



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

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Monday, November 5, 2012

5:30 PM

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

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### CALL TO ORDER/ROLL CALL

**Present:** 10 -

Steve King; Marsha A. Rummel; Chris Schmidt; Nan Fey; Anna Andrzejewski; Michael G. Heifetz; Michael W. Rewey; Bradley A. Cantrell; Melissa M. Berger and Tonya L. Hamilton-Nisbet

**Excused:** 2 -

Eric W. Sundquist and John L. Finnemore

Nan Fey was chair for the meeting.

Staff Present: Steve Cover, Secretary; Brad Murphy, Michael Waidelich, Tim Parks, and Kevin Firchow, Planning Division; Joe Stepnik, Office of Real Estate Services; Natalie Erdman, Community Development Authority; Rob Philips, City Engineering; and Dennis Cawley, Water Utility.

### PUBLIC COMMENT

There was no public comment under this item.

### DISCLOSURES AND RECUSALS

Tonya Hamilton-Nisbet disclosed she shows the adjacent property owner next to 809 Williamson Street, the subject property for agenda item #13.

### MINUTES OF THE SEPTEMBER 27, 2012 ZONING CODE RE-WRITE WORKING SESSION

**A motion was made by Andrzejewski, seconded by Schmidt, to Approve the Minutes. The motion passed by voice vote/other.**

### MINUTES OF THE OCTOBER 15, 2012 REGULAR MEETING

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

### SCHEDULE OF MEETINGS

November 19 and December 3, 17, 2012

**ROUTINE BUSINESS**

1. [27860](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for storm sewer construction between Highland Avenue and 2202 University Avenue. (5th AD)

**A motion was made by Schmidt, seconded by Cantrell, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

2. [27878](#) Authorizing the execution of a Purchase and Sale Agreement between the City of Madison and Hovde Properties LLC ("Developer") for the acquisition of a portion of City-owned property located at 316 W. Dayton Street by the Developer for assemblage into a mixed-use condominium project ("Project") located at 305-309 W. Johnson Street and the purchase and build-out by the City of a "grey box" condominium unit and condominium parking stalls within the Project for the relocation of Madison Fire Department Administrative offices.

**A motion was made by King, seconded by Rewey, to Re-refer to the PLAN COMMISSION. The motion passed by voice vote/other.**

3. [27973](#) SUBSTITUTE - Authorizing the execution of an Purchase and Sale Agreement between the City of Madison and the Madison Audubon Society, Inc. for the purchase of a 9.48-acre improved residential parcel located at 7960 Raymond Road for the expansion of the Ice Age Junction Path, potential future extension of Jeffy Trail to Raymond Road, related infrastructure improvements, public open space, and potential residential development; and authorizing an application for an amendment to the Central Urban Service Area; and authorizing the Mayor and City Clerk to execute a petition to annex the subject lands; and authorizing the dedication of right of way for Raymond Road.

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

4. [27976](#) Determining a public purpose and necessity and adopting a Relocation Order for the acquisition and demolition of two single family properties located at 1721 North Sherman Avenue and 1713 Schlingen Avenue, City of Madison, Dane County, Wisconsin for improvements to water distribution at Madison Water Utility Well No. 7.

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

5. [27992](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Johnson St, E public sidewalk bike path from N. First Street to N. Third Street. (12th AD)

The vote passed by the following 7:1 vote: AYE: Ald. King, Ald. Rummel, Ald. Schmidt, Andrzejewski, Heifetz, Cantrell, and Berger; NO: Rewey; NON VOTING: Fey and Hamilton-Nisbet; EXCUSED: Sundquist and Finnemore.

**A motion was made by Cantrell, seconded by Schmidt, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS,. The motion passed by the following vote:**

**Ayes:** 7 -  
Steve King; Marsha A. Rummel; Chris Schmidt; Anna Andrzejewski; Michael G. Heifetz; Bradley A. Cantrell and Melissa M. Berger

**Noes:** 1 -  
Michael W. Rewey

**Excused:** 1 -  
Eric W. Sundquist and John L. Finnemore

**Non Voting:** 2 -  
Tonya L. Hamilton-Nisbet and Nan Fey

6. [28037](#) Authorizing the execution of a Permanent Limited Easement for sanitary sewer purposes and a Temporary Limited Easement for sloping and grading to Madison Metropolitan Sewerage District across City Stormwater Utility Parcel 533 located at 3049 S. Stoughton Road, 3102 Progress Road and 3101 Progress Road.

