



# City of Madison

## Meeting Minutes - Approved

### PLAN COMMISSION

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

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Monday, December 17, 2007

5:30 PM

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

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#### CALL TO ORDER/ ROLL CALL

**Present:** 6 -

Tim Gruber; Lauren Cnare; Nan Fey; Judy K. Olson; Judy Bowser and Michael A. Basford

**Excused:** 4 -

Julia S. Kerr; James C. Boll; Beth A. Whitaker and Michael G. Heifetz

Fey was chair for the meeting. Ald. Kerr and Ms. Whitaker arrived during the discussion on #4.

Staff present: Katherine Rankin, Brad Murphy & Tim Parks, Planning Division; Dan McCormick, Traffic Engineering Division; Katherine Noonan, City Attorney's Office; Matt Tucker, Zoning Administrator.

#### MINUTES OF THE December 3, 2007 MEETING

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

#### SCHEDULE OF MEETINGS

January 14, 28 and February 11, 25, 2008

#### ROUTINE BUSINESS

1. [08326](#) Authorizing a lease with the Sands Revocable Trust for the use of a portion of the City's East Rail Corridor property adjacent to the Sands property located at 202-212 South Baldwin Street.

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

- 2. [08328](#) Authorizing the Common Council to accept ownership from Eken Park Neighborhood Association of a public picnic table to be located within a public greenway at 702 McCormick Avenue.

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

- 3. [08341](#) Determining a Public Purpose and Necessity and adopting Transportation Project Plat No. 5992-06-32-4.01 - Relocation Order USH 151 - East Washington Avenue City of Madison (Marquette Street-Carpenter Street) for the acquisition of Plat of Land Interests required for the East Washington Avenue - Segment 4 Reconstruction-Engineering Project No. 53B0204 and Authorizing the Mayor and City Clerk to execute an Agreement with the State of Wisconsin Department of Transportation to cooperatively acquire the necessary real estate interests to perform the improvements for East Washington Avenue Segment 4, WDOT Right-of-Way Transportation Project Plat No. 5992-06-32-4.01.

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

### ROLL CALL

- Present:** 8 -  
Tim Gruber; Lauren Cnare; Julia S. Kerr; Nan Fey; Judy K. Olson; Judy Bowser; Michael A. Basford and Beth A. Whitaker
- Excused:** 2 -  
James C. Boll and Michael G. Heifetz

### NEW BUSINESS

- 4. [07651](#) Amending Sections 31.05(2)(b) and 31.11 of the Madison General Ordinances to remove the prohibition on relocating or replacing advertising street graphics.  
The Plan Commission referred this matter until all referral bodies have acted on this ordinance.

**A motion was made by Gruber, seconded by Cnare, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REREFER TO THE PLAN COMMISSION, REPORT OF OFFICER. The motion passed by voice vote/other.**

Speaking in support of the ordinance was Jason Saari, Adams Outdoor Advertising, 102 E. Badger Road.

Registered in support of the ordinance was Scott Petlewski, Adams Outdoor Advertising, 102 E. Badger Road.

Registered in opposition to the ordinance changes was Robert Holloway, 360 W.

Washington Avenue.

**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**

- 5. [07736](#) Creating Section 28.06(2)(a)3318. 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)3319. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District; Proposed Use: Demolish 2 Houses to Construct 14-Story, 162-Unit Apartment Building; 8th Aldermanic District: 1022 West Johnson Street.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:

- That condition #4 of the Planning Division report be revised as follows: "The building at 307-309 N. Mills Street shall be preserved and relocated. All land use approvals and permits for the relocation shall be approved prior to recording the PUD. The applicant shall make every effort to relocate the building at 1022 W. Johnson Street. If the building cannot be relocated by March 15, 2008, the building may be demolished. The applicant shall provide a report to the Plan Commission on their efforts to relocate the building."

A substitute motion by Basford, seconded by Whitaker, to approve the project with a condition requiring that the demolition of 1022 W. Johnson Street come back before the Commission as an alteration to the planned unit development failed on a vote of 2-5 (Aye: Basford, Whitaker; Nay: Ald. Cnare, Ald. Kerr, Bowser, Olson; Non-voting: Fey).

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

**Excused:** 2 -

James C. Boll and Michael G. Heifetz

**Recused:** 1 -

Tim Gruber

**Ayes:** 6 -

Lauren Cnare; Julia S. Kerr; Nan Fey; Judy K. Olson; Judy Bowser and Michael A. Basford

**Noes:** 1 -

Beth A. Whitaker

Speaking in support of the project was John Leja, Ten Twenty-Two, LLC, 5603 Surrey Lane, Waunakee.

