



City of Madison

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

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Monday, June 1, 2009

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 10 -

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

Excused: 2 -

Michael Schumacher and Michael G. Heifetz

Fey was chair for the meeting. Pearson left prior to the discussion of item 4.

Staff present: Brad Murphy, Kevin Firchow, Tim Parks, and Bob McDonald Planning Division and Mario Mendoza, Mayor's Office.

MINUTES OF THE May 18, 2009 MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings: June 15 and July 6, 20, 2009

Special Meeting to discuss Downtown Plan: June 8, 2009, 5:00 p.m. at the Downtown Planning Studio, 125 W. Mifflin Street.

UNFINISHED BUSINESS

1. [13815](#)

Stating that the policy of the City of Madison is to encourage or, where appropriate, require that incremental changes to the built environment, as well major new policies and public works projects, shall in the aggregate cause vehicle miles traveled per capita to decrease by 25 percent, as compared with a 2005 baseline, by 2020 and that this goal shall be incorporated into the City's Comprehensive Plan.

The Plan Commission recommend that the Council adopt an alternate resolution that includes the following modifications from the original resolution:

-That a methodology for estimating VMT will be developed and reported to the Plan Commission by January 15, 2010.

-That a new BE IT FURTHER RESOLVED CLAUSE be added stating "When the Comprehensive Plan is amended to include the goals and policies, the Long Range Transportation Planning Committee and Plan Commission shall identify the mechanisms and process that will be used to evaluate projects against the policies, and shall identify the VMT data collection methodology that

will be used as part of the annual measurement and monitoring program.

-That the language "or where appropriate, require" be removed from the title and the "THEREFORE BE IT RESOLVED" clause.

-That the word "judge" be replaced by the word "evaluate" in Objective 2, Policy 8 and Objective 6, Policy 3, described under the "THEREFORE BE IT RESOLVED" clause.

-That a new BE IT FURTHER RESOLVED CLAUSE be added stating "that specific strategies for implementing these objectives and policies be contained in neighborhood and area plans."

This motion passed by the following vote: 7:1 (AYE: Ald. Kerr, Sundquist, Bowser, Boll, Olson, Gruber, and Basford; NO: Ald. Cnare; NON-VOTING, Fey and Pearson.)

A motion was made by Kerr, seconded by Olson, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. The motion passed by the following vote:

Excused: 2 -

Michael Schumacher and Michael G. Heifetz

Ayes: 7 -

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

Noes: 1 -

Lauren Cnare

Non Voting: 2 -

Douglas J. Pearson and Nan Fey

Speaking in support of this item was Robbie Webber, 2613 Stevens Street and Ald. Satya Rhodes-Conway, 2614 Hoard Street.

Speaking in opposition to this item was Mike Lawton, 740 Regent Street, representing DR Development, Fitchburg.

SPECIAL ITEMS OF BUSINESS

Judy Bowser was appointed to the Pedestrian/ Bicycle/ Motor Vehicle Commission.

The scheduled update on the proposed Special Districts and Overlay Districts for the new zoning code will be rescheduled to a future meeting.

PUBLIC HEARING-6:00 p.m.

The public hearing began at 6:45 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

- 2. [13256](#) SUBSTITUTE - Creating Section 28.06(2)(a)3411. of the Madison General Ordinances rezoning property from R4 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3412. 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: Relocate existing 2-Unit Building, Construct Underground Parking and New 2-Unit; 6th Aldermanic District: 430-434 South Thornton Avenue, 1526 Jenifer Street and 433 Cantwell Court.

This item was referred for sixty days in order for the applicant to provide a solar impact study and to meet with the neighborhood association to present and discuss the most current version of the plans.

A substitute motion, made by Ald. Kerr and seconded by Boll to place on file without prejudice, citing that PUD standards 1B, 2, and 4 were not met failed by the following vote: 4:4 (AYE: Ald. Kerr, Sundquist, Boswer, and Boll; NO: Olson, Ald. Cnare, Gruber, and Basford; NON-VOTING: Pearson and Fey.

A motion was made by Basford, seconded by Bowser, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION. The motion passed by the following vote:

- Excused:** 2 -
Michael Schumacher and Michael G. Heifetz
- Ayes:** 7 -
Lauren Cnare; Eric W. Sundquist; Judy K. Olson; James C. Boll; Judy Bowser; Michael A. Basford and Tim Gruber
- Noes:** 1 -
Julia S. Kerr
- Non Voting:** 2 -
Douglas J. Pearson and Nan Fey

The following registrations were for both items two and three:

Speaking in support of this item was Mark Schmidt, W4114 Dakota Lane, Wautoma, WI, representing the applicant.

Speaking in opposition to this item was Burke O'Neal, 421 Cantwell Court; Marianna C. Williams, 426 Cantwell Court; Rolf Rodfeld, 602 S. Thornton Avenue; Amanda Werhane, 421 Cantwell Court; and Rosemary Lee, 111 W. Wilson Street.