The vote passed by the following 7:1 vote: AYE: Ald. King, Ald. Rummel, Ald. Schmidt, Andrzejewski, Rewey, Cantrell, and Berger; NO: Heifetz; NON VOTING: Fey and Hamilton-Nisbet; EXCUSED: Sundquist and Finnemore.

**A motion was made by Cantrell, seconded by Andrzejewski, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS,. The motion passed by the following vote:**

**Ayes:** 7 -  
Marsha A. Rummel; Chris Schmidt; Anna Andrzejewski; Michael W. Rewey; Bradley A. Cantrell; Melissa M. Berger and Steve King

**Noes:** 1 -  
Michael G. Heifetz

**Excused:** 1 -  
Eric W. Sundquist and John L. Finnemore

**Non Voting:** 2 -  
Tonya L. Hamilton-Nisbet and Nan Fey

7. [28060](#) Vacation/Discontinuance of a portion of South Few Street as originally platted by the Madison Original Plat (adjacent to Block 179), adjacent to the property at 714 S. Few St., which is located in part of the Southwest one-quarter (1/4) of Section 7, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin. (6th AD)

The motion passed unanimously. As part of the discussion of this motion, Mr. Rewey noted that the vacated property will be subject to future assessments by the City Assessor.

**A motion was made by Rummel, seconded by Heifetz, to Return to Lead with**

**the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

- 8. [28083](#) Amending the 2012 adopted capital budget of the Planning, Community and Economic Development agency to provide funding of \$150,000 and authorization for the acquisition of 1910 Lake Point Drive to further support redevelopment efforts in the Lake Point neighborhood .

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

- 9. [28086](#) Authorizing the Common Council to accept ownership from Bay Creek Neighborhood Association of a neighborhood entrance sign to be located in the public right-of-way at the northwest corner of Lake Court and W. Olin Avenue.

**A motion was made by Rewey, seconded by Schmidt, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

Registered in support and available to answer questions were Judy Robinson; 921 South Brooks Street #8 and Dan Kennelly, 808 O'Sheridan Street, both representing the Bay Creek Neighborhood Association.

- 10. [28111](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the reconstruction and maintenance of existing public sanitary sewer improvements associated with the Mendota Lake Shore / Near West / Campus Area / Frances St - Sanitary Study - Engineering Project No. 53W1365. (2nd AD)

**A motion was made by Cantrell, seconded by Schmidt, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

## **NEW BUSINESS**

- 11. [28100](#) Authorizing the Planning Division Director to sign on behalf of the City of Madison the Memorandum of Understanding for a Future Urban Development Area planning process for the northeastern Madison portion of the Central Urban Service Area.

**A motion was made by Cantrell, seconded by Schmidt, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. 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 Amendment**

- 12. [27782](#) Creating Section 28.06(2)(a)3631. 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 Fire Station 13; 3rd Aldermanic District; 6530 Town Center Drive.

The motion to re-refer this item passed unanimously.

**A motion was made by King, seconded by Rummel, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by November 19, 2012. The motion passed by voice vote/other.**

There were no registrants on this item.

**Conditional Use/ Demolition Permits**

- 13. [27595](#) Consideration of a conditional use for a parking reduction and an outdoor eating area to serve a restaurant located at the rear of 809 Williamson Street; 6th Ald. Dist.

The Plan Commission found that the standards were met and unanimously approved this item subject to the comments and conditions contained within the Plan Commission materials with the following additional conditions:

- That the HVAC equipment shall be shielded with information provided for staff approval.
- That the applicant provides a written fencing plan specifying a height of six feet and removability provisions for staff approval.
- That the applicant is encouraged to develop a shared off-site parking plan.

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

Speaking in support of this item was the applicant, John Martens; 4118 Hegg Avenue; Sharon Kilfoy, 1020 Williamson Street; Jonathan Hunter, 1105 East Johnson Street, representing the Underground Food Collective; and Rhonda Plourd, 407 Livingston Street.

Registered in support and not wishing to speak was Jonathan T. Rerke, 3128 Lakeland Avenue #1 .

Registered in neither support nor opposition was Ben Anton, 407 South Livingston Street.

- 14. [28161](#) Consideration of an alteration to an approved conditional use planned residential development to allow 18 two-family residences and 1 single-family residence to be constructed in place of previously approved multi-family residences at 2 and 98 Greenside Circle; 1st Ald. Dist.

The Plan Commission found that the standards were met and unanimously approved this item subject to the comments and conditions contained within the Plan Commission materials.