Speaking in opposition to the demolition of the structures on the site were Erica Fox Gehrig, 1811 Vilas Avenue, representing the Madison Trust for Historic Preservation and Landmarks Commission and Gary Tipler, 807 Jenifer Street.

Speaking neither in support or opposition to the project was Ald. Brenda Konkel, 511 E. Mifflin Street, representing the 2nd District.

Registered in support and available to answer questions were: Angie Black, Michael, Best & Friedrich, LLP; 1 S. Pinckney Street, J. Randy Bruce, Knothe Bruce Architects, 7601 University Avenue, Middleton, Steve Silverberg, 448 W. Washington Avenue and Charles Quagliana, Isthmus Architecture, 613 Williamson Street, all representing the applicant, Ten Twenty-Two, LLC. Also registered in support and available to answer questions was Gary Brown, 6709 Gaylord Nelson Road, Middleton, representing Luther Memorial Church.

Registered in opposition to the demolition of the structures on the site but not wishing to speak was Lawrence Lester, 2657 Milwaukee Street.

Michael Bridgeman, 106 S. Franklin Street, registered in opposition and wishing to speak after the public hearing had been closed.

6. [08166](#)

Creating Section 28.06(2)(a)3328. 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)3329. 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: Construction of 140-Room Hotel in Place of Previously Approved 90-Unit Condominium; 11th Aldermanic District: 702 North Midvale Boulevard.

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

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

Speaking in support of the project was the applicant, Adam Fink, Joseph Freed & Associates, 220 N. Smith Street, Palatine, Illinois.

Speaking neither in support nor opposition to the project was Steven Siehr, 584 N. Midvale Boulevard.

Registered in support and available to answer questions were: Scott McLamore & Steve Uhlarik, Joseph Freed & Associates, 220 N. Smith Street, Palatine, Illinois; Ray White, Dimension IV Madison, 6613 Grand Teton Plaza and Michael Sturm, Ken Saiki Design, 303 S. Paterson Street, both representing Joseph Freed & Associates.

7. [07317](#)

Creating Section 28.06(2)(a)3294. 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)3295. 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: Add Additional Unit in Multi-Family Residential Building; 4th Aldermanic District: 430 West Dayton Street.

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

**A motion was made by Basford, 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 Brandon Cook, 924 Aldora Lane, Waunakee, the applicant, and Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Registered in support and available to answer questions was Robert Holloway, 360 W. Washington Avenue, representing Capitol Neighborhoods, Inc.

8. [08171](#)

Creating Section 28.06(2)(a)3330. of the Madison General Ordinances rezoning property from R6 General Residence District and C1 Limited Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 6 Buildings for Future Construction of a 70-Unit Apartment Building; 2nd Aldermanic District: 301 North Hamilton Street.

In discussing the motion to refer, individual members asked the applicant to work on the relocation of some of the structures on the site and to bring back a plan that better reflects the recommendations of the [Comprehensive Plan](#) and includes more design and articulation on the long facades of the proposed building.

**A motion was made by Bowser, seconded by Olson, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.**

Speaking in support of the project were: Ed Freer & David Kaul, 145 E. Badger Road, representing the applicants, McBride Co., and Erik Paulsen, 616 E. Dayton Street #7, representing the neighborhood steering committee.

Speaking in opposition to the demolition of structures on the site was Erica Fox Gehrig, 1811 Vilas Avenue, representing the Madison Trust for Historic Preservation.

Registered neither in support not opposition to the project and wishing to speak but not present when the matter was discussed was Ald. Brenda Konkkel, 511 E. Mifflin Street, representing the 2nd District.

Registered in support and available to answer questions were Phil & Monica Hees, 12 N. Butler Street, representing McBride Co.

Registered in support but not wishing to speak were Jill & Tom Geier, 123 W. Washington Avenue.

Registered in opposition to the demolition of structures on the site but not wishing to speak were Michael Bridgeman, 106 S. Franklin Street and Lawrence Lester, 2657 Milwaukee Street.

9. [05466](#)

Creating Section 28.06(2)(a)3243. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Multi-Family Residential Apartment Development; 9th Aldermanic District: 733 County Hwy M.

This matter was referred pending a recommendation from the Urban Design Commission.

