



City of Madison

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

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Monday, May 21, 2012

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: 9 -

Steve King; Marsha A. Rummel; Chris Schmidt; Nan Fey; Eric W. Sundquist; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Excused: 2 -

Anna Andrzejewski and John L. Finnemore

Fey was chair for this meeting.

Staff present: Steve Cover, Secretary; Kevin Firchow, Michael Waidelich, Brian Grady & Tim Parks, Planning Division; Joe Gromacki, TIF Coordinator, and; Matt Tucker, Zoning Administrator.

PUBLIC COMMENT

There were no registrants for public comment.

DISCLOSURES AND RECUSALS

Heifetz recused himself on item 7.

Ald. Schmidt noted that he had been contact with the applicant on item 14.

Fey noted that she lived in a building managed by the applicant on item 10 but that it would not affect her ability to participate on that item.

MINUTES OF THE MAY 7, 2012 REGULAR MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings: June 4, 18 and July 9, 23, 2012

Special Meetings and Working Sessions: Wednesday, May 23, 30 and Monday June 11, 2012

SPECIAL ITEM OF BUSINESS

1. [26404](#) Informational presentation regarding proposed amendments to the High Point-Raymond Neighborhood Development Plan.

The Plan Commission received an informational presentation from Michael Waidelich and Brian Grady regarding proposed amendments to the portion of the High Point-Raymond Neighborhood Development Plan area generally bounded by S. Pleasant View Road (CTH M) on the west, McKee Road (CTH PD) on the south, the western edge of the Ice Age Falls subdivision on the east, and the Dane County open space and existing Raymond Road on the north.

Following the presentation, public testimony, and discussion, the Plan Commission took no action on this item.

Speaking in opposition to the proposed plan amendment concepts were Si Widstrand, 7226 E. Branford Lane and Gary Werner, 2302 Lakeland Avenue.

ROUTINE BUSINESS

2. [26303](#) Authorizing the execution of a deed amendment restricting the use of 0.68 acres of land across a portion of Esther Beach Park, located at 2726 Waunona Way.
A motion was made by King, seconded by Sundquist, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.
3. [26304](#) Authorizing the Common Council to accept ownership from Lake Edge Neighborhood Association of a neighborhood entrance sign to be located in Lake Edge Park, near the intersection of Dempsey Road and Park Court.
A motion was made by King, seconded by Sundquist, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.
4. [26306](#) Authorizing the Common Council to accept ownership from Capitol Neighborhoods, Inc., of a "Little Library" located within Brittingham Park, at 388 S. Bassett Street.
A motion was made by King, seconded by Sundquist, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.
5. [26308](#) Authorizing the Mayor and City Clerk to execute a lease with Community Action Coalition of South Central Wisconsin, Inc. for a portion of Elvehjem Park located at 1202 Painted Post Drive for use as community gardens.
A motion was made by King, seconded by Sundquist, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.
6. [26311](#) Authorizing the Mayor and City Clerk to execute a lease with Community Action Coalition of South Central Wisconsin, Inc. for a portion of Leopold Park located at 2906 Traceway Drive for use as community gardens.
A motion was made by King, seconded by Sundquist, 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.

The public hearing began at 7:00 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.

Tax Incremental Finance District

- 7. [26225](#) Approving the Creation of and the Project Plan and Boundary for Tax Incremental District (TID) #42 (Wingra), City of Madison.
The Plan Commission recommended approval of Tax Incremental Finance District 42 to the Board of Estimates with the following addition:

- That the project plan be amended to include a 10-percent affordable housing set-aside be included in the final project plan based on the value of the entire proposed district.

The motion to recommend approval passed 7-0, with Heifetz recused.

A motion was made by Rummel, seconded by Sundquist, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES,. The motion passed by the following vote:

Ayes: 7 -
Steve King; Marsha A. Rummel; Chris Schmidt; Eric W. Sundquist; Michael W. Rewey; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet

Recused: 1 -
Michael G. Heifetz

Excused: 1 -
Anna Andrzejewski and John L. Finnemore

Non Voting: 1 -
Nan Fey

There were no registrants on this item.

Zoning Map Amendments & Related Requests

- 8. [25831](#) Creating Section 28.06(2)(a)3596. 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)3597. 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: Demolition of a single family home for the relocation of an existing three-unit multifamily building and the addition of a fourth unit to the building; 4th Aldermanic District; 531 West Mifflin Street.

In recommending that the proposed planned unit development zoning be placed on file, the Plan Commission found that the project did not meet the criteria for approval

for Planned Unit Development zoning in Section 28.07(6)(f) of the Zoning Ordinance, namely that the proposed development would not produce "significant community benefits in terms of environmental and aesthetic design." The Plan Commission also could not find that the proposed zoning map amendment was in the public interest and not solely for the interest of the applicant.

