



City of Madison

Meeting Minutes - Final

PLAN COMMISSION

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

Monday, August 20, 2007

5:30 PM

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

ROLL CALL

Present: Tim Gruber, Lauren Cnare, Julia S. Kerr, Nan Fey, Brian W. Ohm, James C. Boll, Michael A. Basford, Kelly A. Thompson-Frater and Beth A. Whitaker

Excused: Judy Bowser

Nan Fey was chair for the meeting.

Staff present: Brad Murphy & Kevin Firchow, Planning Division and Joel Plant, Mayor's Office.

MINUTES OF THE August 6, 2007 MEETING

Approved with correction that James Boll recused himself from agenda item 2.

A motion was made by Cnare, seconded by Thompson-Frater, to Approve the Minutes. The motion passed by acclamation.

SCHEDULE OF MEETINGS

September 17 and October 1, 15, 2007

APPOINTMENTS

Appointments and meeting schedules were discussed, no appointments were made. This matter will be scheduled for the 9/17 meeting.

ROUTINE BUSINESS

1. [07140](#) Creating Section 8.075 of the Madison General Ordinances to codify and amend the existing Procedures for the Disposal of Surplus City Real Property.
A motion was made by Kerr, seconded by Cnare, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.

PUBLIC HEARING-6:00 p.m.

Zoning Map Amendments/Subdivisions

2. [07227](#) Creating Section 28.06(2)(a)3283. 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: Construct 24-Unit Condominium

Building; 3rd Aldermanic District: 810 Jupiter Drive.

Referred pending a recommendation by the Urban Design Commission.

A motion was made by Ohm, seconded by Boll, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.

3. [07228](#) Creating Section 28.06(2)(a)3284. of the Madison General Ordinances rezoning property from Temp A Agriculture to M1 Limited Manufacturing District and creating Section 28.06(2)(a)3285. of the Madison General Ordinances rezoning property from Temp A Agriculture to W Wetlands District; Proposed Use: Demolish Single-Family Home & Construct Multi-Tenant Industrial Building; 16th Aldermanic District: 5402 Voges Road
Referred at the request of the applicant.
A motion was made by Ohm, seconded by Thompson-Frater, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.

4. [07230](#) Creating Section 28.06(2)(a)3282. 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: Construct 32-Unit Condominium Building; 2nd Aldermanic District: 625 East Mifflin Street.
Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following condition:

That the Inclusionary Dwelling Unit Plan be amended to provide the IZ units between the 70% and 80% area median income (AMI) levels as required by the ordinance.
A motion was made by Kerr, seconded by Cnare, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.
Registered in support and available to answer questions was J. Randy Bruce, 7601 University Avenue; representing the applicant.

5. [07229](#) Creating Section 28.06(2)(a)3281 of the Madison General Ordinances rezoning property from Temp A Agriculture to R1 Single-Family Residence District and Section 28.06(2)(a)3282 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District; Proposed Use: 159 Single Family Lots; 2 Multi-Family Lots and 5 Outlots; 9th Aldermanic District: 12003 Mineral Point Road.
Referred at the request of the applicant.
A motion was made by Thompson-Frater, seconded by Cnare, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.

6. [07267](#) Approving the preliminary plat of "Tormey Ridge" located at 12003 Mineral Point Road. 9th Ald. Dist.
Referred at the request of the applicant.

A motion was made by Thompson-Frater, seconded by Cnare, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.

