



City of Madison

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

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Monday, January 11, 2010

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 10 -

Michael Schumacher; Lauren Cnare; Julia S. Kerr; Nan Fey; Eric W. Sundquist; Judy K. Olson; Michael A. Basford; Michael G. Heifetz; Tim Gruber and Douglas J. Pearson

Excused: 2 -

James C. Boll and Judy Bowser

Fey was chair for this meeting. Ald. Kerr arrived following consideration of Item #1. Pearson left the meeting following consideration of Item #9.

Staff present: Brad Murphy & Tim Parks, Planning Division; Don Marx, Office of Real Estate Services; Barb Constans, Community Development Block Grant Office; Matt Mikolajewski, Office of Business Resources; Kay Rutledge, Parks Division; John Leach, Traffic Engineering Division, and; Mario Mendoza, Mayor's Office.

APPROVAL OF MINUTES

- Minutes of the June 8, 2009 Downtown Plan Working Session

The minutes were approved with a request to make the title of Downtown Plan working sessions consistent with the titling of Zoning Code Rewrite working sessions. Staff will make the change accordingly.

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

- Minutes of the October 22, 2009 Zoning Code Rewrite Working Session

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

- Minutes of the October 29, 2009 Zoning Code Rewrite Working Session

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

- Minutes of the December 14, 2009 Regular Meeting

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

SCHEDULE OF MEETINGS

- Regular Meetings: January 25 and February 8, 22, 2010
- Zoning Code Rewrite Working Sessions: February 4, 17, 2010
- Downtown Plan Working Sessions: February 1, 15, 2010

SPECIAL ITEM OF BUSINESS

Tim Gruber was selected to serve as the third Plan Commission appointment to the Long Range Transportation Planning Committee.

UNFINISHED BUSINESS

1. [16560](#) Approving Changes to the Inclusionary Zoning Program Policies and Procedures Document.

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

ROUTINE BUSINESS

2. [16709](#) Authorizing a second amendment to the lease between the City of Madison and Madison-Kipp Corporation within the East Rail Transportation Corridor.
The Plan Commission referred this resolution to allow additional discussion between the City and Madison-Kipp Corporation about the proposed amendment.

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

3. [16733](#) SUBSTITUTE - Accepting a 15-foot wide Public Sanitary Sewer Easement from the Vedders-Shults Trust and the Twesme Trust across property located at ~~5108~~5106 Spring Court.

A motion was made by Olson, 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.

4. [16765](#) Adopting the final Legally Binding Agreement (LBA) to accommodate Goodwill Industries of South Central Wisconsin at 4829 Anniversary Lane, amending the City's previously submitted Redevelopment Plan, Homeless Assistance Submission, and Public Comment documents regarding the Truman Olson United States Army Reserve Center (1402 S. Park Street) property accordingly, authorizing submission by the LRA of said revised documents to the Federal Government, and execution of the LBA by the

Mayor and City Clerk upon acceptance by the United States Department of Housing and Urban Development.

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

5. [16775](#) Authorizing the execution of an Agreement for Installation, Operation, Maintenance and Repair of Photovoltaic Lighting System with Madison Gas and Electric Company for the installation of a demonstration photovoltaic lighting system in Thut Park, located at 2630 Nana Lane.

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

6. [17009](#) Authorizing the execution of a Purchase Agreement with the Natural Heritage Land Trust, Inc. for the City's acquisition of lands for the expansion of the Cherokee Marsh Conservation Park and amending the 2010 Parks Capital Budget to authorize the expenditure of funds for this acquisition.

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

Registered in support of the resolution and available to answer questions was Bill White, 2708 Lakeland Avenue, representing Cherokee Park, Inc.

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 Amendments

7. [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.

The Plan Commission recommended referral to January 25, 2010 pending a recommendation from the Urban Design Commission.

A motion was made by Basford, seconded by Gruber, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION, due back on 1/25/2010. The motion passed by voice vote/other.

8. [16737](#)

Creating Section 28.06(2)(a)3462. 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: Revise Density of Previously Approved 33-Unit Building to 40-Unit Building and a 36-Unit Building to a 29-Unit Building; 3rd Aldermanic District: 5801 Gemini Drive and 825 Jupiter Drive.

