



City of Madison

Meeting Minutes - Final

PLAN COMMISSION

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

Monday, June 5, 2006

5:30 PM

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

ROLL CALL

Fey was chair for this meeting. Davis arrived following the approval of minutes.

Present: Brenda K. Konkol, Lauren Cnare, Kenneth Golden, Nan Fey, Brian W. Ohm, Sarah Davis, James C. Boll, Albert Lanier, Michael Forster Rothbart and Kelly A. Thompson-Frater

Excused: Judy Bowser and Ruth Ethington

Staff present: Brad Murphy and Tim Parks, Planning Unit; Jeanne Hoffmann, Mayor's Office, and; Hickory Hurie, Community Development Block Grant Office.

MINUTES OF THE MEETING OF MAY 15, 2006 and WORKING SESSIONS OF APRIL 11 & 24, 2006

A motion was made by **Boll**, seconded by **Lanier**, to Approve the Minutes. The motion passed by acclamation.

SCHEDULE OF MEETINGS

Regular Meetings: June 19; July 10, 24; August 7, 21, 2006.

The Plan Commission scheduled working sessions to discuss Inclusionary Zoning on June 12 and July 6, 2006 and a working session to discuss the Cherokee Neighborhood Plan on June 27, 2006. All meetings will begin at 5:30 P.M.

ROUTINE BUSINESS

1. [03679](#) Authorizing the grant of a permanent limited easement and a temporary construction easement to American Transmission Company for an underground electric transmission line in a portion of the City's East Rail Corridor between East Washington Avenue and East Johnson Street. (2nd & 12th AD)
A motion was made by Lanier, seconded by Boll, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.
2. [03621](#) Determining a Public Purpose and necessity and adopting Transportation Project Plat No. 5992-08-04-4.01 and 5992-08-04-4.02 for the City of Madison and State of Wisconsin to acquire the required land interests for the Starkweather Creek Public Bike Path improvements and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of said land interests. (15th AD)

A motion was made by Ald. Golden, seconded by Ald. Konkel, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.

3. [03609](#) Authorizing the execution of a Utility Easement to Wisconsin Bell d/b/a AT&T Wisconsin across a City-owned property located at 1501 Droster Road. (16th AD)

A motion was made by Ald. Golden, seconded by Ald. Konkel, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.

4. [03690](#) Vacating all remaining portions of platted Florence Street and Sullivan Street and portions of platted Winnebago Street being located in part of the Southeast ¼ of the Northeast ¼ and part of the Northeast ¼ of the Southeast 1/4 of Section 06, Town 07 North, Range 10 East, City of Madison, Dane County, Wisconsin. (6th AD)

A motion was made by Ald. Golden, seconded by Ald. Konkel, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.

NEW BUSINESS

5. [03858](#) Presentation of Draft Westside Bicycle Plan.

The Plan Commission did not act on this item and will consider the matter later this summer.

PUBLIC HEARING-6:00 p.m.

Zoning Map Amendments

6. [03752](#) Consideration of a request for extension of approval time period for a residential PUD-SIP located at 6321 Town Center Drive (approved 6-3-2003). 3rd Ald. Dist.

A motion was made by Boll, seconded by Ald. Cnare, to Approve a two-year extension to the time limit for obtaining building permits. The PUD will now expire on June 3, 2008. The motion passed by acclamation.

Registered in support and wishing to speak was Ron Trachtenberg, Murphy Desmond, SC, 2 E. Mifflin Street, Suite 800.

7. [03694](#) Creating Section 28.06(2)(a)3191. 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: One 11-Unit and One 12-Unit Townhouse Condominium & Buildings; 16th Aldermanic District: 5817 & 5818 Gemini Drive.

Approval recommended subject to the comments and conditions contained in the Plan

Commission materials and the following condition:

-That the applicant work with staff on providing additional screening along the southern property line of 5817 Gemini Drive.