Conditional Uses/ Demolition Permits

7. [07268](#) Consideration of a conditional use for a radio transmission tower at 3802 Mineral Point Road. 11th Ald. Dist.
- The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials.*
- A motion was made by Gruber, seconded by Thompson-Frater, to Approve. The motion passed by acclamation.**
- Speaking in support of the project were Hilary Edwards, 1217 Gilson Street; and Rob Hecimovich, 1606 Fremont Avenue, representing the applicant.*
- Registered in support and available to answer questions were Eric Howland, 3606 Gregory Street; Lea Zeldin, 5705 Forsythia Place; and Thomas Kozlovsky, 1139 Pauline Avenue, representing the applicant.*
- Also registered in support but not indicating whether or not they wished to speak were Sangmo Dhondut, 6006 Roseberg Road; Wangmo Tsering, 6006 Roseberg Road; Tsering Lhamo, 1205 Bultman Road; Lhakpa Tsering, 1205 Bultman Road; Dechhen, 1205 Bultman Road; Namgyual Dolkar, 9 Westwynn Circle.*
8. [07269](#) Consideration of a demolition permit to allow the demolition of a single-family residence and construction of a new residence at 1718 Helena Street. 6th Ald. Dist.
- Placed on file without prejudice- application withdrawn by applicant.*
- A motion was made by Whitaker, seconded by Basford, to Place On File Without Prejudice. The motion passed by acclamation.**
9. [07270](#) Consideration of a demolition permit to allow the demolition of a single-family residence and construction of a new residence at 1226 Iowa Drive. 18th Ald. Dist.
- The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials.*
- A motion was made by Cnare, seconded by Thompson-Frater, to Approve. The motion passed by acclamation.**
10. [07271](#) Consideration of a demolition permit to allow the demolition of an existing office building and construction of a new office building at 34 Schroeder Court. 1st Ald. Dist.
- The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials.*
- A motion was made by Basford, seconded by Kerr, to Approve. The motion passed by acclamation.**
- Registered in support of the project and available to answer questions were Ray Rodenbeck, 21675 Long View Drive, Waukesha, WI; and Michael Welman, 21675 Long View Drive, Waukesha, WI, both representing the applicant.*

11. [07272](#) Consideration of a conditional use for an outdoor eating area for a restaurant located at 240 West Gilman Street. 8th Ald. Dist.
- The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials and the following condition:*
- That if the ALRC amends the applicant's liquor license to allow alcohol service in the outdoor seating area, the Plan Commission will need to approve an amended conditional use permit specifically allowing such service. This shall occur prior to alcohol service being allowed in the outdoor seating area.*
- A substitute motion by Ald. Gruber, seconded by Basford, to approve the request subject to a condition that alcohol could be served in the outdoor seating area if served with food, failed on a vote of 2-5 (AYE: Ald. Gruber, Basford; NAY: Ald. Cnare, Boll, Thompson-Frater, Whitaker, Ohm NON-VOTING: Fey)*
- A motion was made by Kerr, seconded by Gruber, to Approve. The motion passed by the following vote:**
- Excused:** 1 - Bowser
- Aye:** 7 - Gruber, Cnare, Kerr, Ohm, Basford, Whitaker and Thompson-Frater
- No:** 1 - Boll
- Non Voting:** 1 - Fey
- Speaking in support of the project was the applicant, Jongyeon Lee, 402 W. Gorham Street. Also speaking in support of the project were Melissa Destree, 222 W. Washington Avenue #310; Joseph Tachovsky, 1223 Sherman Avenue; Rick Petri, 33 E. Main Street; and Ron Trachtenberg, 33 E. Main Street; all representing the applicant; and Ald. Eli Judge representing the 8th District.*
- Speaking in opposition to the project was Todd Wendorf, 222 W. Gilman Street, representing the Wisconsin Lutheran Chapel.*
12. [07273](#) Consideration of a conditional use/demolition permit to allow demolition of a single-family residence and construction of a new residence on a lakeshore lot located at 721 Woodward Drive. 18th Ald. Dist.
- The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials.*
- A motion was made by Kerr, seconded by Gruber, to Approve. The motion passed by the following vote:**
- Excused:** 1 - Bowser
- Aye:** 6 - Gruber, Cnare, Kerr, Ohm, Boll and Whitaker
- No:** 2 - Basford and Thompson-Frater
- Non Voting:** 1 - Fey
- Registered in support of the project and available to answer questions was Butch Hensen, Hensen Builders Inc, 110 Baker Street, Waunakee, representing the applicant.*

13. [07274](#) Consideration of conditional uses to allow motorcycle and boat sales and a parking reduction at 7149 Manufacturers Drive. 17th Ald. Dist.
Referred for up to 60 days to have applicant work with staff to address issues noted in staff reports.
A motion was made by Thompson-Frater, seconded by Cnare, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.
Speaking in support of the project was David Uttech, Keller, Inc., Germantown, WI, representing the applicant.