The Plan Commission recommended approval subject to the comments and conditions contained in the Plan Commission materials and the following revised conditions:

- That Condition #3 of the staff report be revised to clarify that proof of financing and a contract with a construction firm will be required prior to the issuance of permits for the construction of each phase/ building.

The motion passed by voice vote/ other.

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

Speaking in support of the proposed development was Casey Louthier, 120 Telemark parkway, Mount Horeb, representing the applicant, David Baehr, 2616 Happy Valley Road, Sun Prairie, who was registered in support and available to answer questions.

9. [16769](#)

Creating Section 28.06(2)(a)3463. 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 Future Construction of 190 Apartments in five Residential Buildings & 33,000 Square Feet of Retail in five Commercial Buildings; 7th Aldermanic District: 6701-6921 McKee Road & 3210 Maple Grove Drive.

The Plan Commission recommended approval of an Alternate PUD-GDP zoning for the portion of the site to be developed with the 80-unit senior apartment complex subject to the comments and conditions contained in the Plan Commission materials and the following condition:

- That approval of a general development plan for the remainder of the 14-acre overall site occur prior to or concurrent with specific implementation plan approval for the 80-unit senior apartment complex .

The Plan Commission recommended referral of the remainder of the proposed PUD zoning so that the applicant could address issues raised about the general development plan in the staff report. Members of the Plan Commission noted the need to create a connected street system within the development, the provision of usable building entrances from adjacent streets and the ability to accommodate multi-story commercial buildings.

[Staff notes that the Plan Commission's recommendation will require a subsequent rezoning ordinance for the balance of the 14-acre site at the time the applicant returns to the Plan Commission but not a new rezoning application.]

The motion passed by voice vote/ other.

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

Speaking in support of the proposed development were: Alex Weis, Livevsey Company, 1818 W. Beltline Highway, the applicant; Cliff Goodhart & Paul Raisleger, Epstein Uhen Architects, 222 W. Washington Avenue, both representing the applicant; Dan Walsh, Ryan Companies, 55 Sherman

Boulevard, Naperville, Illinois, and; Ald. Steve King, 6948 Country Lane, representing the 7th District.

Registered in support and available to answer questions about the development was Bill Suick, D'Onofrio Kottke & Associates, 7530 Westward Way, representing the applicant.

10. [16778](#)

Creating Section 28.06(2)(a)3464. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3465. 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 Retail Building to Allow Mixed-Use Building with 9,870 Square Feet of Commercial Space and 12 Apartment Units; 13th Aldermanic District: 801 South Park Street.

The Plan Commission recommended approval subject to the comments and conditions contained in the Plan Commission materials and the following revised condition:

- That the family definition for the planned unit development reference the R2 Single-Family Residence District instead of the R6 General Residence District as proposed.

The motion passed by voice vote/ other.

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

Speaking in support of the proposed development were: Pat McCaughey, 914 West Shore Drive, the applicant, and John Bieno, TJK Design Build, 634 W. Main Street.

Registered in support of the proposed development and available to answer questions was Shane Bernau, 303 S. Paterson Street, Suite 1.

Registered in support but not wishing to speak were: Lori Mahar, 614 S. Orchard Street; Dennis Davidsaver, 624 West Shore Drive, and; Duane McCaughey, 829 Erin Street.

Conditional Use/ Demolition Permits

11. [16562](#)

Consideration of a conditional use and a demolition permit to allow a single-family residence to be razed and a new residence to be constructed on a lakefront lot at 2708 Waunona Way. 14th Ald. Dist.

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

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

Registered in support of the project and available to answer questions were the applicant, Douglass Henderson, 2921 Richardson Street, Fitchburg, and William J. Flanagan, Holtz Builders, 2560 E. Main Street, Reedsburg.

12. [16993](#)

Consideration of a conditional use for a parking reduction and an outdoor eating and recreation area to serve an existing tavern at 6402 Millpond Road. 16th Ald. Dist.

