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FOR #4,5,64

City of Madison

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

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Monday, March 22, 2010

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 -

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 the chair for the meeting. Ald. Cnare arrived after consideration #2.

Staff present: Mark A. Olinger, Secretary; Brad Murphy, Bill Fruhling, Kevin Firchow & Tim Parks, Planning Division; Matt Tucker, Zoning Administrator; Tim Cooley, Economic Development Division; Don Marx, Office of Real Estate Services; Anne Zellhoefer & Kitty Noon, City Attorney's Office; Dan McCormick, Traffic Engineering Division; Mike Dailey, City Engineering Division; and; Larry Studesville, Mayor's Office.

MINUTES OF THE February 17, 2010 DOWNTOWN PLAN WORKING SESSION

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

MINUTES OF THE March 8, 2010 REGULAR MEETING

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

SCHEDULE OF MEETINGS

April 12-26 and May 10-24, 2010

ROUTINE BUSINESS

1. 17831 Authorizing the execution of a Purchase and Sale Agreement with LT McGrath, LLC for the purchase of the former Water Utility Administration building located at 517 and 523 East Main Street.

The motion passed by voice vote/other.

A motion was made by Olson, seconded by Heifetz, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion

passed by voice vote/other.

NEW BUSINESS

2. 17828 Re-approving the final plat of Tormey Ridge located at 12003 Mineral Point Road. 9th Ald. Dist.
- The Plan Commission recommended re-approval of the final plat subject to the April 2008 conditions of approval. The motion passed by voice vote/ other.
- A motion was made by Olson, seconded by Bowser, to RECOMMEND TO COUNCIL TO ADOPT 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 and available to answer questions about the project was Craig Enzenroth
West Mineral Point Holdings LLC 85 Greenway Boulevard Middleton

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

Note: Items 3 & 4 were considered together

3. 17392 Creating Section 28.06(2)(a)3476 of the Madison General Ordinances rezoning property from R6 General Residence District and PUD(GDP) Planned Unit Development (General Development Plan) District and PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to R6 General Residence District. Proposed Use: Demolish Existing Gordon Commons & Request Conditional Use and Rezoning Approval to Construct New Gordon Commons and Park; 8th Aldermanic District: 717 West Johnson Street.
- The Plan Commission recommended 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 Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.**

Conditional Use/ Demolition Permits

4. 17827 Consideration of a conditional use and demolition permit to allow the existing Gordon Commons facility to be demolished and a new Gordon Commons facility and open space to be constructed at 717 West Johnson Street. 8th Ald. Dist.
- The Plan Commission 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 Boll, to Approve. The motion passed by voice vote/other.**

The following were registered on Items 3 & 4:

Speaking in support of the project were Gary Brown, University of Wisconsin, 610 Walnut Street the applicant, and Michael Gordon, Potter Lawson 15 Ellis Potter Court and Bill Patek JJR 625 Williamson Street, both representing the UW

Registered in support of the project and available to answer questions were Mike Kinderman UW Housing 1620 Kronshage Drive and Larry Earli, State of Wisconsin Department of Administration-Division of State Facilities 101 E. Wilson Street

Registered in support but not wishing to speak was Doug Sabatice, W5885 Loveland Road, Monticello representing the UW

5. 17824

Consideration of a major alteration to an approved conditional use to allow for an additional parking reduction and the addition of an outdoor eating area for a nightclub at 924 Williamson Street. 6th Ald. Dist.

The Plan Commission referred consideration of this matter to allow the owner of the subject property and the owner of the adjoining property to discuss an easement for the proposed screening fence or a quiet title/ adverse possession claim along the affected property line. The motion passed by voice vote/ other.

The above motion was a substitute for an earlier motion by Olson, seconded by Ald. Kerr, to approve the three requests before the Plan Commission subject to the screening fence being moved 4-5 feet from the easterly property line; the nightclub studying soundproofing for the outdoor smoking area, and; a 4- to 6-foot screening fence for the smoking area as approved by staff. The property owners were also encouraged as part of this motion to work out a resolution on the placement of the fence.

The Boll/ Basford substitute motion was made the main motion by voice vote/ other.

A motion was made by Boll, seconded by Basford, to Rerefer to the PLAN COMMISSION. The motion passed by voice vote/other.

Speaking in support of the conditional use modifications were the applicants Corey Gresen & Rico Sabatini, 924 Williamson Street and James Tye 410 N Baldwin Street

Speaking in opposition to the conditional use modifications was John Rolfsmeyer 936 Williamson Street

Speaking neither in support nor opposition to the requests was Ted Krez 830 Magdeline Drive

Dick Guyot, 936 Jenifer Street was registered in opposition but not wishing to speak. Mr. Guyot provided written comments on his registration form which were shared with the Plan Commission members prior to consideration of this item.

