



City of Madison

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

Meeting Minutes - Approved PLAN COMMISSION

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Monday, December 1, 2008

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 8 -

Eric W. Sundquist; Tim Gruber; Nan Fey; Judy K. Olson; James C. Boll;
Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

Excused: 3 -

Judy Bowser; Lauren Cnare and Julia S. Kerr

Fey was chair for the meeting. Ald. Cnare arrived during the discussion of agenda item 1. Ald. Gruber left during the discussion of agenda item 13.

Staff Present: Brad Murphy, Kevin Firchow, and Heather Stouder, Planning Division; Matt Tucker, Zoning Administrator; Don Marx, Office of Real Estate Services; Katherine Noonan, City Attorney's Office; Dan McCormick, Traffic Engineering Division, and; Tim Sobota, Metro Transit.

MINUTES OF THE November 17, 2008 MEETING

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

SCHEDULE OF MEETINGS

ROUTINE BUSINESS

ROLL CALL

Present: 9 -

Eric W. Sundquist; Tim Gruber; Lauren Cnare; Nan Fey; Judy K. Olson;
James C. Boll; Michael A. Basford; Beth A. Whitaker and Michael G.
Heifetz

Excused: 2 -

Judy Bowser and Julia S. Kerr

1. [12495](#) Declaring 4231 Sheffield Road and 4230 Milford Road as surplus to the needs of the Madison Sewer Utility. (10th AD)

A motion was made by Basford, 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.

2. [12601](#) Authorizing the termination of an Easement for Public Bus Shelter and Bike Rack and accepting a grant of a Limited Non-Exclusive Access Easement for Municipal Transit Purposes (the "Access Easement") from Sherman Plaza, Inc. and authorizing funding of improvements within the Access Easement.

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

3. [12632](#) Authorizing the Common Council to accept ownership from Allied Dunn's Marsh Neighborhood Association of a neighborhood entrance sign to be located within a public right-of-way at 2014 Allied Drive.

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

UNFINISHED BUSINESS

4. [12463](#) Consideration of a demolition permit to allow the former Royster-Clark fertilizer plant at 902 Dempsey Road to be partially demolished. 15th Ald. Dist.
Referred at the request of the applicant.

A motion was made by Basford, seconded by Olson, to Rerefer to the PLAN COMMISSION and should be returned by 1/26/2009. The motion passed by voice vote/other.

There were no registrants on this item.

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.

Neighborhood Plan Amendment

5. [11792](#) Amending the Nelson Neighborhood Development Plan, a supplement to the City of Madison Comprehensive Plan, to revise the land use recommendation for a property located south of Nelson Road and High Crossing Boulevard from Office/Service to Retail/Service, and to revise the recommended alignments of planned future street extensions in this area.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials. The recommendation to approve did not include the plan boundary amendment proposed by Attorney Hank Gempler representing Lancaster Properties.

A motion by Boll, seconded by Olson, recommending this item be placed on file failed by the following vote 3:5 (AYE: Boll, Sundquist, Whitaker; NO: Ald. Cnare, Ald. Gruber, Basford, Olson, and Heifetz;

NON-VOTING: Fey)

A motion was made by Cnare, seconded by Heifetz, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by the following vote:

Excused: 2 -

Judy Bowser and Julia S. Kerr

Ayes: 5 -

Tim Gruber; Lauren Cnare; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

Noes: 3 -

Eric W. Sundquist; Judy K. Olson and James C. Boll

Non Voting: 1 -

Nan Fey

Zoning Map Amendments

6. [11616](#)

Creating Section 28.06(2)(a)3384. of the Madison General Ordinances rezoning property from C2 General Commercial District to C3 Highway Commercial District. Proposed Use: Construct a Honda Dealership Facility; 17th Aldermanic District: 5555 High Crossing Boulevard.

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

A motion by Boll, seconded by Olson, recommending this item be placed on file failed by the following vote: 3:5 (AYE: Boll, Sundquist, Whitaker; NO: Ald. Cnare, Ald. Gruber, Basford, Olson, and Heifetz; NON-VOTING: Fey)

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

Excused: 2 -

Judy Bowser and Julia S. Kerr

Ayes: 5 -

Tim Gruber; Lauren Cnare; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

Noes: 3 -

Eric W. Sundquist; Judy K. Olson and James C. Boll

Non Voting: 1 -

Nan Fey

Items 5 and 6 were considered together with the following registrations:

Speaking in support of the project was Kevin Delorey, Quarrels and Brady, 33 E. Main Street, Suite 900; Erik Madisen, Madisen Architects, 828, N. Broadway, Street, Milwaukee; both representing the applicant, Wilde Automotive Group. Also speaking in support were the applicants Patrick Donahue, 1710 STH 164, Waukesha, and Jorge F. Hidalgo, 20 Dunraey Court, Cheswick, Pennsylvania. Speaking in support of the Neighborhood Plan with a proposed amendment was Henry A. Gempeler, Foley and Lardner, representing Lancaster Properties, Inc. Speaking in support of both the rezoning and neighborhood plan amendment was Ald. Joe Clausius, representing District 17.

