



# City of Madison

## Meeting Minutes - Final

### PLAN COMMISSION

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

---

Monday, June 19, 2006

5:30 PM

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

---

## ROLL CALL

**Present:** Brenda K. Konkell, Lauren Cnare, Kenneth Golden, Nan Fey, Sarah Davis, Judy Bowser, Albert Lanier and Michael Forster Rothbart

**Excused:** Brian W. Ohm, James C. Boll, Kelly A. Thompson-Frater and Ruth Ethington

*Fey was chair for this meeting. Ald. Golden, Davis and Lanier arrived following the approval of minutes.*

*Ald. Golden left following consideration of Item #6.*

*Staff present: Mark Olinger, Secretary; Brad Murphy, Michael Waidelich, Bill Roberts and Tim Parks, Planning Unit; Jeanne Hoffmann, Mayor's Office; Jim Voss, City Attorney's Office; Joe Gromacki and Dan Rolfs, Community & Economic Development Unit; Dan McCormick, Traffic Engineering, and; Hickory Hurie, Community Development Block Grant Office.*

## MINUTES OF THE JUNE 5, 2006 MEETING

**A motion was made by Bowser, seconded by Forster Rothbart, to Approve the Minutes. The motion passed by acclamation.**

## SCHEDULE OF MEETINGS

*Regular Meetings: July 10, 24; August 7, 21, 2006.*

*Special Meeting regarding the special area plan for the Proposed Cherokee Development located on Wheeler Road: June 27, 2006 at 5:30 P.M. The Plan Commission also planned to discuss potential amendments to the Inclusionary Zoning Ordinance at this meeting beginning at 7 P.M. or later following the Cherokee discussion.*

*Special Meeting regarding potential amendments to the Inclusionary Zoning Ordinance: July 6, 2006.*

## SPECIAL ITEM OF BUSINESS - 5:30 p.m.

*Concept Development Plan by Tom Ellefson - 6800 Block Cross Country Road - Town of Verona (adjacent to 7th Ald. Dist.):*

*The Plan Commission received a presentation by The Ellefson Companies regarding development of an 11-acre tract located at 6810 Cross Country Road with 34 single-family residences. Following the developer presentation, Brad Murphy summarized adopted City plans for the site, including the Cross Country Neighborhood Development Plan and the Comprehensive Plan.*

*Speaking on behalf of the project proposal were: Chad Obright, The Ellefson*

*Companies, 1018 Gammon Lane and Ron Trachtenberg, Murphy Desmond, SC, 2 E. Mifflin Street, Suite 800 and Lew Averill, 1037 Davies Road, Spring Green, both representing The Ellefson Companies. Tom Ellefson, 1018 Gammon Lane, was available to answer questions about the project.*

*Speaking in opposition to the project proposal was Deborah A. Paul, 6818 Cross Country Road.*

*Speaking neither in support or opposition to the project proposal was Ald. Zach Brandon, 3526 Mammoth Trail, representing the 7th District.*

*Following the presentation and discussion, Plan Commission members individually expressed a desire to not amend the Cross Country Neighborhood Development Plan and the Comprehensive Plan to accommodate the proposed project and encouraged staff to continue to pursue efforts to have the property acquired for open space purposes consistent with existing plan recommendations and adjacent open space parcels.*

## ROUTINE BUSINESS

1. [03721](#) Amending the Master List of Street Names and Designations and amending the City Engineer's Street Numbering Map, referred to in Sections 10.34(1) and 10.35, Madison General Ordinances  
  
Changing the names of various streets in the Village at Autumn Lake plat:  
  
Arial Spring Trail to Merry Maddy Lane  
Snowberry Court to Wood Sorrel Court  
Snowberry Street to Wood Sorrel Street  
(17th AD)  
  
**A motion was made by Bowser, seconded by Lanier, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.**
  
2. [03745](#) Authorizing the execution of a First Amendment to Lease with Dudgeon Center for Community Programs providing for an extension of the lease at 3200 Monroe Street. (10th AD)  
  
*The Plan Commission recommended revised language in the resolution that removed all references to "holdover," with the second reference to "holdover" in the text to be replaced with "occupancy."*  
  
**A motion was made by Ald. Golden, seconded by Forster Rothbart, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.**  
  
*Speaking in support of the lease amendment was Bill Barker, 830 Terry Place, representing the Board of Leaseholders, Dudgeon Center for Community Programs.*
  