Registered in support of the request and available to answer questions was Matthew Aro, 116 King Street

Registered in support but not wishing to speak were: Matthew McNamara 2440 Commercial Avenue; Joe Schraven 20 N Blair Street and; David Bridgeford 808 Williamson Street

6. 17825

Consideration of a conditional use to allow an arcade in an existing multi-tenant retail center at 1621 Thierer Road. 17th Ald. Dist.

The Plan Commission 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 Basford, seconded by Kerr, to Approve. The motion passed by voice vote/other.

Registered in support of this request and available to answer questions were the applicants John Brigham, Lee & Associates 4726 East Towne Boulevard and Richard & Heather Hanson, 339 Lincoln Street

7. 17826

Consideration of a conditional use for an outdoor eating area to serve a

restaurant/bakery located at 7424 Mineral Point Road. 9th Ald. Dist

The Plan Commission 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 Boll, seconded by Kerr, to Approve. The motion passed by voice vote/other.

Registered in support of the request and available to answer questions was the applicant Tom Romano. Flad Development 7941 Tree Lane

Subdivision

8. 17823

Approving the preliminary and final plats of Genesis generally located at 3604-3704 Agriculture Drive. 16th Ald. Dist.

The Plan Commission recommended 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 Bowser, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT 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 project but not wishing to speak was the applicant Alex Li, 411 Orchard Drive.

Zoning Text Amendment

9. 17555

Creating Sec. 28.04(6)(e)2.f of the Madison General Ordinances to allow open porches that project not more than seven (7) feet into front yards as a permitted obstruction.

The motion passed by voice vote/ other

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

There were no registrants on this item

Edgewater Hotel - Related Items

Note: Items 10-12 were considered together

10. 15955

SUBSTITUTE 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 and Construction of a Parking Structure; 666 Wisconsin Avenue and a Portion of 2 East Gilman Street. 2nd Aldermanic District.

The Plan Commission recommended approval of the zoning map amendment subject to the comments and conditions contained in the Plan Commission materials and following conditions:

- That the renovation of the original 1946 hotel tower be conducted in accordance with the Secretary

of Interior's Standards for Rehabilitation (of historic buildings) and as approved by the State of Wisconsin Historic Preservation Office (SHPO);

- That condition #14 of the Plan Commission report be revised as follows: That a revised Transportation Demand Management (TDM) Plan be submitted for approval by the City Traffic Engineer and Director of the Planning Division prior to final signoff of the planned unit development and issuance of building permits. The revised TDM should further elaborate on the strategies the developer will use to reduce automobile trips and increase alternative modal share particularly for hotel employees. The TDM should include measures to set price signals (parking cash-out or direct subsidies, etc.), transit assistance, and other incentives to employees.

The above motion passed by the following vote: AYE: Ald. Kerr, Ald. Cnare, Ald. Schumacher, Olson, Boll, Sundquist; NAY: Basford, Bowser; NON-VOTING: Fey, Heifetz, Gruber.

An earlier motion made by Olson, seconded by Bowser, to recommend approval of the zoning map amendment subject to the comments and conditions contained in the Plan Commission materials and a condition requiring the removal of two full stories of the new hotel tower. In making the motion, Olson noted that she did not believe the project met criteria of approval #1a for planned unit development. Bowser noted that she felt the project would be more in compliance with the Comprehensive Plan with two fewer stories. The motion failed on a 2-6 vote by the following: AYE: Olson, Bowser; NAY: Ald. Kerr, Ald. Cnare, Ald. Schumacher, Boll, Sundquist, Basford; NON-VOTING: Fey, Heifetz, Gruber.

A subsequent motion by Basford, seconded Ald. Kerr, to refer the zoning map amendment to the Plan Commission's April 12, 2010 meeting failed on a 2-6 vote by the following: AYE: Ald. Kerr, Basford; NAY: Ald. Cnare, Ald. Schumacher, Boll, Bowser, Sundquist, Olson; NON-VOTING: Fey, Heifetz, Gruber.

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

Excused: 1 -

Douglas J. Pearson

Ayes: 6 -

Michael Schumacher; Lauren Cnare; Julia S. Kerr; Eric W. Sundquist; Judy K. Olson and James C. Boll

Noes: 2 -

Judy Bowser and Michael A. Basford

Non Voting: 3 -

Michael G. Heifetz; Tim Gruber and Nan Fey

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.

The Plan Commission granted approval subject to the comments and conditions contained in the Plan Commission materials.

