



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, March 9, 2009

5:30 PM

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

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**\*\*Note\*\*** Quorum of the Common Council may be in attendance at this meeting.

### CALL TO ORDER/ROLL CALL

**Present:** 10 -

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

**Excused:** 1 -

Beth A. Whitaker

Fey was chair for this meeting.

Staff present: Brad Murphy, Rick Roll & Tim Parks, Planning Division; Kitty Noonan, City Attorney's Office, and; Andrew Statz & Mario Mendoza, Mayor's Office.

### MINUTES OF THE February 23, 2009 MEETING

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

**Excused:** 1 -

Beth A. Whitaker

**Ayes:** 7 -

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

**Abstentions:** 1 -

James C. Boll

**Non Voting:** 2 -

Michael G. Heifetz and Nan Fey

### SCHEDULE OF MEETINGS

March 23 & April 6, 20, 2009

Fey also noted the next meeting of the Zoning Code Re-Write Advisory Committee on March 24, 2009.

## UNFINISHED BUSINESS

1. [12771](#) SECOND SUBSTITUTE - Establishing sustainability goals to guide the development of the plan for the Northeast Neighborhoods.  
This matter was referred at the request of the Mayor's Office to allow the Board of Parks Commissioners to review the resolution at their March 11, 2009 meeting.  
**A motion was made by Cnare, seconded by Boll, to Rerefer to the PLAN COMMISSION, due back on 3/23/2009. The motion passed by voice vote/other.**

## ROUTINE BUSINESS

2. [13710](#) Authorizing the Mayor and City Clerk to execute an amendment to the lease with the University of Wisconsin, Board of Regents allowing for the UW's continued placement and use of a floating dock system along the Lake Mendota shoreline within Marshall Park.  
**A motion was made by Boll, seconded by Kerr, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. 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.

## Zoning Map Amendments/Subdivisions

3. [13433](#) Creating Section 28.06(2)(a)3417. of the Madison General Ordinances rezoning property from R2T Single-Family Residence District and PUD(GDP) Planned Unit Development (General Development Plan) District to R2T Single-Family Residence District, and creating Section 28.06(2)(a)3418. of the Madison General Ordinances rezoning property from R2T Single-Family Residence District and PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(GDP) Planned Unit Development (General Development Plan). Proposed Use: 88 Single-Family Lots, 11 Two-Family Lots, 5 Multi-Family Lots and 2 Outlots; 9th Aldermanic District: 9305-9437 Elderberry Road.  
A motion was made by Cnare, seconded by Olson, to Recommend To Council To Adopt - Public Hearing. The motion passed by voice vote/other.  
Approval of the zoning map amendment was recommended subject to the comments and conditions contained in the Plan Commission materials and the following addition to Traffic Engineering Division condition #24:  
- The street improvements may require traffic calming features to be determined by the City Traffic Engineer and the installation of speed limit signs along Elderberry Road within the City of Madison as

previously approved.

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

4. [13840](#)

Approving the preliminary and final plats of Woodstone located at 9305-9437 Elderberry Road. 9th Ald. Dist.

A motion was made by Cnare, seconded by Olson, to Recommend To Council To Adopt. The motion passed by voice vote/other.

Approval of the subdivision was recommended subject to the comments and conditions contained in the Plan Commission materials and the following addition to Traffic Engineering Division condition #24:

- The street improvements may require traffic calming features to be determined by the City Traffic Engineer and the installation of speed limit signs along Elderberry Road within the City of Madison as previously approved.

**A motion was made by Cnare, seconded by Olson, 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.**

The following registrants were registered for Items #3 & 4:

Speaking in support of the project was Jason Valerius, MSA Professional Services; 2901 International Lane, representing the applicant, Dan Heffron, Pheasant Ridge, LLC.

Speaking in opposition to the project was Ann Keegan, 407 Fargo Trail.

Speaking neither in support nor opposition to the project was Annette Savage, 9410 Elderberry Road.

5. [13432](#)

Creating Section 28.06(2)(a)3415. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3416. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Convert 20 Approved Townhouse Condominiums to 20 Garden Apartments; 1st Aldermanic District: 9202 Silverstone Lane.