Registered in support and available to answer questions was Sharon Bloom, Wilde Automotive Group, 1710A STH 164, Waukesha and Payman Homayouni, Capitol Survey and Engineering, 20875 Crossroads Circle, Waukesha, representing the applicant.

Speaking in opposition to the project was Mary Jane Krzewina, 5455 Patriot Drive; Lori Rubio, 5334 Congress Avenue; Chad Eschler, 5479 Patriot Drive; Terrence Cremin, 5433 Patriot Drive; Rick Schmidt, 1 South Pinckney Street, representing Zimbrick; Amy Free, 5422 Patriot Drive; and Chris Cione, 5426 Patriot Drive.

Registered in opposition and not wishing to speak was Roxanne Van Roy, 5449 Patriot Drive, representing the Patriot Hill Condominium Association.

7. [12299](#)

SUBSTITUTE - Creating Section 28.06(2)(a)3391. of the Madison General Ordinances rezoning property from R6 General Residence District and C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish Former Union South for Future Construction of New Union South; 8th Aldermanic District: 1308 West Dayton Street.

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

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

Excused: 2 -

Julia S. Kerr and Judy Bowser

Ayes: 7 -

Eric W. Sundquist; Tim Gruber; Judy K. Olson; James C. Boll; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

Abstentions: 1 -

Lauren Cnare

Non Voting: 1 -

Nan Fey

Speaking in support of the project was the applicant, Gary A. Brown, representing the University of Wisconsin; 610 Walnut Street; Jan Van Den Kieboom, 1736 N. Second Street, Milwaukee; Walter Johnson, 1736 N. Second Street; Dan Corvelius, 145 S. Hancock Street #4; Rob Kennedy, 511 S. Baldwin Street; all representing the University of Wisconsin.

Registered in support and available to answer questions was Mark Guthier, 800 Langdon Street and Julie Grove, 610 Walnut Street.

8. [12300](#)

Creating Section 28.06(2)(a)3392. 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 Daycare Center; 1st Aldermanic District: 8133 Mansion Hill Avenue.

Referred to allow time for an additional meeting to be held between between the applicant, potential facility operator, and the neighbors.

A motion was made by Basford, seconded by Sundquist, to Rerefer to the PLAN COMMISSION and should be returned by 12/15/2008. The motion passed by voice vote/other.

Speaking in support of the project was Steve Rice, 2108 Keyes Avenue; Karyl Rice, 114 Nautilus Drive; and Peter Frautschi, 2819 Dewey Court, Middleton, all representing the applicant, WC Development.

Registered in support and not wishing to speak was Rich Arnesen, 114 Nautilus Drive, representing WC Development.

Registered in support and available to answer questions was Phil Carlson, 503 Augusta Drive, representing Prairie Life Learning Centers, Inc.

Speaking in opposition to the project was Peter Stream, 8119 Mansion Hill Avenue and Eric Mitchell, 8129 Mansion Hill Avenue, representing the Mansion Park Condominium Association.

Registered in opposition and available to answer questions was Michelle Mitchell, 8129 Mansion Hill Avenue.

Conditional Use/ Demolition Permits

- 9. [12152](#) Consideration of a conditional use to allow construction of a detached garage in excess of 576 square feet in the R2 Residential District at 637 South Shore Drive. 13th Ald. Dist.

Referred at the request of the applicant.

A motion was made by Boll, seconded by Cnare, to Rerefer to the PLAN COMMISSION and should be returned by 1/12/2009. The motion passed by voice vote/other.

There were no registrants on this item.

- 10. [12778](#) Consideration of a conditional use to allow construction of an addition to a single-family residence on a lakefront lot at 2002 Waunona Way. 14th 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 Boll, seconded by Basford, to Approve. The motion passed by the following vote:

Excused: 2 -

Julia S. Kerr and Judy Bowser

Ayes: 6 -

Tim Gruber; Lauren Cnare; Judy K. Olson; James C. Boll; Michael A. Basford and Michael G. Heifetz

Noes: 2 -

Beth A. Whitaker and Eric W. Sundquist

Non Voting: 1 -

Nan Fey

Speaking in support of the project was Robert Bouril, 7653 Summerfield Drive, Verona, representing the applicants. Also speaking in support of the project were the applicants Sandy and George Kohn, 2002 Waunona Way.