The motion passed by the following vote: AYE: Ald. Kerr, Ald. Cnare, Ald. Schumacher, Olson, Boll, Sundquist; NAY: Basford, Bowser; NON-VOTING: Fey, Heifetz, Gruber.

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

Excused: 1 -

Douglas J. Pearson

Ayes: 6 -

Michael Schumacher; Lauren Cnare; Julia S. Kerr; Eric W. Sundquist; Judy K. Olson and James C. Boll

Noes: 2 -
 Judy Bowser and Michael A Basford

Non Voting: 3 -
 Michael G. Heifetz; Tim Gruber and Nan Fey

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 recommended approval of the ordinance amending the vacation of Wisconsin Avenue subject to the conditions contained in the Plan Commission materials, including the condition that the amended ordinance not become effective unless the related planned unit development rezoning of 666 Wisconsin Avenue and a portion of 2 East Gilman Street to PUD-GDP-SIP is recorded (condition #16 of the March 22 2010 Plan Commission report).

The motion passed by the following vote: AYE: Ald Kerr, Ald Cnare, Ald Schumacher, Basford Olson Boll Sundquist; NAY: Bowser; NON-VOTING: Fey Heifetz, Gruber

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

Excused: 1 -
 Douglas J Pearson

Ayes: 7 -
 Lauren Cnare; Julia S. Kerr; Eric W Sundquist; Judy K Olson; James C. Boll; Michael A Basford and Michael Schumacher

Noes: 1 -
 Judy Bowser

Non Voting: 3 -
 Michael G Heifetz; Tim Gruber and Nan Fey

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; Ken Saiki, Ken Saiki Design 303 S Paterson Street, representing the Hammes Company; Delora Newton, 615 E. Washington Avenue, representing the Greater Madison Chamber of Commerce; Judy Karofsky, 317 N Pinckney Street; Susan Schmitz, Downtown Madison Inc, 615 E Washington Avenue; George Austin 2316 Chamberlain Avenue; Richard Baker, 1 Langdon Street #510; Steve Brown, 120 W Gorham Street; James Tye, 410 N Baldwin Street; Michael Christopher, Dewitt Ross & Stevens, SC, 2 E Mifflin Street, representing the Hammes Company; Mark Schmitz, 5705 Dartmoor Drive; Trey Sprinkman, 11 Cambridge Road; Jim Carly, 8501 Old Sauk Road; Gary Peterson 210 Marinette Trail; Alan Fish, 1533 Morrison Avenue; Steve Briellow Building & Construction Trades Council of South Central Wisconsin & Plumbers Local 75, 1602 S. Park Street; Mary DeNiro 155 E Wilson Street #205; Maurice Davenport, 2948 Traceway Drive; Laura M Langer, 5652 Nutone Street Fitchburg and; Ald Bridget Maniaci 640 E Johnson Street #5 representing the 2nd District

Speaking in opposition to the proposed development were: Bill Wellman, Campus Inn, 601 Langdon Street; Fae Dremock, 1211 Rutledge Street; Jason Tish, 2714 LaFollette Avenue, representing the Madison Truct for Historic Preservation; James Steakley 111 N Franklin Street, representing the James Madison Park District of Capitol Neighborhoods, Inc ; David Waugh 1213 E Mifflin Street; Bob Klebba, 1213 E. Mifflin Street; Gene R & Kitty Rankin, 2818 Ridge Road; Michael Bridgeman 106 S Franklin Street; Patricia Sheldon, 504 Wisconsin Avenue; Joe Lusson, 627 E Gorham Street; James McFadden, 5 N Broom Street; Cedric Price, 380 W. Washington Avenue #220; Gene Devitt, 28 E. Gilman Street; Peter Ostlind, 533 W Main Street representing the Mansion Hill Steering Committee; 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

Speaking neither in support nor opposition of the project was Erica Fox Gehrig 1811 Vilas Avenue

Carol Weidel, 1237 E Dayton Street, was registered in opposition and wishing to speak but was not present when called to testify.