Registered in support of the project and available to answer questions were Sara Withrow, MSA Professional Services, 2901 International Lane; and Adam Smith, EMI Management Inc., 2901 International Lane, both representing the applicant.
14. [07275](#) Consideration of a demolition permit to allow demolition of two single-family residences and construction of an office building addition for an adjacent contractors shop located at 1431-1441 Northern Court. 6th Ald. Dist.
The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials.
A motion was made by Cnare, seconded by Kerr, to Approve. The motion passed by acclamation.
Speaking in support of the project were applicant Sam Breidenback, 1431 Northern Court; and Jim Glueck, 116 N. Few Street, representing the applicant; and Ald. Marsha Rummel, 1339 Rutledge Street, representing the 6th District.

Zoning Text Amendments

15. [06949](#) Amending Sections 28.03(2), 28.04(5)(b)7. and 28.08(2)(c)18. of the Madison General Ordinances to increase the total square footage of floor area in accessory buildings that require conditional use approval.
A motion was made by Basford, seconded by Thompson-Frater, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by acclamation.
16. [06950](#) Amending Sections 28.04(2) and 28.09(4)(d)8., creating Section 28.09(4)(d)9., and amending Section 28.09(6)(d) of the Madison General Ordinances to add a definition of auto title loan business and make them a conditional use in the C3 and C3L Districts.
A motion was made by Ohm, seconded by Gruber, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.
17. [06951](#) Creating Section 28.10(4)(c)67. and repealing Section 28.10(4)(d)20. of the Madison General Ordinances to change automobile and motorcycle sales and rental establishments from a conditional to a permitted use in the M1 District.
A motion was made by Kerr, seconded by Basford, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by acclamation.

18. [06952](#) Amending Sections 28.03(2), 28.07(2)(b)4.a., (2)(c)12., (3)(b)12.a., and (3)(b)13., 28.08(2)(b)10.a., (2)(b)13., (2)(c)4., (5)(b)6., (7)(b)4.a., (9)(b)5., (11)(b)5., and (11)(b)10.a., 28.085(2)(c)4., (2)(d)3., and (4)(c)4.e., 28.09(2)(c)23., 28.10(2)(c)8., (2)(d)5., (3)(c)1., (3)(c)12., (4)(c)1.c., (4)(c)43., (6)(c)8, and (6)(d)5., 28.11(3)(l)3.a., and (4)(f)1., and 28.12(12)(a)10. of the Madison General Ordinances to delete nursery schools as an identified use, include this use in new definition of day care center, and change terminology throughout zoning code to be consistent, and to add day care centers in churches as a permitted use in the R1 District.
- A motion was made by Cnare, seconded by Gruber, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**
19. [06953](#) Creating Section 28.09(4)(c)38., amending Section 28.09(4)(d)1., and creating Section 28.10(4)(c)67. of the Madison General Ordinances to change temporary parking lots from a conditional use to a permitted use in the C3 and M1 Districts.
- A motion was made by Whitaker, seconded by Gruber, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by the following vote:**
- Excused:** 1 - Bowser
- Aye:** 7 - Gruber, Cnare, Kerr, Boll, Basford, Whitaker and Thompson-Frater
- No:** 1 - Ohm
- Non Voting:** 1 - Fey
20. [06954](#) Creating Sections 28.09(4)(c)38., 28.09(4)(d)1., and 28.10(4)(c)67. of the Madison General Ordinances to add contractor or construction offices as a permitted use in the C3, C3L and M1 Districts.
- A motion was made by Cnare, seconded by Thompson-Frater, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**
21. [06955](#) Creating Section 28.08(7)(b)10., amending Section 28.08(7)(c)4., creating Section 28.08(8)(b)5., amending Section 28.08(8)(c)2., creating Section 28.085(5)(c)8., amending Section 28.085(5)(d)3., creating Section 28.09(2)(c)57., amending Section 28.09(2)(d)6., creating Section 28.09(3)(c)82., repealing Section 28.09(3)(d)2., amending Section 28.09(3)(d)32., creating Section 28.09(5)(c)3., amending Section 28.09(5)(d)3.a., creating Section 28.10(2)(c)16., amending Section 28.10(2)(d)6., creating Section 28.10(4)(c)67., repealing Section 28.10(4)(d)9., amending Section 28.10(4)(d)29., creating Section 28.10(6)(c)14., and amending Section 28.10(6)(d)6. of the Madison General Ordinances to make some outdoor eating areas of restaurants permitted rather than conditional uses.

