



City of Madison

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

Monday, July 7, 2008

5:00 PM

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

CALL TO ORDER/ROLL CALL

Present: 10 -

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

Excused: 1 -

Judy Bowser

Fey was chair for the meeting. Ald. Kerr and Beth Whitaker arrived during the discussion of Agenda Item 1.

Staff present: Brad Murphy, Tim Parks, Rick Roll, and Kevin Firchow Planning Division; Barb Constans, CDBG; Matt Tucker, Zoning; and Joe Stepnik and Dan Rolfs, Real Estate.

Consultants present for Agenda Item 1 - Zoning Code Discussion: Mike Lamb, and Suzanne Rhees, Cunningham Group.

MINUTES OF THE June 9, 2008 SPECIAL MEETING and June 16, 2008 REGULAR MEETING

Minutes approved with a correction to Agenda Item 3 from June 16. The condition of approval regarding design criteria on page 4-20 of the Regent Street - South Campus Neighborhood Plan should be revised to also apply to similar language repeated on pages 4-23,4-26, and 4-31.

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

Excused: 1 -

Judy Bowser

Ayes: 8 -

Eric W. Sundquist; Tim Gruber; Lauren Cnare; Julia S. Kerr; Judy K. Olson; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

Abstentions: 1 -

James C. Boll

Non Voting: 1 -

Nan Fey

SCHEDULE OF MEETINGS

July 21; August 4, 18, 2008

SPECIAL ITEM OF BUSINESS

1. [09248](#) Discussion with the Cunningham Group regarding the Zoning Code rewrite.

This was a discussion item only and no formal action was taken. In this discussion, Ald. Kerr requested that zoning staff prepare a list of staff's top issues in administering the current code.

ROUTINE BUSINESS

2. [10170](#) Accepting a 20-foot wide Public Sanitary Sewer Easement from McDonald's Corporation across property located at 3002 Darbo Drive.

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.

3. [10818](#) Authorizing the Common Council to accept ownership from Historic Blooming Grove Historical Society of a historical marker for the Hess Cooperage within public right-of-way at 1960 Atwood Avenue.

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

4. [10892](#) Authorizing the Mayor and the City Clerk to execute a lease for Metro Transit administrative office space at 1245 E. Washington Avenue.

A motion was made by Olson, seconded by Boll, to Return to Lead with the Recommendation for Approval to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.

5. [10894](#) Determining a Public Purpose and Necessity and adopting Transportation Project Plat No. 5992-09-02-4.01 - Relocation Order Lien Road City of Madison (Glacier Hill Drive to City View Drive) for the acquisition of Plat of Land Interests required for the Lien Road Underpass of I-90/94-Engineering Project No. 53W0127 and authorizing the Mayor and City Clerk to execute all necessary documents relative to the acquisition of the necessary real estate interests to perform the improvements for Lien Road City of Madison (Glacier Hill Drive to City View Drive), WDOT Right-of-Way Transportation Project Plat No. 5992-09-02-4.01.

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

- 6. [10958](#) Authorizing the Common Council to accept ownership from McClellan Park Neighborhood Association of two decorative gardens, hardwood tree, and park bench to be located within a City-owned greenway and public right-of-way at 6402 Dominion Drive.

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

- 7. [11017](#) Approving plans and specifications for public improvements in addition to private landscaping and parking plan and authorizing the release of a platted building setback line and landscape buffer necessary for the project known as Old Sauk Trails Box Culvert Extension and authorizing construction to be undertaken by the Developer, Private Contract No. 2207. (9th AD)

A motion was made by Boll, 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.

- 8. [11099](#) Authorizing the Mayor and City Clerk to execute a short-term lease with Hovde Building LLC for the use of the commercial office space located at 125 West Mifflin Street for a storefront project office for the Downtown Plan, and amending the 2008 Adopted PCED Capital Budget, Project #30, "Downtown Plan," project narrative to allow for \$18,000 in expenditures for an office space lease, including utilities (if the lease is extended to include the optional three months) and funding for additional facility/room rental and general office supplies.