Registered in support of the project and available to answer questions were Dan Murray, 601 Clemons Avenue and Mark Huber BT2, 2830 Dairy Drive both representing the Hammes Company

Registered in support but not wishing to speak were: Alice Mowbray, 7326 Southern Oak Road (also representing her husband, Bill of the same address); Trisha Loy, 1618 Rutledge Street; Brice Putz [no address given]; Joel Kupusta, 219 Division Street; James Meicher, Terry Nelson Dan Burke, Paul Zimmer & Nick Henke, 2025 Atwood Avenue; Jason Thompson, 500 Nikki Lane Fort Atkinson; Brian Donley, 9201 Bear Claw Way; Kelly Starr-King 2401 Berkley Drive; Diane Ballweg 350 S. Hamilton Street #701; Chris Houden, 5417 Normandy Lane; Timothy A. Crummy, 2509 Middleton Beach Road; Sarah Carpenter & Tina Kurt, Hammes Company 22 E Mifflin Street, Suite 800; Stuart Zadra, 5312 Lighthouse Bay Drive representing the Hammes Company; Gary Stebnitz 915 Waban Hill; Rosemary Lee, 111 W. Wilson Street; Gary Presentin, 406 Laurel Lane; Sharon Zelanka, 18 High Point Woods Drive #203; Becky Mueller, [no street address given], Maple Bluff; Richard Tatman & Ellen Seufferer 155 E Wilson Street; Tim DeMinter, 1602 S. Park Street; Mark D Hoffmann, International Brotherhood of Electrical Workers Local 159 1602 S Park Street; Victor Rodriguez [no address given]; Thomas Terra, 125 N. Hamilton Street #1401; Jim Lynch & Julie Brill, 4202 Heffernan Drive; Tom Bergamini, 402 N. Baldwin Street; Dennis Davidsaver 624 West Shore Drive; Marle Reihl, 111 W. Main Street; Scott Watson 1602 S. Park Street representing Carpenters Local 314; Jim Shaver 121 W Gorham Street, representing Steve Brown Apartments; Todd Hoffmann, 360 N Bergamont Boulevard, Oregon, representing Moretenson Construction; Mark Schemmel, 3717 Busse Street; David Knoche, 5806 Old Sauk Road; John Ellinger 2720 Fitcharona Road; Craig Argall, 1140 E. Dayton Street; Tim Hausmann, 4728 Sumac Road, Middleton; Rico Sabatini, 3423 Claire Street; Corey gresen, 924 Williamson Street; Todd Blair, 1602 S Park Street; Judd Schemmel 7614 Sawmill Road; Christopher Culver, 411 Wisconsin Avenue; Scott & Lynne Faulkner 205 Del Mar Drive; Ruth Shelley, 1133 Sunridge Drive; Terri Whalen, 4601 Tonyawatha Trail; Tim Valentin, 2052 Cross Country Circle, Verona; Robert A Dunn, 1003 Kettle Court; Harold Stafford, 8206 Starr Grass Drive #401; Tyler Wright 16 E. Gorham Street; Tony Arneson, 704 Butternut Road; Dennis Lynch 2962 Waubesa Avenue; Robert H Keller, 448 W Washington Avenue and; Ron Hanko John Merritt & Tom Benish 5202 Monument Lane

Registered in opposition but not wishing to speak were: Carol Krug, 4626 Odana Road; Mary Carle 417 Shepard Terrace; Vince Jenkins & Stephanie Moritz 533 W. Main Street #202; Doreen Adamany 504 Wisconsin Avenue; Daniel O'Brien, 110 S Franklin Street; Peter Fiala 225 E Lakelawn Place; Ilse Hecht, 141 N. Hancock Street; Carol Crossan, 512 E Main Street; Joe Bonardi, 1 E Gilman Street #404; Sharon Kilfoy 1020 Williamson Street and; Michelle Martin 2217 Superior Street

BUSINESS BY MEMBERS

There was no business by members

COMMUNICATIONS

Ald Kerr and Basford noted that they received correspondence regarding Madison College which was forwarded to staff

Fey noted that she received correspondence regarding the Edgewater Hotel redevelopment which was forwarded to staff

SECRETARY'S REPORT

Brad Murphy summarized the upcoming Plan Commission matters for the Commission and noted that Madison College has requested referral of its application for 3201 Anderson Street from the April 12 meeting and is exploring alternatives to their parking needs

Upcoming Matters - April 12, 2010

- 430 West Dayton Street - Amended PUD-GDP-SIP & Demolition Permit to demolish single-family home at rear of lot to allow accessory building with dwelling unit
- 2437 Allied Drive - Preliminary & Final Plat Allied Drive Phase II, creating 28 residential lots and 4 outlots
- 4622 Dutch Mill Road - Demolition Permit to demolish single-family residence to construct office building

Upcoming Matters - April 26, 2010

- 1208-1214 Spring Street - R5 to PUD-GDP-SIP & Demolition Permit to demolish 3 existing residences to allow construction of an 87-unit apartment building
- 1229 Applegate Road - Demolish commercial building with no proposed future use

ANNOUNCEMENTS

There were no announcements

ADJOURNMENT

A motion was made by Boll, seconded by Basford, to Adjourn at 2:00 a.m, March 23, 2010. The motion passed by voice vote/other.