3. [03746](#) Vacating a portion of unimproved public alley right-of-way dedicated by, and located within, Block 2, Wingra Heights plat. Portion to be vacated is adjacent to Lots 5 through 10 (inclusive), Block 2, Wingra Heights plat, being located in part of the Northeast ¼ of the Northeast 1/4 of Section 27, Town 07 North,

Range 09 East, City of Madison, Dane County, Wisconsin. (13th AD)

**A motion was made by Bowser, seconded by Lanier, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.**

## NEW BUSINESS

4. [03812](#) Providing the consent of the City for Pony Express, LLC to locate a building materials sales establishment on Lots 3 and 4 of the Center for Industry and Commerce. (17 AD)
- A motion was made by Bowser, seconded by Ald. Cnare, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**
- Registered in support of the project and available to answer questions was Rob Hatett, Pony Express, LLC, 2401 Daniels Street.*
5. [03676](#) Approving the Redevelopment Plan and District Boundary for the Allied Drive Redevelopment District. (10th AD)
- The Plan Commission asked that the numbers of the clauses in the resolution be renumbered (all are currently "1's").*
- A motion was made by Ald. Golden, seconded by Lanier, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**
- Speaking in opposition to the boundaries of the redevelopment plan and district boundaries was Duane Steinhauer, 2102 Allied Drive.*

## PUBLIC HEARING-6:00 p.m.

*The public hearing began at 6:40 P.M.*

## Special Item

6. [03731](#) Petitioning the Governor of Wisconsin to create a Capital Area Regional Planning Commission.
- A motion was made by Ald. Golden, seconded by Bowser, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**

## Tax Incremental Finance Districts

7. [03683](#) Amending Tax Incremental Finance (TIF) District #32 (Upper State Street) City of Madison and approving a Project Plan and Boundary Amendment for said TIF District. (4th AD)
- The Plan Commission asked that the Board of Estimates and Common Council consider adding the entire right of way of the 700-block of University Avenue to the district with this amendment.*

**A motion was made by Lanier, seconded by Bowser, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.**

*Registered in opposition and wishing to speak was Wayne Burmeister, 27 Fairview Trail, Waunakee. (Not present when matter called.)*

*Registered neither in support nor opposition but not wishing to speak was Janet Wheaton, 4502 Hammersley Road #6.*

8. [03829](#) Creating Tax Incremental Finance (TIF) District #37 (Union Corners) City of Madison and approving a Project Plan and Boundary for said TIF District. (2nd, 6th, and 15th AD)

**A motion was made by Lanier, seconded by Bowser, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.**

*Speaking in support of the Tax Increment District was Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District.*

*Registered in support and available to answer questions was Mark Mernier, 4306 Green Avenue, representing Madison Kipp Corp.*

*Registered in support but not wishing to speak were Todd McGrath, 805 S. Dickinson Street and Philip Nelson, 7881 Helmke Road, DeForest.*

*Registered neither in support nor opposition and available to answer questions was Tom Pankratz, 214 Waubesa Street.*

## Annexations

9. [03883](#) Petition dated May 31, 2006 from Lathrop & Clark re: direct annexation from the Town of Burke to the City of Madison (Midtown Holdings Annexation) (Loomer Annexation)
- A motion was made to RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER. The motion passed by acclamation.**
10. [03993](#) Petition dated April 22, 2006, from Murphy Desmond SC re: direct annexation from the Town of Verona to the City of Madison (Midtown Holdings Annexation ).
- A motion was made by Bowser, seconded by Davis, to Rerefer to the PLAN COMMISSION, due back on July 10, 2006. The motion passed by acclamation.**
11. [03849](#) Creating Section 15.01(556) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 1st Aldermanic District the Midtown Holdings Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(107) of the Madison General Ordinances to add the attached property to Ward 107.