Speaking in neither support nor opposition was JoAnn Tiedemann, 1910 Waunona Way.

Registered in neither support nor opposition and available to answer questions was Phyllis Tschumper, 2224 Waunona Way, representing the Waunona Neighborhood Association and John Lien, 2008 Waunona Way.

- 11. [12779](#) Consideration of a demolition permit to allow demolition of a single-family residence and construction of a new residence at 6018 North Highlands

Avenue. 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 Heifetz, seconded by Olson, to Approve. The motion passed by voice vote/other.

Registered in support of the project was the builder, Hart Denoble, 4743 Delmara Road, Middleton; Ron Trachtenberg, Murphy Desmond, LP; and Jason Franzen, all representing the applicant.

Registered in support and available to answer questions was the property owner, Jay Sekelsky, 4268 Blackstone Court, Middleton.

12. [12780](#)

Consideration of a major alteration to an existing conditional use to allow an apartment building/lodging house to be converted to a three-unit apartment building at 609 North Lake 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.

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

Registered in support of the project and available to answer questions was Ryan Osborn, 5802 Glenway Street, McFarland and Jim Glueck, 116 N. Few Street, representing the applicant.

ROLL CALL

Present: 8 -

Eric W. Sundquist; Lauren Cnare; Nan Fey; Judy K. Olson; James C. Boll; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

Excused: 3 -

Judy Bowser; Tim Gruber and Julia S. Kerr

Zoning Text Amendment

13. [12392](#)

Amending Section 28.03(2) to add a definition of demolition and creating Section 28.12(12)(d)2. of the Madison General Ordinances to add an exemption for demolition permits.

With this referral, the Commission requested the following:

-That staff provide explanatory language further clarifying the phrase "previous condition" in Paragraph 2, subdivision (d) and

-That staff add a provision that the revised definition sunset on December 31, 2010. (The "exemption" described in Paragraph 2 was not to be included in this provision).

A motion was made by Cnare, seconded by Boll, to Rerefer to the PLAN COMMISSION and should be returned by 12/15/2008. The motion passed by voice vote/other.

There were no registrants on this item.

BUSINESS BY MEMBERS

Ald. Cnare updated the Commission on ongoing discussions to amend the membership of the Ad Hoc Housing Diversity Planning Committee. She noted that reconsideration of this item in on a future Common Council agenda. The intent of this reconsideration is to open up the committee to more diverse membership. The potential amended committee could include five alderpersons and four citizen

members.

COMMUNICATIONS

None.

SECRETARY'S REPORT

Brad Murphy summarized the upcoming matters.

Upcoming Matters - December 15, 2008

- Downtown Plan update (5:30 p.m.)
- 1419 Monroe Street - Continuing jurisdiction public hearing for existing Stadium Bar beer garden conditional use
- 2425 Atwood Avenue - R4 to C2 to convert former Atwood Community Center into a restaurant with residence above
- 201-229 West Lakelawn Place - R6 to PUD-GDP-SIP to remodel an existing apartment building and construct a new 16-unit apartment building
- 5206 Sigglekow Road - Major alteration to a conditional use to expand existing daycare
- 2008 Waunona Way - Major alteration to a conditional use to allow addition to a single-family residence on lakefront lot
- 5104 Spring Court - Major alteration to a conditional use to allow addition to a single-family residence on lakefront lot
- East Wilson Street downzonings (Legislative files ID #:12583, 12584, 12617)

Upcoming Matters - January 12, 2008

- Informational presentation by Meriter regarding the preparation of a master plan for their Raymond Road/ CTH PD property.

ANNOUNCEMENTS

Nan Fey noted that the Commission received two "new format" Plan Commission reports in this packet for review and comment. Ald. Cnare noted that she would like to see consistency in how recommendations with multiple options are presented. Her preference was to include the affirmative or approving recommendation before options to refer, deny, or place on file. Judy Olson inquired about the amount of time it would take staff to prepare the new format reports and whether or not this was an additional burden on staff.

ADDENDUM

- 14. [12787](#) Authorizing the execution of a Purchase and Sale Agreement with the Urban League of Greater Madison ("ULGM") for the purchase of a condominium unit for the expansion of the South Madison Branch Library within a proposed new building to be constructed by the ULGM at The Villager located at 2200 South Park Street.

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

ADJOURNMENT

A motion was made by Boll, seconded by Basford, to Adjourn at 9:49 pm. The motion passed by voice vote/other.