The motion to recommend that the request be placed on file passed 6-2 on the following vote: AYE: Ald. Rummel, Ald. Schmidt, Ald. King, Cantrell, Sundquist, Hamilton-Nisbet; NAY: Heifetz, Rewey; NON-VOTING: Fey; EXCUSED: Andrzejewski, Finnemore.

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

- Ayes:** 6 -
Steve King; Marsha A. Rummel; Chris Schmidt; Eric W. Sundquist; Bradley A. Cantrell and Tonya L. Hamilton-Nisbet
- Noes:** 2 -
Michael G. Heifetz and Michael W. Rewey
- Excused:** 1 -
Anna Andrzejewski and John L. Finnemore
- Non Voting:** 1 -
Nan Fey

9. [25973](#)

Consideration of a demolition permit to allow a single-family residence to be demolished as part of a proposed Planned Unit Development rezoning to allow construction of a four-unit apartment building at 531 West Mifflin Street; 4th Ald. Dist.

In placing this matter on file, the Plan Commission found that the demolition permit standards could not be met for the subject demolition permit, nor the standards and criteria of approval for zoning map amendments and planned unit developments for the related request for Planned Unit Development zoning (ID 25831) for the property.

A motion was made by Sundquist, seconded by Cantrell, to Place On File. The motion passed by the following vote:

- Ayes:** 6 -
Marsha A. Rummel; Chris Schmidt; Eric W. Sundquist; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Steve King
- Noes:** 2 -
Michael G. Heifetz and Michael W. Rewey
- Excused:** 1 -
Anna Andrzejewski and John L. Finnemore
- Non Voting:** 1 -
Nan Fey

The following were registered on items 8 & 9:

Speaking in support of the project was Matt Aro, Aro Eberle Architects, 116 King Street, representing the applicant, Brandon Cook, 115 S. Bassett Street, who was registered in support and available to answer questions.

Speaking in opposition to the project were: Rosemary Lee, 111 W. Wilson Street, and Scott Kolar, 333 W. Mifflin Street #9020.

Speaking neither in support nor opposition to the project was Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Registered in support and available to answer questions was Dennis Childs, Heritage Movers, LLC, W1254 Proverbs Pass, Albany, representing the applicant.

10. [26139](#)

Creating Section 28.06(2)(a)3604. of the Madison General Ordinances rezoning property from C4 Central Commercial Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3605. 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 fifth floor addition to existing mixed-use building; 4th Aldermanic District; 24 N. Webster Street/123 E. Mifflin Street.

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

- That the Plan Commission's recommended approval includes the following commitments made by the applicant during the May 21, 2012 public hearing. This information shall be provided on the plans submitted for final staff approval and sign off.

- That the exterior building lighting utilize the fixture provided in the Plan Commission materials.

- That the interior floor to ceiling height for the fifth floor penthouse will not exceed 10 feet.

- That condition #6 of the Report to the Plan Commission be removed;

The motion passed by voice vote/other.

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

Speaking in support of the proposed development were Anne Morrison, Urban Land Interests, 10 E. Doty Street, the applicant, and Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Registered in support of the project but not wishing to speak were Ledell Zellers, 510 N. Carroll Street; Dan Ross & Charles Squires, 125 N. Hamilton Street #602, and; Rosemary Lee, 111 W. Wilson Street.

11. [26171](#)

Creating Section 28.06(2)(a)3606. of the Madison General Ordinances rezoning property from R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3607. 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: Convert existing carriage house to single-family residence in rear yard of existing 3-unit apartment building; 111 East Gilman Street; 2nd Aldermanic District

The Plan Commission recommended that the proposed planned unit development be re-referred at the request of staff, with no future meeting date specified. The motion passed by voice vote/ other.

A motion was made by Schmidt, seconded by Sundquist, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.

There were no registrants on this item.

Conditional Use/ Demolition Permits

12. [26218](#) Consideration of a demolition permit and conditional use to allow an existing single-family residence to be demolished and new residence to be constructed on a lakefront lot at 5510 Lake Mendota Drive; 19th Ald. Dist.
- The Plan 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 Cantrell, seconded by Rewey, to Approve. The motion passed by voice vote/other.**
- Registered in support of the request and available to answer questions was the applicant, Sarah Spencer, 3100 Lake Mendota Drive #305.*
13. [26396](#) Consideration of a demolition permit to allow two residential buildings to be demolished and a conditional use for a non-accessory parking lot at 925-933 W. Johnson Street; 8th Ald. Dist.
- The Plan 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 conditions:*
- *That this conditional use for a surface parking lot is considered temporary, and shall be reviewed by the Plan Commission again within three years of approval (no later than May 21, 2015).*
 - *That the grading and stormwater management plan for the parking lot be reviewed by the City Engineering Division to insure that stormwater from the parking lot runs toward the bioswale rather than directly onto Clymer Place and further to the south.*
 - *The Plan Commission approval specifically acknowledged condition #18 of the Report to the Plan Commission regarding the removal of the parking stalls from the required front yard.*
- The motion to approve the request passed 5-3 on the following vote: AYE: Ald. Schmidt, Ald. King, Cantrell, Sundquist, Hamilton-Nisbet; NAY: Ald. Rummel, Heifetz, Rewey; NON-VOTING: Fey; EXCUSED: Andrzejewski, Finnemore.*
- An earlier motion by Cantrell, seconded by Sundquist, to condition the approval of the proposed parking lot for a period of three years with renewal by the Plan Commission after a public hearing was moved for separation by Ald. Schmidt, seconded by Rewey. The motion to separate failed by voice vote/ other.*
- Following the motion to separate, Cantrell withdrew his proposed condition for a time limit on the parking lot conditional use.*
- On a motion by Heifetz, seconded by Rewey, the first enumerated condition above was added to the main motion to approve the request on the following 6-2 vote: AYE:*