A motion was made by Basford, seconded by Kerr, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by the following vote:

Excused: 1 - Bowser

Aye: 6 - Cnare, Kerr, Boll, Basford, Whitaker and Thompson-Frater

No: 2 - Gruber and Ohm

Non Voting: 1 - Fey

BUSINESS BY MEMBERS

Michael Basford inquired about the status of the requested attorney's opinion regarding when plan commissioners need to recuse themselves. Brad Murphy and Nan Fey commented that the report is currently being drafted.

COMMUNICATIONS

None.

SECRETARY'S REPORT

Brad Murphy noted the upcoming matters for the Plan Commission.

Upcoming Matters - September 17, 2007

- 1202-1206 Northport Drive - R1 to C, Lake View Hills Park
- 333 West Washington Avenue - Amended PUD-GDP, Capitol West for Hyatt Place Hotel
- 9401 Midtown Road - Construct 8 single-family homes, 10 duplexes, and future multi-family building
- 119-125 North Butler Street - R6 to PUD-GDP for future apartment building
- 1816 Adams Street - Demolish single-family house to build a new single-family house with detached garage
- 4429 Milwaukee Street - Conditional use to allow for residential use on first floor in C1 zoning
- 1326 South Midvale Boulevard - Conditional use to replace existing cellular tower with larger tower
- 3204 Tanglewood Drive - Transfer of Conditional Use Permits for daycare.
- East Washington Capitol Gateway Corridor Plan

Upcoming Matters - October 1, 2007

- 6733 Fairhaven Drive - PUD-GDP & Wetland to Amended PUD-GDP-SIP, construct 12-unit townhouse
- 4216 Jerome Street - Demo single-family house and preliminary plat of 5 lots
- 430 West Dayton Street - R6 to PUD-GDP, additional unit in multi-family residential building
- 5402 Voges Road (Revised) - Demo single-family home, construct multi-tenant building & offsite P lot
- 6810 Cross County Road - ETJ CSM- to create three single-family lots in Town of Verona
- 4822 Venetian Lane- ETJ CSM to create two single-family lots in Town of Blooming Grove
- 410 E. Wilson Street Conditional Use for outdoor eating area

- 5646 Lake Mendota Drive- Conditional Use for new detached garage on a lakefront lot
- 2918 Waunona Way - Rezone property from R6/C2 to GDP and Demo permit for WID/MIR conceptual plan and permission to demolish existing buildings.

ANNOUNCEMENTS

Kelly Thompson-Frater announced that this was her last Plan Commission meeting and that she would be joining the Community Development Authority. James Boll thanked Ms. Thompson-Frater for her contributions to the Plan Commission.

ADJOURNMENT

A motion was made by Thompson-Frater, seconded by Boll, to Adjourn at 8:00 P.M. The motion passed by acclamation.