questions was Fred Campbell, 2735 Ridge Court, McFarland.

13. [27377](#) Consideration of an alteration to an existing conditional use to allow construction of an addition to an existing single-family residence on a lakefront lot at 5206 Harbor Court; 19th Ald. Dist.

This item referred at the request of staff to allow the required public hearing notices to be sent.

**A motion was made by King, seconded by Cantrell, to Re-refer to the PLAN COMMISSION and should be returned by 9/12/2012. The motion passed by voice vote/other.**

Registered in support and available to answer questions was Chris Dietzen, 22 Early Road, Mazomanie, representing the applicant.

14. [27378](#) Consideration of a conditional use to allow a bakery with more than eight employees and selling at other than retail, and to allow construction of an outdoor eating area, all at 1402 Williamson Street; 6th Ald. Dist.

The Plan Commission found the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials with the following amendment:

- That condition 2 of the August 20, 2012 Report to the Plan Commission is revised as follows (text additions underlined): "That the applicant provides additional information on the plans for off-street loading and fencing, for approval by staff. This may include a letter from the adjoining property owner at 1406 Williamson Street giving consent of the applicant to utilize the loading area depicted on plans.

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

Speaking in support of this item was the applicant, Ian Gurfield, 230 Dunning Street, and Jim Glueck, 116 N. Few Street, representing the applicant.

Speaking in opposition to this item was Sandra Howland, 309 S. Dickinson Street.

Registered in support and available to answer questions were Marianne Morton, 610 Schiller Court, representing Common Wealth Development, and Steve Silverberg, 1147 Rutledge Street.

Registered in support and not wishing to speak was Scott B. Thornton, 1104 Jenifer Street and Julie Spears, 307 S. Few Street.

**Zoning Text Amendments and the Proposed New Zoning Map**

15. [26657](#) Creating Subchapter 28E, Downtown and Urban Districts of Chapter 28 of the Madison General Ordinances to update the City's ordinances pertaining to zoning and planning.

**A motion was made by Schmidt, seconded by Rewey, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by October 1, 2012. The motion passed by voice vote/other.**

16. [27278](#) Amending Chapter 28 of the Madison General Ordinances revising various subsections.

**A motion was made by Schmidt, seconded by Heifetz, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by October 1, 2012. The motion passed by voice vote/other.**

The following were registered on Items 15 and 16, which were held together:

Speaking in support of this item and discussing co-operative housing in the proposed ordinance was David Sparer, 16 North Carroll Street. Registered in support and available to answer questions on co-operative

housing was Rek Kwawer, 2119 East Washington Avenue, representing Madison Community Cooperative. Registered in support not wishing to speak on co-operative housing were Julie Spears, 307 South Few Street and Scott B. Thornton, 1104 Jenifer Street representing the Marquette Neighborhood Association.

Speaking in support of this item and discussing various residential zoning standards was Brian Munson, 120 East Lakeside Street, representing Veridian Homes. Speaking in support of this item and of recommended changes to the zoning map in the Brittingham and Vilas Neighborhoods was Ald. Sue Ellingson, 1922 Vilas Avenue, representing District 13.

Speaking in support of this item and of recommended changes to the zoning map in the Troy Drive area was Ald. Anita Weier, 22 Golf Course Road, representing District 18. Also speaking in support of this item and recommended changes was Michael Bergmann, 302 Troy Drive; Barbara Karlen, 717 Morningstar Lane; Adelaide Hazen, 141 Pine View Drive; Kimberly Hazen, 141 Pine View Drive; Terri Reda, 510 Nova Way; and Gregg Kroneberg, 3417 Harper Road. Registered in opposition to proposed ordinance and speaking in support of Ald. Wier's recommended changes was Joshua Morrill, 3626 Alpine Road.

Registered in support of this item and Ald. Weir's recommended changes to the Troy Drive area and available to answer questions was Anita Bergmann, 302 Troy Drive. Registered in support of this item and this amendment and not wishing to speak were Leigh Luttrull, 1906 Kropf Avenue; Carol Stremiska, 4321 Green Avenue; Eugene Haug, 113 Pine View Drive; Marge Pitts, 3617 Harper Road; and Bryce Keel 3617 Harper Road. Registered in opposition and not wishing to speak to the proposed ordinance was Stef Morrill, 3626 Alpine Road.

Registered in neither support nor opposition and available to answer questions was Carole Schaeffer, 282 Alpine Meadow Circle, representing Smart Growth of Greater Madison.

## BUSINESS BY MEMBERS

Ald. King requested that staff provide status updates on the revised plans approved for the Salvation Army parking lot proposal at 3030 Darbo Drive and on the removal of trees for the Catholic Diocese property at 204 West Main Street. Chair Fey reminded Commission members to retain materials for items referred to future meetings, including the request in agenda item 13. Chair Fey also requested staff provide information related to existing "beer garden" approvals for UW home games, including information on other "beer gardens" operated by non-profit entities. Chair Fey also requested staff research and provide information on whether loading zones were allowed by the Federal Transit Authority on State Street during previous approvals.

## COMMUNICATIONS

- Letter dated August 14, 2012 from Charlene Malueg, Agrace HospiceCare regarding the conditional use approval for 1445 Regent Street

- Ms. Hamilton-Nisbet indicated that outside of a Plan Commission meeting, she met someone that introduced themselves as being familiar with the Grandview Commons Grocery Store proposal and indicated having new concerns on this proposal. Ms. Hamilton-Nisbet advised this individual to participate in the upcoming public hearings on this item.

## SECRETARY'S REPORT

Kevin Firchow summarized the upcoming matters.

### - Upcoming Matters - Wednesday, September 12, 2012

- 4800-4950 Voges Road - Preliminary Plat & Certified Survey Map - Voges Road Business Center, creating 4 industrial lots and 1 outlot for public stormwater management  
- 502 S. Park Street & 917-925 Drake Street - Demolition Permit and R3 & C2 to PUD-GDP-SIP - Demolish auto body shop and three residences to allow construction of mixed-use building containing 4,300 square feet of first floor commercial space and approximately 60 apartments  
- 8302 Mineral Point Road - Demolition Permit - Demolish retail bldg as part of Mineral Point Rd/ Junction Rd reconstruction project

### - Upcoming Matters - Monday, October 1, 2012

- 125 N. Bedford Street - Demolition Permit & R6 to PUD-GDP-SIP - Demolish single-family residence to construct eight-unit apartment building

- 5922 Lien Road - PUD-GDP to PUD-GDP - Re-approving the General Development Plan for multi-family housing in the Village at Autumn Lake Planned Unit Development
- 809 Williamson Street - Conditional Use - Construct outdoor eating area for restaurant

## **ANNOUNCEMENTS**

There were no announcements.

## **ADJOURNMENT**

**A motion was made by King, seconded by Heifetz, to Adjourn at 9:31 pm. The motion passed by voice vote/other.**