The Plan Commission found that the standards could be met and granted approval subject to the comments and conditions included in the Plan Commission materials and the following conditions:

- That the conditions of the Alcohol License Review Committee listed on page 3 of the staff report be included as conditions of approval of this conditional use permit.

- That the applicant provide signed agreements for the proposed off-site shared parking for staff approval prior to final approval of the conditional use.

This motion passed by voice vote/ other.

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

Speaking in support of the proposal were Ronald M. Trachtenberg, Murphy Desmond, SC, 33 E. Main Street, Suite 800, representing the applicant, Whiskey River, LLC, and Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District.

Registered in support of the proposal and available to answer questions was Kevin Weaver, 6402 Millpond Road.

13. [16994](#)

Consideration of a conditional use for a parking lot in the M1 Limited Manufacturing District at 3201 Anderson Street. 17th Ald. Dist.

The Plan Commission determined that the standards could not be met and placed the proposed conditional use on file without prejudice.

Specifically, the Commission determined that conditional use standards #1, that the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare, and #6, that measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both onsite and on the public streets, could not be met.

This motion passed by voice vote/ other.

A motion was made by Kerr, seconded by Basford, to Place On File Without Prejudice. The motion passed by voice vote/other.

Speaking in support of the project were Fred Brechlin, Madison College, 3550 Anderson Street, the applicant, and Wade Wyse, JSD Professional Services, 161 Horizon Drive, Suite 101, Verona.

14. [16995](#)

Consideration of a major alteration to an existing conditional use to allow construction of an addition to a single-family residence on a lakefront lot at 1234 Sherman Avenue. 2nd Ald. Dist.

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

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

Speaking in support of the project were: Robert Holz & Christy Holz Shepplemann, 1234 Sherman Avenue, the applicants; Todd Barnett, 118 N. Breese Terrace, Suite 1, representing the applicants; Rick Anderson, 1250 Sherman Avenue; Jim Rogers 1140 Sherman Avenue; Jeff Block, 1244 Sherman Avenue; Gunnar Bergersen, 1240 Sherman Avenue; Ann O'Brien, 1202 Sherman Avenue; Fredenca Schuster, 1220 Sherman Avenue, and; Ald. Bridget Maniaci, 640 E. Johnson Street #5, representing the 2nd District.

Speaking in opposition to the project were Robert & Dorothy Knepper, 1236 Sherman Avenue.

Registered in support of the project and available to answer questions were Andrew M. Schuster, 1220 Sherman Avenue, and Lynn & Bob Bolz, 1224 Sherman Avenue.

Registered in support but not wishing to speak was Richard Linster, 432 Sidney Street.

BUSINESS BY MEMBERS

The Plan Commission discussed the schedule and process for consideration of the Edgewater Hotel development approvals prior to the beginning of the public hearing. It was noted that the Plan Commission was invited to attend a Common Council briefing on the Edgewater project that was scheduled for January 28, 2010, and encouraged to attend the Urban Design Commission meetings where the Edgewater will be discussed.

There was no other business by members.

COMMUNICATIONS

Fey noted during the Edgewater Hotel process discussion that she had been contacted by three alderpersons about that project.

There were no other communications noted by members.

SECRETARY'S REPORT

Upcoming Matters - January 25, 2010

- 666 Wisconsin Avenue - R6H & HIS MH OR to PUD-GDP-SIP and Conditional Use for Waterfront Development for Edgewater Hotel development
- 617-619 Mendota Court - R6 to PUD-GDP-SIP & Demolition Permit to demolish 2 apartment buildings to allow construction of a 28-unit apartment building
- 1646 Sherman Avenue - Conditional use to construct an addition to a single-family residence on a lakefront lot

Upcoming Matters - February 8, 2010

- 5517 Lake Mendota Drive - Demolish single-family residence and construct new residence
- 7102 US Highway 12 & 18 - PUD-SIP Alteration to construct new waste transfer station at Rodefild Landfill
- 924 Williamson Street - Alteration to approved conditional use to address screening and outdoor smoking area for nightclub

ANNOUNCEMENTS

None

ADJOURNMENT

**A motion was made by Heifetz, seconded by Basford, to Adjourn at 9:45 p.m.
The motion passed by voice vote/other.**