**A motion was made by Bowser, seconded by Davis, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER refer to Plan Commission due back July 10, 2006. The motion passed by acclamation.**

*Registered in support of the annexation and available to answer questions was Ron Trachtenberg, Murphy Desmond, SC, 2 E. Mifflin Street, Suite 800. Mr. Trachtenberg indicated his support for the referral.*

## Zoning Map Amendments

12. [03766](#) Creating Section 28.06(2)(a)3192. 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: Veterinary Clinic; 1st Aldermanic District: 8202 Mid Town Road.
- A motion was made by Bowser, seconded by Davis, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.**
13. [03767](#) Creating Section 28.06(2)(a)3193. of the Madison General Ordinances rezoning property from C1 Limited Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3194. 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: Demolish Shopping Center & Build 3 & 4 Story Mixed-Use Development with Library, Retail & 142 Dwelling Units; 11th Aldermanic District : 505-555 South Midvale Boulevard.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:*
- That approval of the residential garage entrance onto Caromar Drive for the Phase 2 building be determined at the time the developer requests specific implementation plan approval for that building.*
  - That a raised sidewalk be provided along the spine road between the Phase 1 and Phase 2 buildings.*
  - That the developer pay \$15,000 for traffic calming along Caromar Drive.*
  - That a reasonable amount of three-bedroom apartments be provided in the Phase 2 building.*
  - That the use of the ground floor facing Midvale Boulevard in the Phase 2 building be determined at the time the developer requests specific implementation plan approval for that building.*
  - That the Inclusionary Dwelling Unit Plan for this project come back before the Plan Commission for final approval, with the dispersion of units on the fourth floor to be discussed at that time.*
  - That the PUD be revised to acknowledge that "two-bedroom plus den" units can be used as three-bedroom units.*
- A motion was made by Forster Rothbart, seconded by Ald. Golden, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote:**

**Excused:** 3 - Ohm, Boll, Thompson-Frater and Ethington

**Aye:** 5 - Konkel, Golden, Bowser, Lanier and Forster Rothbart

**No:** 2 - Cnare and Davis

**Non Voting:** 1 - Fey

*Speaking in support of this project were: Joseph D. Krupp, 2020 Eastwood Drive, the applicant; Bruce Simonson, 1190 W. Druid Hills Road, Atlanta, Georgia and John Lichtenheld, Schriber Anderson Associates, 717 John Nolen Drive, both representing the applicant; Rachel Martin, 4710 Keating Terrace; Mark Shahan & Laura Brown, 607 Piper Drive; Ed Freer, 457 Orchard Drive; Gary Johannsen, 4906 Sherwood Road; Barbara Dimick, Director, Madison Public Library, and; Ald. Tim Gruber, 4349 Bagley Parkway, representing the 11th District.*

*Speaking in opposition to the project were: Clove Lilienthal, 4321 S. Owen Drive; Brandon Casto, 1 Fredrick Circle; Kristy Casto, 1 Frederick Circle on behalf of Midvale Community Lutheran Church; Steven Welsh, 4318 Critchell Terrace; Paul Baker & Denise Lamb, 4409 Mineral Point Road; Anna Strenski, 4317 S. Owen Drive; Kyle Freidow, 532 S. Owen Drive; Tom Talerico, 4218 Tokay Boulevard; Don Severson, 534 S. Midvale Boulevard; Paul Haskew, 453 Togstad Glen; Bernie McMullin-Lawton, 555 Chatham Terrace; Wynn Davies, 537 Caromar Drive; Mike Hammons, 541 Caromar Drive; Earl Reichel, 4306 Tokay Boulevard; William Orosz, 807 Dellwood Circle; Brenda Seibel, 501 S. Midvale Boulevard; Kurt Kaczmarek, 4308 S. Owen Drive; Clarence Olson, 537 Togstad Glen; Doug Yanggen & Ellen Fisher, 4014 Winnemac Avenue; Karl Frantz, 4334 Travis Terrace; Janet Beach Hanson, 4209 St. Clair Street; Edward K. Merrill, 3913 St. Clair Street; Heidi Fatland, 4402 Keating Terrace, and; Francis Chitek, 513 Caromar Drive.*

*Speaking neither in support nor opposition to the project were Daniel Sebald, 1553 Adams Street and Ald. Cindy Thomas, 2106 Teal Drive, representing District 20.*

*Registered in support and available to answer questions were Paul Cuta, Engberg Anderson Design Partnership, 1 N. Pinckney Street on behalf of the Madison Public Library and Gary Poulson, 637 Charles Lane.*

*Registered in support but not wishing to speak were: John M. Kelly, 615 Farwell Street; Kary Lynn Bruderer, 418 Toepfer Avenue; Scott Kaky (?), no street address given, Monona; Judy P. Olson, 3984 Plymouth Circle; Todd McGrath, 805 S. Dickinson Street, and; Chris Armstrong, 2980 Edenberry Street, Fitchburg.*