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

- Excused:** 1 -
 - Judy Bowser
- Ayes:** 7 -
 - Eric W. Sundquist; Tim Gruber; Lauren Cnare; Julia S. Kerr; Judy K. Olson; James C. Boll and Beth A. Whitaker
- Noes:** 1 -
 - Michael A. Basford
- Non Voting:** 2 -
 - Michael G. Heifetz and Nan Fey

NEW BUSINESS

- 9. [11075](#) Approving the Redevelopment Plan and District Boundary for the Union Corners Redevelopment District.

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

A motion was made by Olson, seconded by Gruber, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. 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.

Zoning Map Amendments/ Subdivisions & Related

- 10. [10643](#) Creating Section 28.06(2)(a)3367. 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: Final Plans to Construct a Mixed-Use Building with 100 Apartments and Retail; 11th Aldermanic District: 515 South Midvale Boulevard.

The Plan Commission referred this matter for 30 days to allow the applicant to submit plans for the Midvale Boulevard driveway alternative and have the Traffic Engineering Division review the plans and provide a report and provide information regarding traffic calming. Resubmitted plans should also address questions raised by staff regarding the proposed unit mix.

A motion was made by Basford, seconded by Cnare, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by the following vote:

- Excused:** 1 -
Judy Bowser
- Ayes:** 5 -
Lauren Cnare; Julia S. Kerr; Judy K. Olson; Michael A. Basford and Beth A. Whitaker
- Noes:** 3 -
Eric W. Sundquist; Tim Gruber and James C. Boll
- Non Voting:** 2 -
Michael G. Heifetz and Nan Fey

Speaking in support of the project was the applicant Joseph Krupp, 3010 Woodland Trail, Middleton. Also speaking in support and representing the applicant were Bruce Simonson, 1410 Cowart Street, Chattanooga, TN and John Lichtenheld, 717 John Nolen Drive.

Speaking in opposition to the project were Don Severson, 534 S. Midvale Drive; Robert J. Widmer, Jr., 4302 Tokay Boulevard; Earl Reichel, 4306 Tokay Boulevard; Brett Darrow, 4312 S. Owen Drive; Karen Matteoni, 1710 Yahara Place (Owner of 4313 S. Owen Drive); Michael Bell 445 S. Owen Drive; Anna Strenski, 4317 S. Owen Drive; Wynn Davies, 537 Caromar Drive; Susanne Ripple Welke, 454 Clifden Drive; Loree Davies, 537 Caromar Drive; Miriam Levinson, 543 Chatham Terrace; Chris Schmidt, 4210 Odana Road; and Bonnie McMullin-Lawton, 555 Chatham Terrace.

Registered in opposition and not wishing to speak were Mark Powers, 4405 Tokay Boulevard; Kay Parish, 4405 Tokay Boulevard; Vicki Goodman Strenski, 4317 S. Owen Drive; Nancy Kaczmarek, 4308

S. Owen Drive; Janet Beach Hanson, 4209 St. Clair Street; Paul Cerutti, 549 Caromar Drive; Jeanne Daniels, 549 Caromar Drive; Paul Matteoni, 1710 Yahara Place; and Astrid Newenhouse, 3814 Winnemac Avenue.

11. [10646](#) Creating Section 28.06(2)(a)3379. rezoning property from Temporary A Agriculture District to M1 Limited Manufacturing District, creating Section 28.06(2)(a)3380. rezoning property from Temporary A Agriculture District to W Wetland District, and Section 28.06(2)(a)3381. of the Madison General Ordinances rezoning property from Temporary A Agriculture District to A Agriculture District. Proposed Use: 6 Industrial Lots and 3 Outlots; 16th Aldermanic District: 6403-6703 Femrite Drive.

