



City of Madison

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

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Monday, August 17, 2009

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 9 -

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

Excused: 3 -

Michael Schumacher; Julia S. Kerr and Judy Bowser

Fey was chair for the meeting.

Staff present: Mark A. Olinger, Secretary; Brad Murphy, Kevin Firchow, and Archie Nicolette,
Planning Division; Joe Gromacki and Dan Rolfs, Office of Real Estate Services; George Hank,
Building Inspection; Jim Keiken, Fire Department; and Mario Mendoza, Mayor's Office

MINUTES OF THE August 3, 2009 MEETING

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

SCHEDULE OF MEETINGS

- Regular Plan Commission Meetings: September 14 and October 5, 19, 2009

- Zoning Code Rewrite Working Sessions (all sessions begin at 5:30 p.m.): September 3 (LL-110,
Madison Municipal Building); September 10 (Room 300, Madison Municipal Building); September
23 (Parks Conference Room, Room 108, City-County Building); October 8 (Room 300, Madison
Municipal Building); October 22 (Room 300, Madison Municipal Building), and; October 29 (Room
LL-110, Madison Municipal Building)

ROUTINE BUSINESS

1. [15437](#) Accepting a 20-foot wide Public Water Main Easement within the Cannonball
Path from the City of Fitchburg.

The motion passed unanimously.

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

2. [15547](#) Authorizing the execution of a Declaration of Public Water Main Easement pertaining to the City-owned Cannonball Run Bike Path Corridor.
The motion passed unanimously.
A motion was made by Basford, 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. [15453](#) Authorizing the Common Council to accept ownership from Northside Business Association of up to twelve decorative banners to be located on City light poles within the public right-of-way at Northport Drive, North Sherman Avenue, and Packers Avenue.
The motion passed unanimously.
A motion was made by Basford, seconded by Olson, to Return to Lead with the Recommendation for Approval. The motion passed by voice vote/other.
4. [15555](#) Determining a Public Purpose and Necessity and approving Transportation Project Plat No: 5992-08-21-4.01 for the acquisition of lands and interests required for the relocation and construction of Pleasant View Road from Valley View Road to Mineral Point Road, located in that part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, of Section 34, Town of Middleton, and part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 34, City of Madison, all in Town 7 North, Range 8 East, Dane County, Wisconsin (9th AD) and; Determining a Public Purpose and Necessity and authorizing the Mayor and City Clerk to accept no cost Permanent Limited Easements for Public Street Purposes from the University of Wisconsin Regents as required for the relocation and construction of Pleasant View Road from Valley View Road to Mineral Point Road, located in that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22, Town 7 North, Range 8 East, City of Madison (formerly Town of Middleton), Dane County, Wisconsin (9th AD).
The motion passed unanimously.
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.

UNFINISHED BUSINESS

Planned Unit Development Alteration

5. [15413](#) Consideration of an alteration to an approved Planned Unit Development - Specific Implementation Plan for 119-125 North Butler Street and 120-124 North Hancock Street. 2nd Ald. Dist.
The motion to approve included the following additional condition:
-That the applicant pay any outstanding permitting fees prior to relocating the building at 119 N. Butler Street.
This motion removed the requirement that the applicant provides proof of financing prior to completing the proposed rehabilitation work and removal of the structure at 119 North Butler Street. The applicant will also provide interim landscaping per the approved plans. Proof of financing is still

required prior to demolition of the buildings at 123 and 125 North Butler Street and the commencing of construction on the new 38-unit apartment building. This motion passed by the following vote: 6:1 (AYE: Ald. Cnare, Olson, Boll, Basford, Heifetz, and Gruber; NO: Sundquist; NON-VOTING: Pearson and Fey).

A subsequent motion, made by Heifetz and seconded by Basford, allowed the applicant to proceed with the proposed renovations to 120 and 124 North Hancock Street prior to providing the aforementioned proof of financing. This motion passed unanimously.