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

Registered in support and available to answer questions was the applicant, Navin Jarugumilli (address not provided); Paul Skidmore, 13 Red Maple Trail and Eric Truelove, The Renschler Company, 3 Point Place, both representing the applicant. Also registered in support and available to answer questions was Bernie Lange, 901 Sauk Ridge Trail.

Registered in opposition and not wishing to speak was Beverly Bednar, 434 Cantwell Court and Frederick J. Johnson, 417 Cantwell Court.

- 3. [13259](#) SUBSTITUTE - Creating Section 28.06(2)(a)3413. of the Madison General Ordinances rezoning property from R4L Limited General Residence District and R4A Limited General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3414. 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: Relocated 2-Unit from South Thornton Avenue onto Vacant Property; 6th Aldermanic District: 1148 Jenifer Street.

This item was referred for sixty days in order for the applicant to provide a solar impact study and to meet with the neighborhood association to present and discuss the most current version of the

plans.

The main motion passed by the following vote: 7:1 (AYE: Sundquist, Boswer, Boll, Olson, Ald. Cnare, Gruber, Basford; NO: Ald. Kerr; NON-VOTING: Pearson and Fey.

A substitute motion, made by Ald. Kerr and seconded by Boll to place on file without prejudice, citing that Planned Unit Development standards 1B, 2, and 4 were not met, failed by the following vote: 4:4 (AYE: Ald. Kerr, Sundquist, Boswer, and Boll; NO: Olson, Ald. Cnare, Gruber, and Basford; NON-VOTING: Pearson and Fey.

A motion was made by Basford, seconded by Bowser, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION. The motion passed by the following vote:

Excused: 2 -

Michael G. Heifetz and Michael Schumacher

Ayes: 7 -

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

Noes: 1 -

Julia S. Kerr

Non Voting: 2 -

Douglas J. Pearson and Nan Fey

The registrations for this item are listed under agenda item 2.

4. [13963](#)

Creating Section 28.06(2)(a)3425. of the Madison General Ordinances rezoning property from R5 General Residence District and C2 General Commercial to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3426. 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: Demolish 4 Buildings and Construct Mixed-Use Building with 26 Multi-family units and 11,700 Square-Foot Commercial Space; 12th Aldermanic District: 1900-1916 East Washington Avenue.

In making the recommendation to approve, the Commission stated that this approval was not to set a precedent to encourage further tear down and larger-scale redevelopment along this portion of East Washington Avenue. The Plan Commission recommended approval subject to the comments and conditions contained within the Plan Commission materials with the following additions and modifications:

-That the following additional language be added to Condition 2 of the June 1, 2009 Plan Commission Report: "That the applicant shall submit proof of financing demonstrating the entire cost of the development and all sources necessary to meet these costs."

-That the following additional language be added to Condition 3 of the June 1, 2009 Plan Commission Report: "That property management shall include a live-in manager responsible for the site and maintain a permanent sign outside the entrance to the residential units providing the name, address and phone number of the management company.

-That the applicant include four (4) additional pedestrian arcade access points, subject to UDC approval.

This motion passed unanimously.

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

Speaking in support of this item were John Sutton, 104 King Street, and Douglas Kozel, 621 Williamson Street, both representing the applicant. Also speaking in support was Ramona W. Warden, 1 West Spyglass Court (owner of 1916 East Washington).

Speaking in neither support nor opposition was John Koch, 2134 E. Washington Avenue, representing the Emerson East Neighborhood Association and Ald. Satya Rhodes-Conway, representing District 12.

Registered in support and available to answer questions was Timothy W. Warden, 1 West Spyglass Court.

Ben Sabin, 1930 E. Washington Avenue, registered in opposition and wishing to speak, but was not present at the start of the public hearing. A prepared statement from Mr. Sabin and Dawn Walker, 1930 E. Washington Avenue was read into the record. Curt Mosher, 17 North First Street, withdrew his registration prior to the start of the public hearing.

Land Division

- 5. [14245](#) Approving Certified Survey Map of the Roger and Nancy Greenwald property located at 6234 South Highlands Avenue, creating a deep residential lot. 19th Ald. Dist.

The Plan Commission found that with the recommended conditions, the conditional use standards were met in creating this subdivision and recommended approval subject to the comments and conditions contained within the Plan Commission materials contained in the report of April 1, 2009, with the following additions and modifications:

- That the CSM must clearly delineate the allowable building envelope in compliance with the building setback requirements of the R1-R zone.

- That compliance with the May 2009 Tree Preservation Plan prepared by Majestyk Tree Care is required, but to include the requirement that the numbered trees as shown on the copy of the survey map prepared by Majestyk will all be protected, regardless of construction of a residence.