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

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

12. [11130](#) Approving the preliminary plat of McAllen 720 Business Park located at 6403-6703 Femrite Drive and 3102 Meier Road. 16th Ald. Dist.

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

A motion was made by Boll, seconded by Gruber, 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 neither support nor opposition and wishing to speak on items 11 and 12 was Jamie Gausmann, 3492 Femrite Drive.

13. [10648](#) Creating Section 28.06(2)(a)3369. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3370. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Final Plans for Medical/Dental Office; 3rd Aldermanic District: 6502 Town Center Drive

Placed on file without prejudice at the request of the applicant.

A motion was made by Basford, seconded by Gruber, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - PUBLIC HEARING - PLACE ON FILE WITHOUT PREJUDICE. The motion passed by voice vote/other.

There were no registrants on this item.

14. [10651](#) Creating Section 28.06(2)(a)3371. of the Madison General Ordinances rezoning property from R2T Single-Family Residence District, R2Y Single-Family Residence District and R2Z Single-Family Residence District to R2T Single-Family Residence District. Proposed Use: Replatting 57 Single-Family Lots and 1 Outlot; 1st Aldermanic District: 9114 Ancient Oak Lane.

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

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

Speaking in support of items 14, 15, and 16 was Brian Munson, 120 E. Lakeside Street, Vandewalle and Associates, representing the applicant, Veridian Homes, LLC.

15. [11131](#)

Approving the preliminary and final plats of First Addition to Linden Park generally located at 9114 Ancient Oak Lane. 1st Ald. Dist.

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

A motion was made by Cnare, 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.

16. [10507](#)

Vacating Moonlight Trail from Ancient Oak Lane to Winter Frost Place and public alleys located within Outlots 14, 15, 16 and 21, Linden Park, as dedicated by said Linden Park, recorded in Volume 59-095B of Plats on Pages 488-493 as Document No. 4139208, Dane County Registry, located in the Northeast ¼ and the Northwest ¼ of the Northeast ¼ of Section 33, Town 07 North, Range 08 East, City of Madison (formerly Township of Middleton), Dane County, Wisconsin, and Authorizing the Mayor and City Clerk to execute the final public utility easement release document administered by the City Office of Real Estate Services.

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

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

Conditional Uses/ Demolition Permits

17. [11132](#)

Consideration of a conditional use to allow a chiropractic clinic tenant in an existing office building at 4602 South Biltmore Lane. 17th 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 voice vote/other.

There were no registrants on this item.

18. [11133](#)

Consideration of a demolition permit to allow a former restaurant to be demolished and two multi-tenant retail/office buildings to be constructed at 414 Grand Canyon Drive. 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 with the following modifications:

-That condition 2b from the July 1, 2008 Planning Division report be revised to eliminate the requirement for first story vision glass along the western elevation of the two-story building.

-That the City staff, including the City attorney, clarify the Park's Division condition regarding requirements for a 20-foot easement along the north property line for "public access and for sanitary and storm sewer maintenance access". The applicant, the Alder, and City staff shall reach an agreement on satisfying this condition. If these parties cannot reach an agreement, the consideration of this condition shall be referred to the Plan Commission.

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

An amendment to the main motion, made by Boll and seconded by Basford to eliminate Condition 2 of the Planning Division Report, in its entirety, failed by the following vote 2:6 (AYE: Boll, Basford; NO: Cnare, Olson, Sundquist, Whitaker, Kerr, and Gruber; NON-VOTING: Fey, Heifetz).

Speaking in support of the project was the applicant, David Stone, 3530 Timber Lane, Cross Plains; Bob Bouril, 6602 Grand Teton Drive, representing the applicant, and Steven Connor, 200 Heather Drive, Cottage Grove, representing the applicant. Also speaking in support of the project was Ald. Mark Clear, representing District 19.