*Registered neither in support nor opposition to the project and available to answer questions was John Costello, 489 Togstad Glen.*

*Registered in opposition but not wishing to speak were: Marybeth & Tom Taborsky, 441 S. Owen Drive; Denise Nettesheim, 449 Woodside Terrace; Paul S. & Ann Boyer, 433 Toepfer Avenue; Derek Brigham, 4009 Winnemac Avenue, Julie Swanson, 27 Frederick Circle; Lyle & Carla Baez, 729 Anthony Lane; Judi Dilks, 3913 St. Clair Street; Janet Sekulski, 4329 Travis Terrace; Brent Darley, 575 Toepfer Avenue; Loree Davies, 537 Caromar Drive; Elizabeth Ciganovich, 453 S. Owen Drive; Marilyn R. Laurire, 4406 Somerset Lane; Paul & Beth Richards Hamelink, 528 S. Owen Drive; Michael Bell, 445 S. Owen Drive; Mark Nesslar, 657 York Street; Pamela Mather, 4337 Mineral Point Road; Jerry Kotnour, 4402 Woods End; Mary Chance, 559 Chatham Terrace; Jill Hynam, 446 S. Midvale Boulevard; Eric Cabot, 5318 Milward Drive; Astrid Newenhouse, 3814 Winnemac Avenue; Patricia Gaitan, 565 Caromar Drive; Barbara Mortensen, 649 Orchard Drive; Mary & Mike Silbernagel, 486 Togstad Glen; Jean*

*Sweet, 506 Woodside Terrace; Avrelia Hale, 4413 Tokay Boulevard; Cynthia English, 449 Woodside Terrace; Madeline Fisher, 638 Frederick Lane; Dan Knauss, 437 S. Owen Drive; Inette Chitek, 513 Caromar Drive; Jeanne Daniels, 549 Caromar Drive; Paul Cerotti, 549 Caromar Drive; Nan Faith, 568 Gately Terrace; Jon Murphy, 460 Holly Avenue; Helen Blanchar, 514 S. Owen Drive; Vicki Goodman, 4317 S. Owen Drive; Doug Huxstable, 4317 Herrick Lane; Jeff Eaton, 4402 Keating Terrace; Wayne Hanson, 4209 St. Clair Street; Kurt Meyer, 3814 Winnemac Avenue; Steven Birong, 599 Glen Drive, and; James L. Pope, 473 Orchard Drive.*

### Conditional Uses/ Demolition Permits

14. [01113](#) Consideration of a demolition permit/conditional use to demolish an existing gas station and construct a new gas station/convenience store on the site located at 2801 Atwood Avenue. 6th 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 and the following conditions:*
- That the business close at 10 P.M. daily.*
  - That alcohol sales not be permitted at this location.*
  - That the rear (yard) of the proposed convenience store be enclosed with a suitable enclosure as approved by the Planning Unit, with the enclosure to be attached to the building.*
  - That the applicant reestablish a tree line along the southern property line per a revised landscaping plan approved by the Planning Unit.*
  - That suitable screening be provided along the southern property line between the commercial property and adjacent residential properties to the south per a plan approved by the Planning Unit.*
- A motion was made by Forster Rothbart, seconded by Davis, to Approve. The motion passed by acclamation.**
- Speaking neither in support nor opposition to the project were: John Ferrick, 2802 Sommers Avenue; Bill Korsgard, 6030 Old Middleton Road, and; Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District.*
- Registered in support and available to answer questions was the applicant, Murthy Polasa, M&J Petroleum, 2801 Atwood Avenue. (Not present when the case called)*
15. [03931](#) Consideration of a conditional use for an outdoor eating area for a restaurant located at 802 Atlas Avenue. 3rd 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 Forster Rothbart, seconded by Ald. Cnare, to Approve. The motion passed by acclamation.**
- There were no registrants on this item.*
16. [03932](#) Consideration of a demolition permit to demolish an existing commercial building (Bill's Key Shop) and create a parking lot for a nearby church located at 2502 East Washington Avenue. 12th 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 Lanier, to Approve. The motion passed by the following vote:**

**Excused:** 3 - Ohm, Boll, Thompson-Frater and Ethington

**Aye:** 6 - Konkel, Cnare, Golden, Davis, Bowser and Lanier

**No:** 1 - Forster Rothbart

**Non Voting:** 1 - Fey

*Registered in support and available to answer questions was Father Joseph Tzougros, Assumption Greek Orthodox Church, 11 N. Seventh Street.*

## Subdivisions

17. [03933](#) Approving the final plat of "Badger Mill Creek" located at 3120-3160 Jeffy Trail. 1st Ald. Dist.