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

Excused: 3 -

Michael Schumacher; Julia S. Kerr and Judy Bowser

Ayes: 6 -

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

Noes: 1 -

Eric W. Sundquist

Non Voting: 2 -

Douglas J. Pearson and Nan Fey

Speaking in support of the project were the applicant Cliff Fisher, 107 North Hancock Street; James McFadden, 1 Langdon Street; and Charles "Buck" Sweeny, 2 East Mifflin Street, both representing the applicant. Registered in support and not speaking was L. Tydnch, 108 North Hancock Street.

NEW BUSINESS

6.

[15540](#)

Authorizing Common Council to accept and adopt the Burr Oaks Neighborhood Senior Housing Plan.

The motion passed unanimously.

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.

Speaking in support of this item was Ald. Timothy Bruer representing District 14. Registered in support and available to answer questions was Dale Cox, 1045 Ridgewood Way, representing the Burr Oaks Neighborhood Association and Jared Jambdis, PO BOX 906 Madison. Registered in support and not wishing to speak was Ruth Ann Bauhs, 922 Sequoia Trail and John L. Bauhs 922 Sequoia Trail.

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.

Tax Increment Financing Districts

7.

[15542](#)

Approving and amending Project Plan and Boundary for the Tax Incremental District (TID) #39 (Stoughton Rd.).

The motion passed unanimously.

A motion was made by Cnare, seconded by Basford, to Return to Lead with

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

Registered in support and available to answer questions was Ald. Judy Compton, 6030 Fairfax Lane, representing District 16.

- 8. [15544](#) Creating Tax Incremental Finance (TIF) District #40 (Northside Madison) City of Madison and approving a Project Plan and Boundary for said TIF District.
The motion passed unanimously.

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

Registered in support and available to answer questions was Ald. Satya Rhodes-Conway, 2642 Hoard Street, representing District 12. Registered in support and not wishing to speak was John Brigham, 3415 Quam Drive, Stoughton, representing Penn Group LLC. Registered in neither support nor opposition and available to answer questions was Chad Gebhardt, 2422 Pennsylvania Avenue, representing CAG Development.

Zoning Map Amendments/Land Division

- 9. [15122](#) Creating Section 28.06(2)(a)3441. 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 2 Residential Buildings with a Total of 88 Apartment Units; 1st Aldermanic District: 8101 & 8119 Mayo Drive.

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

A motion was made by Sundquist, seconded by Boll, 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 Rich Arnesen, Stone House Development, 114 Nautilus Drive and Randy Bruce, 7601 University Avenue, representing the applicant.

- 10. [15387](#) Creating Section 28.06(2)(a)3443. 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. Proposed Use: Amend GDP for Lots 1 & 2 of MetroTech to Accommodate Future Fire Station; 3rd Aldermanic District: 6322 Town Center Drive.

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

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

There were no registrations on this item.

- 11. [15390](#) Creating Section 28.06(2)(a)3444. of the Madison General Ordinances rezoning property from Temp A Agriculture to C Conservancy District. Proposed Use: Provide City zoning for addition to Cherokee Marsh Conservation Park; 18th Aldermanic District: 1302 Wheeler Road.

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

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

12. [15647](#)

Approving a Certified Survey Map of property owned by Cherokee Park, Inc. and the City of Madison generally located at 1302 Wheeler Road. 18th Ald. Dist.

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

A motion was made by Heifetz, seconded by Cnare, 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.

There were no registrations on items 11 & 12.

Zoning Text Amendment

13. [15524](#)

Amending Section 28.09(5)(f)1. of the Madison General Ordinances to modify height restrictions of buildings in C4 zoning districts located in City-owned parks when approved as a conditional use.

The motion passed unanimously.

A motion was made by Cnare, seconded by Gruber, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Registered in support of this item was Rosemary Lee, 111 West Wilson Street.