A motion was made by Kerr, seconded by Sundquist, to Recommend To Council To Adopt. The motion passed by voice vote/other.

Approval was recommended subject to the comments and conditions contained in the Plan Commission materials.

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

Registered in support of the project and available to answer questions was J. Randy Bruce, Knothe Bruce Architects, 7601 University Avenue, Middleton, representing the applicant, Tim McKenzie, B&H Madison, LLC.

6. [13107](#)

Creating Section 28.06(2)(a)3399 of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3400 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 medical office and construct mixed-use

building with 42 apartments, office/retail space and a health club; 4th Aldermanic District: 425 West Washington Avenue.

A motion was made by Kerr, seconded by Cnare, to Recommend To Council To Adopt- Recessed Public Hearing. The motion passed by voice vote/other.

Approval was recommended based on the plans dated March 9, 2009 and subject to the comments and conditions contained in the Plan Commission materials, including the following revisions or additions:

- That Planning Division condition #1 of the report be deleted (the revised plans address this condition);
- That the applicant submit a tree protection plan to the City Forester for approval prior to recording of the planned unit development that addresses protecting the trees in the public terrace during construction.

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

Speaking in support of the project were: Erik Minton, 21 N. Butler Street, and Dr. John Bonsett-Veal, 425 W. Washington Avenue, the developers; David Ferch, 2709 Gregory Street and Bill White, 2708 Lakeland Avenue, both representing the developers; Jonathon Cooper, 208 S. Henry Street, representing the Bassett Neighborhood Steering Committee for this project; Justin Harder, 924 Spaight Street; Derek Lalley, 699 W. Mifflin Street; 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 were: Chet Droessler, 123 W. Washington Avenue #507; Tom Geier, 123 W. Washington Avenue; Aaron Abplanalp, 533 W. Main Street, and; Geoffrey Vine & John Tucker, Stevens Construction, 5100 East Park Boulevard.

Speaking in opposition to the project was Peter Ostlind, 533 W. Main Street.

### Conditional Use/ Demolition Permits

7. [13841](#) Approval of final plans for a single-family residence at 5314 Loruth Terrace, 20th Ald. Dist, on a lot created by a 2006 Certified Survey Map and demolition permit.

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

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

Registered in support of the project and wishing to speak was Scott Harrington, 5210 Whitcomb Drive, representing the Orchard Ridge Neighborhood Association.

Registered in support of the project and available to answer questions were: Tim Nachreiner, 33 Park Heights #4, the applicant, and Mary & David Denig-Chakroff, 5305 Whitcomb Drive, representing the Orchard Ridge Neighborhood Association

Registered in support of the project but not wishing to speak were Deane Army, 5401 Whitcomb Drive and Ingrid Russell, 5310 Whitcomb Drive.

8. [13842](#) Consideration of a conditional use for a parking reduction to allow an existing building to be converted into a bar/restaurant at 924 Williamson Street. 6th Ald. Dist.

The Plan Commission found that the standards could be met and approved the parking reduction based on the March 5, 2009 plans subject to the comments and conditions contained in the Plan Commission materials with the following conditions:

- That the capacity of the establishment be limited to 250 persons;
- That the bike parking on-site be increased to 16 stalls;
- That the applicants/ operators develop a plan to educate patrons about the parking available in the East Rail Corridor (along E. Main Street).

The Plan Commission wished that it be noted in the minutes without making it a condition of approval that the applicants indicated their willingness to amend the document entitled "Plan B - Security Plan" under the section "Handling of Physical Disturbances, Including Fights" to now read as follows: "Security or management will contact the Madison Police Department promptly to report any disturbances in or near the establishment."

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

**Excused:** 1 -

Beth A. Whitaker

**Ayes:** 6 -

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

**Noes:** 2 -

Lauren Cnare and James C. Boll

**Non Voting:** 2 -

Michael G. Heifetz and Nan Fey

Speaking in support of the request were: Rico Sabatini, 3923 Claire Street & Corey Gresen, 20 N. Blair Street #302, the applicants; Dana Vigna, 122 Dunning Street, speaking on behalf of the applicants; Kelley Richardt, 6308 Midwood Avenue; Jasmin Lind, 153 Lathrop Street; Matt Gietzel, 128 Lathrop Street; Scott B. Thornton, representing the Marquette Neighborhood Association; Dick Guyot, 936 Jenifer Street; Rodrigo A. Castillon, 145 Iota Court #145; Kyle Kaniecki, 2937 Fish Hatchery Road #3; Gary Tipler, 807 Jenifer Street, and; Ald. Marsha Rummel, 1029 Spaight Street #6C, representing the 6th District.