19. [11134](#) Consideration of a conditional use to allow construction of a detached garage in excess of 576 square feet in the R2 Single-Family Residence district at 802 North Fair Oaks Avenue. 15th 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 Kerr, to Approve. The motion passed by voice vote/other.

Registered in support and available to answer questions were the applicants Dan York and Margaret Bowman, 802 N. Fair Oaks Avenue.

20. [11135](#) Consideration of a conditional use to allow a former fraternity house to be converted to a three-unit apartment building at 615 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 Olson, seconded by Basford, to Approve. The motion passed by voice vote/other.

Registered in support and available to answer questions was James Stopple, 1202 Regent Street and Josh Wilcox, both representing the applicant.

Registered in neither support nor opposition and available to answer questions was Jenny Dahlbers, 728 Sauk Ridge Trail, Apartment D.

21. [11136](#) Consideration of a major alteration to an existing conditional use to allow construction of an addition to Madison Water Utility Well #29 located at 829 North Thompson Drive. 17th 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.

There were no registrants on this item.

Land Divisions

22. [11137](#) Consideration of a certified survey map within the City's extraterritorial review jurisdiction creating two lots at 2864 CTH T, Town of Sun Prairie.

The Commission granted approval subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Boll, seconded by Gruber, to Approve. The motion

passed by voice vote/other.

There were no registrants on this item.

23. [11138](#)

Consideration of a certified survey map within the City's extraterritorial review jurisdiction creating two lots at 7433 Rolling Meadow Road, Town of Verona.

The Commission 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 and available to answer questions was Dale Bigler, 7433 Rolling Meadows Road.

BUSINESS BY MEMBERS

Eric Sunquist discussed the range of comments he received regarding the media coverage over statements he made at a previous Commission meeting on drive-through standards and the impacts of automobile idling. He indicated he would initiate a formal discussion on drive-through standards at the Long Range Transportation Planning Commission. Ald. Gruber, Ald. Kerr, Michael Basford, and Judy Olson also acknowledged the discussion.

Ald. Cnare requested that Plan Commission packets be delivered to on Thursdays prior to meetings, when possible. Ald. Kerr stated her support for this request.

Michael Basford recommended that only one copy of the agenda be provided that noted the consent agenda items, opposed to providing two copies of the agenda.

COMMUNICATIONS

Nan Fey noted she received an invitation for the opening of Capitol West. A copy of the invitation was provided to staff.

SECRETARY'S REPORT

Brad Murphy summarized upcoming matters.

Upcoming Matters - July 21, 2008

- Amending MGO 16.23 regarding the land division process
- Amending MGO 28.08 regarding the keeping of chickens in residential districts
- Amending MGO 28 regarding regulation of solar and wind systems
- 119-125 North Butler Street et al - PUD-GDP to PUD-SIP, final plans for 34-unit apartment building
- 520 East Johnson Street - PUD-GDP to PUD-SIP, final plan for relocated house from North Butler Street
- 6001 Milwaukee Street - Temp A to R2T/R2Y/C/PUD-GDP, Preliminary Plat & Final Plat of Eastlawn creating 102 residential lots and 5 outlots
- 1500 Williamson Street - Demolishing a second, nonconforming residence in rear yard
- 1202 Williamson Street - Wall mural approval

Upcoming Matters - August 4, 2008

- 2604 Waunona Way - Conditional use for a major alteration for the expansion of single-family house on lakefront lot
- 344 South Yellowstone Drive - Demolish office building to construct a dental office building
- 5100 Spring Court - Demolish vacant cottage and re-divide two existing residential lots
- 2502-2514 Fish Hatchery Road - Demolish former gas station/garage to create additional parking for Vita Plus
- 822-844 John Nolen Drive - Conditional use to construct a hotel & restaurant over 40,000 sq. ft w/outdoor eating area
- 750 University Avenue - Conditional use to construct an addition to Chazen Museum of Art

ANNOUNCEMENTS

None.

ADJOURNMENT

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