**A motion was made by Gruber, seconded by Kerr, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.**

10. [08165](#) Creating Section 28.06(2)(a)3327. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to R6 General Residence District; Proposed Use: Remodel Existing Warehouse for Use as UW Arts Department Studios; 4th Aldermanic District: 630 West Mifflin Street.

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

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

Registered in support and available to answer questions was the applicant, Gary Brown, University of Wisconsin-Madison, 610 Walnut Street.

11. [08172](#) Creating Section 28.06(2)(a)3332. of the Madison General Ordinances rezoning property from Temp A Agriculture to R1 Single-Family Residence District and creating Section 28.06(2)(a)3333. of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District. Proposed Use: 162 Single-Family Lots, 3 Multi-Family Lots & 5 Outlots; 9th Aldermanic District: 12003 Mineral Point Road.

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

- That the density of Lot 27 of the preliminary plat not exceed 8 units an acre.
- That the combined density of Lots 35 & 165 of the preliminary plat not exceed 17.66 units an acre.
- That a payment of at least \$246,935 be made in lieu of on-site single-family inclusionary dwelling units per the conditions in the Community Development Block Grant Office report of December 17, 2007.
- That a tree preservation/ planting plan be reviewed by the City Forester and Planning Division with the submittal of a final plat for the site.
- The Plan Commission recommended that the City Forester to plant full-canopy street trees in this subdivision.
- That a Land Use Restriction Agreement be recorded against the multi-family lots.
- That concept plans be prepared for Lot 27 as part of the final plat submittal.

A substitute motion by Ald. Gruber, seconded by Basford, to allow a maximum density of 10 units an acre on Lot 27 failed on a vote of 2-5 (Aye: Ald. Gruber, Basford; Nay: Ald. Kerr, Ald. Cnare, Olson, Bowser, Whitaker; Non-voting: Fey).

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

**Subdivisions**

12. [07267](#) Approving the preliminary plat of "Tormey Ridge" located at 12003 Mineral Point Road. 9th Ald. Dist.

Approval of the preliminary plat recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:

- That the density of Lot 27 of the preliminary plat not exceed 8 units an acre.
- That the combined density of Lots 35 & 165 of the preliminary plat not exceed 17.66 units an acre.
- That a payment of at least \$246,935 be made in lieu of on-site single-family inclusionary dwelling units per the conditions in the Community Development Block Grant Office report

of December 17, 2007.

- That a tree preservation/ planting plan be reviewed by the City Forester and Planning Division with the submittal of a final plat for the site.
- The Plan Commission recommended that the City Forester to plant full-canopy street trees in this subdivision.
- That a Land Use Restriction Agreement be recorded against the multi-family lots.
- That concept plans be prepared for Lot 27 as part of the final plat submittal.

A substitute motion by Ald. Gruber, seconded by Basford, to allow a maximum density of 10 units an acre on Lot 27 failed on a vote of 2-5 (Aye: Ald. Gruber, Basford; Nay: Ald. Kerr, Ald. Cnare, Olson, Bowser, Whitaker; Non-voting: Fey).

**This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER**

The following were registered on Items 11 & 12:

Speaking in support of the project was the applicant, Craig Enzenroth, Gallina Companies, 8500 Greenway Boulevard, Middleton, and Ron Trachtenberg, Murphy Desmond, SC, 33 E. Main Street, Suite 500 and Michelle Burse, Burse Surveying & Engineering, 1400 E. Washington Avenue, Suite 158, both representing Gallina Companies.

Gloria Swayzee, 7387 Mineral Point Road was registered neither in support nor opposition to the project and wishing to speak but had left before the matter was discussed.

13. [08436](#)

Approving a three-lot Certified Survey Map, creating a deep residential lot located at 5714-5806 Old Sauk Road. 19th Ald. Dist.

The Commission found that the standards were met and granted approval of a deep residential lot subject to the comments and conditions contained in the Plan Commission materials.

**A motion was made by Bowser, 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.**

Registered in support of the request and available to answer questions were the applicant, David Knoche, 5806 Old Sauk Road and Ron Trachtenberg, Murphy Desmond, SC, 33 E. Main Street, Suite 500, representing Mr. Knoche.

**Conditional Uses/ Demolition Permits**

14. [08432](#)

Consideration of a conditional use to allow construction of a detached garage on a lakefront lot at 5132 Spring Court. 19th 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 Gruber, to Approve. The motion passed by voice vote/other.**

Registered in support of the request and available to answer questions was the applicant, David Anderson, 5132 Spring Court.