- That within one year of recording of the CSM, if a building permit for a new principal structure on Lot 1 has not been filed, the applicant shall receive the necessary permit to remove or enclose the pool and deck, and shall complete said removal or enclosure.

- That the property owners grant a driveway easement over the existing shared driveway prior to the sale of either lot created by this Certified Survey Map. No building permits may be issued for either lot until this easement has been granted and recorded and a copy provided to the Zoning Administrator.

The main motion passed by the following vote: 7:1 (AYE: Ald. Kerr, Sundquist, Boll, Olson, Ald. Cnare, Gruber, Basford; NO: Bowser; NON-VOTING Fey).

The original motion, made by Bowser and seconded by Ald. Kerr to reject was withdrawn. A substitute motion made by Boll and seconded by Ald. Kerr to refer was also withdrawn.

A motion was made by Basford, seconded by Cnare, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by the following vote:

- Excused:** 2 -
Michael Schumacher and Michael G. Heifetz
- Ayes:** 7 -
Lauren Cnare; Julia S. Kerr; Eric W. Sundquist; Judy K. Olson; James C. Boll; Michael A. Basford and Tim Gruber
- Noes:** 1 -
Judy Bowser

Non Voting: 2 -

Douglas J. Pearson and Nan Fey

Speaking in support of this item were the applicants, Roger and Nancy Greenwald, 6243 W. Highlands Avenue and Aviva Kaiser, 5 Crossbridge Court.

Speaking in opposition was Jack Walker, 1006 Willow Lane, representing the Highlands Neighborhood Association and Francis and Inge Bretherton, 6241 South Highlands Avenue.

Speaking in neither support nor opposition was Susan King, 6217 North Highlands Avenue and Ald. Mark Clear, representing District 19.

Registered in opposition and not wishing to speak was Peter Lake, 6222 South Highlands Avenue;

BUSINESS BY MEMBERS

Ms. Olson and Ald. Kerr discussed the need to address specific "proof of financing" requirements for Planned Unit Developments at an upcoming meeting.

COMMUNICATIONS

Mr. Gruber noted a 2006 communication from the City Attorney's office, indicating that an alternate of a committee or commission can serve as a representative of that body for appointments on other committees and commissions. He indicated he would be willing to return as a representative to the Zoning Code Rewrite Advisory Committee and the Commission concurred.

SECRETARY'S REPORT

Brad Murphy summarized the upcoming matters.

Upcoming Matters - June 15, 2009

- 214 North Hamilton Street - R6 to C2 rezone to a conforming zoning district as part of change in ownership
- 5922 Lien Road - PUD-GDP to PUD-GDP re-approving the GDP for multi-family housing in the Village of Autumn Lake PUD
- 3502 Sargent Street - R2 to R2S & Demolition Permit, demolish single-family house and rezone to create 2 lots to accommodate 2 relocated houses (revised application & new applicant)
- 2 South Bedford Street - M1 to PUD-GDP-SIP, demolish bus terminal to construct mixed-use building with 11,500 square feet of retail and 82 apartments
- 4802 Femrite Drive - CSM referral to create 2 lots from existing Certco property
- 3802 Packers Avenue - CSM referral to create 4 industrial lots
- 6202 North Highlands Avenue - Demolish single-family residence with no proposed use
- 3833 Busse Street - Conditional use to construct warehouse in C2 zoning and alteration to planned commercial site
- 2609 East Washington Avenue - Conditional use for an outdoor eating area for a tavern
- 418 South Gammon Road - Demolish former restaurant and construct new restaurant at West Towne Mall
- 4226 Milwaukee Street - Conditional use to construct a dental office in C1 zoning across from Hiestand Park
- 2021 Monroe Street - demolish fire-damaged single-family residence and construct new residence

Upcoming Matters - July 6, 2009

- 159-171 Proudfit Street et al - Amended PUD-SIP for final plans to allow construction of 14,000 square foot office building
- 6202-6210 Cottage Grove Road - A & PUD-SIP to R2T demolish or remove 3 single-family houses and subdivide the property into 6 single-family lots
- 3023 CTH BB - ETJ Certified Survey Map to create 2 lots in the Town of Cottage Grove
- W & E sides of Vilas Hope Road north of Jahnke Road - ETJ Certified Survey Maps (2); W CSM to create 3 lots; E CSM to create 2 lots in the Town of Cottage Grove for a bike path
- 5202 Cottage Grove Road - Conditional use to construct an addition to an existing church

ANNOUNCEMENTS

Nan Fey reminded the Commission that Dr. Robert Greenstreet, Dean of the School of Architecture and Urban Planning at UW-Milwaukee, will be presenting at the Overture Center, on June 2, 2009 at 12:00 pm.

ADJOURNMENT

A motion was made by Boll, seconded by Basford, to Adjourn at 11:15 pm. The motion passed by voice vote/other.