*The Plan Commission recommended approval of the final plat subject to the comments and conditions in the Commission materials and the following condition:*

*-That a sidewalk connection [and 12-foot wide easement] be constructed to the undeveloped parcel to the north between Lots 6 and 7.*

**A motion was made by Ald. Cnare, seconded by Bowser, 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 acclamation.**

*Speaking in support of the final plat was the applicant, Rick McKy, 6902 Old Sauk Road and Ron Trachtenberg, Murphy Desmond, SC, 2 E. Mifflin Street, Suite 800, representing Mr. McKy.*

*Registered in support and available to answer questions were Dave Glusick, Calkins Engineering, 5010 Voges Road and R. Bruce Allison, 2800 S. Fish Hatchery Road, both representing Mr. McKy.*

## Zoning Text Amendments

18. Further Discussion of Potential Amendments to Inclusionary Zoning Ordinance.

*The Plan Commission will continue its discussion about Inclusionary Zoning amendments following the Cherokee development discussion on June 27, 2006.*

19. [02995](#) Amending Section 28.04(25) of the Madison General Ordinances to change the equity distribution at sale and add exemptions to the inclusionary zoning ordinance.

**A motion was made by Forster Rothbart, seconded by Davis, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION, due back on June 27, 2006. The motion passed by acclamation.**

20. [03588](#) Amending Section 28.04(25)(d)4. of the Madison General Ordinances to provide additional incentives for use of inclusionary zoning units by allowing up to a 10% set-aside for non-inclusionary zoning units and duplexes.



A motion was made by Forster Rothbart, seconded by Davis, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION, due back on June 27, 2006. The motion passed by acclamation.

## BUSINESS BY MEMBERS

*Forster Rothbart requested that staff provide the Plan Commission with copies of information related to the approval of the original Cherokee plat for use during its upcoming discussions on that project.*

*Bowser expressed her desire for projects requesting Plan Commission consideration of a specific implementation plan to have "final" approval from the Urban Design Commission. Brad Murphy recalled the UDC process for Commission members and indicated that staff would discuss this concern.*

## COMMUNICATIONS

*Note the correspondence from the Cherokee neighborhood.*

## SECRETARY'S REPORT

*Brad Murphy noted that upcoming matters were listed on the agenda if any of the members had any questions.*

## UPCOMING MATTERS - July 10, 2006 Meeting

- 5960 Sharpsburg Drive - PUD retail/office
- 8201 Mayo Drive - PUD mixed-use/retail-condominiums
- 5100 Block Femrite Drive - C3 to M1, demolish houses for future industrial development
- 940 Williamson Street - conditional use, outdoor eating area for restaurant
- 414 Grand Canyon Drive - demolish restaurant for office building
- 1225 Regent Street - conditional use, outdoor eating area for restaurant
- 5426 Lake Mendota Drive - conditional use, remove garage and build new
- 110 Virginia Terrace - conditional use, addition to existing garage
- 1127 University Avenue - conditional use, restaurant in lower level of existing church
- 705 Post Road - conditional use, contractor's office and shop
- 57 South Stoughton Road - conditional use, outdoor eating area for restaurant
- 2508 South Stoughton Road - conditional use, motor vehicle repair

## UPCOMING MATTERS - July 24, 2006 Meeting

- 2016 Sundstrom Street - rezoning, demolish house and build new duplex
- 4901 Cottage Grove Road - rezoning, C1 to C2, addition to medical clinic
- 9201 Mid-Town Road - rezoning, R5 to PUD(GDP-SIP), apartment and condominium units
- 22 East Dayton Street/208 North Pinckney Street - rezoning, R6H and C2 to PUD(GDP) and PUD(SIP)
- 203 Wisconsin Avenue - R6, R6H to C2

## ANNOUNCEMENTS

*None*

## ADJOURNMENT

A motion was made by Bowser, seconded by Forster Rothbart, to Adjourn at 12 A.M. The motion passed by acclamation.