15. [08433](#) Consideration of a major alteration to an existing conditional use to allow construction of an addition to the UW Biochemistry Complex at 420 Henry Mall. 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.

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

Registered in support and available to answer questions was the applicant, Gary Brown, University of Wisconsin-Madison, 610 Walnut Street.

16. [08434](#) Consideration of a demolition permit to allow the demolition of two commercial buildings and construction of a five-story, 48-room hotel at 1501 Monroe Street. 13th Ald. Dist.

In placing this matter on file, the Plan Commission found that the proposed hotel development did not meet the standards for approval, stating that the project did not comply with demolition standard #2, "...the Plan Commission finds that both the requested demolition and the proposed use are compatible with the purpose of this section and the intent and purpose expressed in the Zoning Code for the zoning district in which the property is located. When making this finding the Commission shall consider and may give decisive weight to any relevant facts including but not limited to the effects the proposed demolition and proposed use of the subject property would have on the normal and orderly development and improvement of surrounding properties..."

The Plan Commission cited the nature of the proposed use and the concerns about it being detrimental to the neighborhood and stated that they did not believe the hotel met the recommendations of the Monroe Street Commercial District Plan in regard to the scale, height and setback or the Comprehensive Plan in regard to scale.

**A motion was made by Basford, seconded by Olson, to Place On File. The motion passed by the following vote:**

**Excused:** 2 -

James C. Boll and Michael G. Heifetz

**Recused:** 1 -

Julia S. Kerr

**Ayes:** 7 -

Lauren Cnare; Nan Fey; Judy K. Olson; Judy Bowser; Michael A. Basford; Beth A. Whitaker and Tim Gruber

Speaking in support of the project were: Bob Sieger, 1501 Monroe Street, the applicant; Dean Grosskopf, Professional Hospitality, 2418 Crossroads Drive, and; Ron Trachtenberg, Murphy Desmond, SC, 33 E. Main Street, Suite 500, representing Mr. Sieger.

Debra Sieger, 1501 Monroe Street, who was registered in support and wishing to speak, gave her allotted time to Mr. Trachtenberg.

Speaking in opposition to the project were: Pete Schofer, 813 Grant Street; Fraser Gurd, 1526 Jefferson Street; Ann Clark, 2525 Gregory Street, representing the Dudgeon-Monroe Neighborhood Association; Brad Ricker, 1815 Adams Street; Rosemary Bodolay, 1636 Adams Street, representing the Vilas Neighborhood Association; Michael Christopher, Dewitt, Ross & Stevens, SC, 2 E. Mifflin Street, representing the Madison Chinese Christian Church; Thomas Yen, 5627 Longford Terrace and Bill Chiu, 9301 Lawn Brook

Drive, Verona, both representing the Madison Chinese Christian Church; Ald. Robbie Webber, 2613 Stevens Street, representing the 5th District, and; Ald. Julia Kerr, 1626 Madison Street, representing the 13th District.

Registered in opposition to the project but not wishing to speak were: George Hall, 2724 Regent Street; Hans Borcharding, 1524 Jefferson Street; Richard Scott, 811 Oakland Avenue, and; Liping Zhang, who did not give an address.

## **BUSINESS BY MEMBERS**

Nan Fey asked that the 2008 Plan Commission schedule be place on the Commission's webpage and in the Legislative Information Center.

## **COMMUNICATIONS**

Nan Fey noted that there was an exchange of e-mails between herself and City staff members regarding an issue related to the proposed hotel development at 1501 Monroe Street that should be placed in the case file.

## **SECRETARY'S REPORT**

Brad Murphy summarized upcoming Plan Commission matters.

### **Upcoming Matters - January 14, 2008**

- Southwest Neighborhood Plan
- 119-25 N Butler Street et al - R6 to PUD-GDP to demolish/relocate three houses and construct an apartment building
- 520 East Johnson Street - Rt to PUD-GDP to relocate house from North Butler
- 3801 East Washingotn Avenue - Conditional use for redevelopment of a big box retail center
- 731 Williamson Street - Demolish single-family homve and build a new single-family home
- 750 University Avenue - Demolish building for future addition to Chazen Museum of Art

## **ANNOUNCEMENTS**

There were no announcements.

## **ADJOURNMENT**

**A motion was made by Bowser, seconded by Cnare, to Adjourn at 11:15 P.M. The motion passed by voice vote/other.**