Speaking in opposition to the request were John A. Rolfsmeyer, 936-940 Williamson Street, and William Alexander, 852 Williamson Street.

Registered in support of the request and available to answer questions were: Matt Aro, 116 King Street and Michelle Burse, Burse Surveying & Engineering, 1400 E. Washington Avenue, Suite 158, both representing the applicants; Ryan Ortman, 315 Joshua Circle, Sun Prairie; Douglas Robers, 1833 S. Park Street, and; Catherine Watkins, 1010 E. Gorham Street #2.

Registered in support of the request but not wishing to speak were: Jolin Mitchell, 1010 E. Gorham Street #2; Steve Kaukl, 2746 Nadene Road; Angela Marie Costanza, 228 Langdon Street #11; Brett Tortelli, 449 Hawthorne Court; Casey Johnson, 420 W. Gorham Street #201; Maria Parker, 6308 Midwood Avenue; Todd Wendrick, 20 N. Blair Street #302, and; Shandra Biyrd, 3104 Churchill Drive.

Registered neither in support nor opposition to the request and available to answer questions was Kris Warren, 303-307 S. Paterson Street, representing Donald Warren, Donde, LLP.

**Zoning Text Amendment**

9. [13481](#)

Creating Section 28.07(6)(e)2.d. to allow accessory structures with up to two dwelling units in required rear yards in the Transition Zone abutting Downtown Design Zone 2 on West Dayton Street.

A motion was made by Gruber, seconded by Olson, to Recommend To Council To Adopt - Public Hearing. The motion passed by the following vote: (AYE: Ald. Gruber, Ald. Kerr, Sundquist, Olson, Bowser; NAY: Ald. Cnare, Boll, Basford; NON-VOTING: Fey, Heifetz)

**A motion was made by Gruber, seconded by Olson, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote:**

**Excused:** 1 -

Beth A. Whitaker

**Ayes:** 5 -

Tim Gruber; Julia S. Kerr; Judy K. Olson; Judy Bowser and Eric W. Sundquist

**Noes:** 3 -

Lauren Cnare; James C. Boll and Michael A. Basford

**Non Voting:** 2 -

Michael G. Heifetz and Nan Fey

## **BUSINESS BY MEMBERS**

Ald. Cnare and Bowser both asked that Plan Commission members retain their materials on item #1, which will be coming back to the Commission at the next meeting on March 23, 2009.

## **COMMUNICATIONS**

Fey noted that she received a copy of the environmental impact statement for the new Union South.

## **SECRETARY'S REPORT**

Brad Murphy provided an update on upcoming Plan Commission matters.

### **Upcoming Matters - March 23, 2009**

- 3502 Sargent Street - R2 to R2S to allow future creation of 2 lots from an existing single-family parcel
- 430 South Thornton Avenue - R4 to PUD-GDP-SIP to relocate existing 2-unit building, construct underground parking and new 2-unit
- 1148 Jenifer Street - R4L to PUD-GDP-SIP relocated 2-unit from South Thornton Avenue onto vacant property
- 3901 Hanson Road - CSM referral to create 3 lots and removal of reservation for future street extension
- 1419 Monroe Street - Conditional use continued jurisdiction for Stadium Bar beer garden

### **Upcoming Matters - April 6, 2009**

- 202 South Park Street - R4/R6/C2 to PUD-GDP-SIP for Meriter Hospital campus master plan and final approval for various small projects
- 6234 South Highlands Avenue - Deep Residential Lot CSM to create two single-family lots, including one deep residential lot

## **ANNOUNCEMENTS**

None

## **ADJOURNMENT**

**A motion was made by Boll, seconded by Gruber, to Adjourn at 8:40 p.m. The motion passed by voice vote/other.**