Ald. Rummel, Heifetz, Rewey, Cantrell, Sundquist, Hamilton-Nisbet; NAY: Ald. Schmidt, Ald. King; NON-VOTING: Fey; EXCUSED: Andrzejewski, Finnemore.

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

Ayes: 5 -

Chris Schmidt; Eric W. Sundquist; Bradley A. Cantrell; Tonya L. Hamilton-Nisbet and Steve King

Noes: 3 -

Michael G. Heifetz; Michael W. Rewey and Marsha A. Rummel

Excused: 1 -

Anna Andrzejewski and John L. Finnemore

Non Voting: 1 -

Nan Fey

Speaking in support of the request were Gary Brown, University of Wisconsin-Madison Facilities Planning & Management, 610 Walnut Street, the applicant, and Harvey Storm, 4193 Rose Court.

Planned Unit Development Alteration

14. [26395](#)

Consideration of an alteration to an approved Planned Unit Development - Specific Implementation Plan to allow an outdoor eating area for a restaurant at 515 S. Midvale Boulevard; 11th Ald. Dist.

The Plan Commission approved the proposed alteration subject to the comments and conditions contained in the Plan Commission materials.

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

Registered in support of the request and wishing to speak was the applicant, Kris Herbrand, 515 S. Midvale Boulevard.

Registered neither in support nor opposition to the request and wishing to speak was Dennis Detlef, 515 S. Midvale Boulevard.

Registered in support of the request and available to Bill Horzusly, 515 S. Midvale Boulevard.

BUSINESS BY MEMBERS

Ald. Rummel asked staff to explore the zoning text amendments necessary to allow "Little Libraries" on private property. Kevin Firchow noted that a text amendment for little libraries was being considered.

Regarding the July 11, 2012 Plan Commission working session on the Downtown Plan, Mr. Rewey requested that any staff reports or updates be provided to the Commission as early as possible.

COMMUNICATIONS

There were no communications noted.

SECRETARY'S REPORT

Kevin Firchow noted the upcoming Plan Commission matters, including the public hearing on the Downtown Plan, which has been tentatively scheduled for the June 18, 2012 meeting.

- Upcoming Matters - June 4, 2012

- 801 S. Park Street - PUD-SIP to Amended PUD-GDP-SIP - Construct two-story mixed-use building with 3,400 square feet of retail space and 7 apartments, with a drive-thru window for a first floor tenant
- 6550 Schroeder Road - PCD-SIP to Amended PCD-GDP-SIP - Construct 30-unit assisted living facility on undeveloped portion of property
- 901-1001 Sugar Maple Lane - Temp. A to R2, R4, R5 & the Preliminary Plat of Soaring Hawk, creating 44 future single-family lots, 4 lots for future multi-family development and 1 outlot for public stormwater management
- 2 S. Bedford Street - PUD-SIP Alteration - Convert previously approved community room into additional apartment unit
- 704-736 University Avenue - Demolition Permit - Demolish five commercial buildings to accommodate future University development
- 3900 E. Washington Avenue - Conditional Use Alteration - Construct addition to Water Utility Well 15
- 4781 Norton Drive - Extraterritorial Certified Survey Map - Create two lots in the Town of Sun Prairie

- Upcoming Matters - June 18, 2012

- 3370 Burke Road - Extraterritorial Preliminary Plat - Wood Ger Development, creating 9 future commercial lots, 1 lot for an existing residence, and 1 other future lot in the Town of Burke
- 4322-4330 Wakefield Street - Demolition Permit & Conditional Use Alteration - Demolish single-family residence to allow expansion and reconstruction of church parking lot
- 1026 Sherman Avenue - Demolition Permit & Conditional Use - Demolish single-family residence and construct new residence on lakefront lot
- 3030 Darbo Drive - Conditional Use - Construct new parking lot for existing community center

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

A motion was made by King, seconded by Schmidt, to Adjourn at 9:20 p.m. The motion passed by voice vote/other.