Conditional Uses/ Demolition Permits

14. [15586](#)

Consideration of a demolition permit and conditional use to allow two buildings to be demolished and an addition to the UW School of Human Ecology to be constructed at 1300 Linden Drive. 8th Ald. Dist.

This item was referred to the Urban Design Commission for an advisory recommendation.

A motion was made by Gruber, seconded by Basford, to Rerefer to the URBAN DESIGN COMMISSION. The motion passed by voice vote/other.

Speaking in support of this item were Gary Brown and Angela Pakes Ahlman, University of Wisconsin-Madison, 610 Walnut Street. Also speaking in support were Rick Gabriel, 537 Holly Avenue and Diana Dorschner, 849 East Washington Avenue, both from Dorschner Associates, representing the University of Wisconsin-Madison.

Registered in support and available to answer questions was Robin Douthill, 149 South Brittingham Place, representing the University of Wisconsin-Madison School of Human Ecology.

Speaking in opposition to this item was Arnold Alanen, 1910 West Lawn Avenue.

15. [15648](#) Consideration of a conditional use to allow construction of a multi-tenant retail building with an outdoor eating area at 7017 Mineral Point Road at West Towne Mall. 9th Ald. Dist.

The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

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

Registered in support and available to answer questions was Christine Meske, 1468 West 9th Street, Cleveland, OH 44113, representing CBL and Associates Properties, Inc.

16. [15649](#) Consideration of a demolition permit to allow a single-family residence to be razed and a new residence constructed at 1202 Gilbert Road. 20th Ald. Dist.

The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

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

Registered in support and available to answer questions was John Thompson, Thompson Custom Builders, representing the applicants Stephen and Eleonara Dodds.

17. [15650](#) Consideration of a demolition permit to allow a single-family residence at 312 North Hamilton Street to be razed to create open space for an adjacent residence under the same ownership. 2nd Ald. Dist.

The Plan Commission found that the standards were met and granted approval subject to the comments and conditions contained within the Plan Commission materials. The motion passed unanimously.

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

Registered in support and available to answer questions was Henry Gobel, 4868 High Crossing Boulevard, representing the property owner, Dan Gobel.

18. [15500](#) Consideration of a conditional use to allow construction of a truck terminal and waste transfer station at 4002-4058 Kipp Street. 16th Ald. Dist.

This item was referred to the Plan Commission meeting of September 14, 2009 in order for the applicant to provide a revised site plan that provides further separation between the facility and nearby residences. The motion passed by the following vote 6:1: AYE: Ald. Cnare, Sundquist, Olson, Basford, Heifetz, Gruber; NO: Boll; NON-VOTING: Pearson and Fey.

A motion was made by Olson, seconded by Basford, to Rerefer to the PLAN COMMISSION, due back on 9/14/2009. The motion passed by the following vote:

Excused: 3 -
Michael Schumacher; Julia S. Kerr and Judy Bowser

Ayes: 6 -
Lauren Cnare; Eric W. Sundquist; Judy K. Olson; Michael A. Basford; Michael G. Heifetz and Tim Gruber

Noes: 1 -
James C. Boll

Non Voting: 2 -
Douglas J. Pearson and Nan Fey

Speaking in support of this item was the applicant, Tom Pellitteri, Pellitteri Waste Systems, Raywood Road, Monona. Speaking in support of this item and representing the applicant were Ken Kosciak, Kosciak Construction, 4214 Major Avenue; Robert Bouril, Bouril Design Studio, 7653 Summerfield Drive, Verona; Blake George, 4726 East Towne Boulevard; Bill Biesmann, Vierbicher Associates; Steve Wittmann, Cornerstone Environmental Group, 6418 Normandy Lane #220. Registered in support and answering questions was Joe Falle, Cornerstone Environmental Group, 6418 Normandy Lane. Also speaking in support of this item was David Pellitteri, Pellitteri Waste Systems, 7035 Raywood Road, Monona.