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

Registered in support and available to answer questions was Timothy Schleeper, Vierbicher Associates, 999 Fourier Drive #201.

**Certified Survey Map Referral**

- 15. [28162](#) Approving a Certified Survey Map of property owned by Eberhard Mack located at 6201 N. Highlands Avenue; 19th Ald. Dist.

Approval recommended subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

**A motion was made by Cantrell, seconded by Andrzejewski, 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 was Dan Birrenkott, Birrenkott Surveying, 1677 North Bristol Street, Sun Prairie, representing the applicant, Dr. Eberhard Mack.

**Zoning Text Amendment**

- 16. [28068](#) Amending Sections 28.12(10)(g)1., 28.12(11)(i), and 28.183(5)(b)2.c. of the Madison General Ordinances to correct outdated or incorrect references, being an additional Attorney’s Revisor’s Ordinance.

The motion passed unanimously.

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

There were no registrants on this item.

**BUSINESS BY MEMBERS**

Nan Fey requested that staff report back to the Plan Commission on the frequency of adverse possession claims at street ends adjoining the lakes and the City's efforts for monitoring such encroachments.

**COMMUNICATIONS**

- Nan Fey noted the provided communication dated October 24, 2012 from Michelle Bond regarding an upcoming application in the Blackhawk neighborhood.
- Ald. Rummel stated she had a discussion with Brian Munson, agent for the developer, regarding the Grandview Commons grocery store.

**SECRETARY'S REPORT**

Brad Murphy summarized the upcoming matters.

**- Upcoming Matters - November 19, 2012**

- Informational presentation regarding an update to the High Point-Raymond Neighborhood Development Plan
- 6002 Cottage Grove Road - PUD-GDP to PUD(PD)-SIP - Construct 58,000 square-foot grocery store in Grandview Commons Town Center
- 5925 Sharpsburg Drive - PUD-GDP to PUD(PD)-SIP - Construct approximately 3,800 square-foot multi-tenant retail building in Grandview Commons Town Center
- 6002 Cottage Grove Rd. & 5901-5939 Sharpsburg Drive, et al - Final Plat of Town Center Addition to Grandview Commons, creating 18 single-family lots, 4 lots for retail and mixed-use development, and 1 lot for a future City library branch
- 1402 S. Park Street - Demolition Permit - Demolish former Truman Olson Army Reserve Center for future street extension

- 4781 Norton Drive - Extraterritorial Certified Survey Map - Create two lots in the Town of Sun Prairie
- (Tentative) Review of the Downtown Urban Design Guidelines for New Development and Additions and Alterations to Existing Development in the Downtown Core (DC) and Urban Mixed Use (UMX) Zoning Districts (ID 28065)

**- Upcoming Matters - December 3, 2012**

- 448 S. Park Street & 914 Drake Street - Demolition Permit and R3 & C3 to PUD(PD)-GDP-SIP - Demolish vacant bakery and single-family residence to allow construction of a mixed-use building containing 6,500 sq. ft of first floor of retail space and 40 apartments
- 313-315 N. Frances Street - Demolition Permit and C2 to PUD(PD)-GDP-SIP - Demolish two residences to allow construction of a mixed-use building containing 2,000 square feet of first floor of retail space and 42 apartments
- 202-210 N. Bassett Street & 512-520 W. Dayton Street - Demolition Permit and R6 & C2 to PUD(PD)-GDP-SIP - Demolish three residences and an office building to allow construction of a mixed-use building containing 1,700 square feet of retail space and 75 apartments
- 638 Hercules Trail - PUD-GDP to PUD(PD)-SIP - Construct two apartment buildings containing 95 total units
- 1329 W. Dayton Street - PUD-SIP Alteration - Amend zoning text to increase occupancy of units in existing apartment building
- 1-15 & 2-8 River Birch Court et al - Certified Survey Map Referral - Combine 7 platted single-family lots and (proposed) vacated River Birch Court right of way into 2 lots
- 5840 Thorstrand Road - Conditional Use - Construct accessory boathouse on lakefront lot
- 9004-9041 Royal Oaks Circle - PUD-SIP Alteration - Construct 22 single-family condominiums instead of 13 duplexes as previously approved

**ANNOUNCEMENTS**

Nan Fey requested the Plan Commission retain their materials regarding Fire Station #13 at 6350 Town Center Drive for discussion at the upcoming November 19, 2012 meeting.

**ADJOURNMENT**

**A motion was made by Rewey, seconded by Heifetz, to Adjourn at 7:13 pm. The motion passed by voice vote/other.**