Speaking in opposition to this item were Carol Welch, 3629 Marsh Road; Debra Glynn, 4005 Marsh Road; Dustin Kalland, 5132 Voges Road; Gordon King, 4005 Marsh Road; Paul Logan, 5421 Penny Lane; Jessica Glynn, 4005 Marsh Road; Susan Hilleman, 4413 Hey Jude Lane; Wanda Kroll, 4406 Honeypie Drive; and Mark Dordel, 4402 Honeypie Drive.

Speaking in neither support nor opposition was Ald. Judy Compton, 6030 Fairfax Lane, representing District 16.

Registered in support and not wishing to speak was Danielle Pellitteri, 3102 Northbrook Drive, Middleton; Dominick Gieck, 102 Dahlen Circle, Cambridge; and Tim Pellitteri, 531 Pleasant Trail, Deerfield.

Registered in support and available to answer questions was Jeff Maertz, Bouril Design Studio, 2422 Upham Street, representing the applicant and Joe Gallina, Marsh Road Development Corporation, 8500 Greenway Boulevard #200, Middleton; and Craig Enzenroth, Marsh Road Development Corporation, 8500 Greenway Boulevard #200, Middleton.

Registered in opposition and not wishing to speak was Daniel Kremer, 5413 Imagine Street; Dan Glynn, 4005 Marsh Road; and Thomas R. Welch, 3629 Marsh Road.

BUSINESS BY MEMBERS

Michael Basford noted that he was approached by a member of the public during the public hearing. Mr. Basford requested that the rows behind the Commission be reserved, as typically done, and that staff discuss this concern with the person who approached the Commissioners. Chair Fey indicated she will add a statement during her introductory public hearing remarks noting that lobbying of Plan Commissioners is not permitted.

Mr. Murphy noted the list of those registered on agenda item 18 not wishing to speak was not read into the record. Chair Fey noted that these names will be entered into the public record.

Mr. Gruber inquired as to whether Plan Commissioners would be interested in organizing a tour of the Northeast Neighborhood Planning Area. A formal tour was not set, though Mr. Murphy indicated Commissioners could individually drive the roads in the planning area, using the provided locator information. Fey reminded the Commission about quorum issues.

COMMUNICATIONS

None.

SECRETARY'S REPORT

Brad Murphy summarized the upcoming matters.

Upcoming Matters - September 14, 2009

- Northeast Neighborhoods Development Plan
- Northport-Warner Park- Sherman Neighborhood Plan
- Royster-Clark Special Area Plan
- (Tentative) 430 South Thornton Avenue et al - R4 to PUD-GDP-SIP to relocate existing 2-unit building, construct underground parking & new 4-unit
- (Tentative) 1148 Jenifer Street - R4A & R4L to PUD-GDP-SIP to relocate 2-unit from South Thornton Avenue onto vacant property
- (Tentative) 115-117 South Bassett Street - R6 to PUD-GDP-SIP to allow renovations and additions to 2 building creating 7 multi-family units

- 1 Hawks Landing Circle - Amended PUD-GDP-SIP to construct 30-unit apartment building instead of office building previously approved
- 452 State Street/ 229 West Gilman Street - Conditional use to construct visitors center/ restroom building in Lisa Link Peace Park
- 1119 Merrill Springs Drive - Demolish single-family residence and construct new residence
- 1809 West Beltline Highway - Demolish automobile dealership and construct new automobile dealership
- 2 South Bedford Street - PUD-SIP alteration to allow drive-up service window for pharmacy tenant and add 83rd apartment unit
- 5210 Harbor Court - Demolish single-family residence to create open space for adjacent residence
- 2039 Winnebago Street - Conditional use to convert commercial building to include a total of 7 apartments and 1 commercial space
- (Tentative) 3023 CTH BB - ETJ CSM to create 2 lots in the Town of Cottage Grove

ANNOUNCEMENTS

None.

ADJOURNMENT

A motion was made by Boll, seconded by Gruber, to Adjourn at 10:15 pm. The motion passed by voice vote/other.