Note: This project is located in the 3rd Aldermanic District.

A motion was made by Ald. Cnare, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.

Speaking in support of this project was Russell Kowalski, GMK Architects, 718 Post Road, representing Albrecht Construction, the applicant.

Registered in support and available to answer questions was Brian Munson, Vandewalle Associates, 120 E. Lakeside Street, representing Veridian Homes.

8. [03695](#) Creating Section 28.06(2)(a)3189. of the Madison General Ordinances rezoning property from R4A Limited General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3190. 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 House & Build New 2-Unit Condominium; 6th Aldermanic District: 1310 Jenifer Street.

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

-That the applicant add two small windows along the east wall of the new building similar to the windows on the west side of the building.

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

Excused: 1 - Bowser and Ethington

Aye: 7 - Konkel, Cnare, Golden, Ohm, Davis, Boll and Lanier

No: 1 - Forster Rothbart

Non Voting: 2 - Fey and Thompson-Frater

Speaking in support of the project was the applicant, Michael Matty, 745 Jenifer Street and Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District.

Speaking neither in support nor opposition was Marsha Rummel, 1339 Rutledge Street #2.

Registered but not declaring a position or wishing to speak was Katrina Pycha, 1312 Jenifer Street.

9. [03697](#) Creating Section 28.06(2)(a)3187. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3188. 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 Vacant Garage Building & Build 5-Story, 66-Unit Condominium; 2nd Aldermanic District: 627 East Mifflin Street.

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

A motion was made by Lanier, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.

Speaking in support of the project were the applicant, Mike Fisher, Great Dane Development, 3515 Blackhawk Drive and the project architect, J. Randy Bruce, Knothe Bruce Architects, LLC, 7601 University Avenue, Middleton.

Conditional Uses/Demolition Permits

10. [03753](#)

Consideration of a conditional use to allow fuel sales (bio-fuel) at an existing auto repair shop located at 1894 East Washington Avenue. 2nd 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 Boll, to Approve. The motion passed by acclamation.

Registered in support and wishing to speak was Barbara Pennington, 2214 Oakridge Avenue.

Registered in support and available to answer questions were Jamie Derr, 615 Howard Place, Amelia Royko Maurer, 342 S. Madison Street, Evansville and Mike Clark, 1801 Baird Street, all representing Prairie Fire Biofuels Cooperative. Also registered in support and available to answer questions were Mike Goodman, 510 W. Olin Avenue and Russell Rolan, 134 Ohio Avenue, #2.

Registered in support but not wishing to speak were Cara Chell and Allegra Chell Lewis, 4021 Hiawatha Drive; Katrina Pycha, 1312 Jenifer Street; Angelina Babel & Domenic Co, 221 S. Winsted Street, Spring Green; Marsha Rummel, 1339 Rutledge Street #2, and; Mary Eberle, 417 Walton Place.

11. [03754](#)

Consideration of a conditional use to convert space in an existing building into two apartments located at 2040 Winnebago Street. 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.

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

Absent: 1 - Davis

Excused: 1 - Bowser and Ethington

Aye: 7 - Konkel, Cnare, Golden, Ohm, Boll, Lanier and Thompson-Frater

No: 1 - Forster Rothbart

Non Voting: 1 - Fey

Registered in support and wishing to speak was Mark Schmidt, PO Box 762, representing the applicant Rich Gehrke.

12. [03755](#) Consideration of a conditional use for an outdoor eating area for an existing restaurant located at 617 Williamson Street. 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.*
- A proposed amended condition by Ohm to add language to condition #2 of the Planning Unit report elaborating that the last seating in the outdoor eating area would be 9 P.M. was determined by the Commission to not be friendly. An attempt by Ohm to add the elaborated condition as a substitute motion failed for lack of a second.*
- A motion was made by Ald. Golden, seconded by Forster Rothbart, to Approve. The motion passed by acclamation.**
- Speaking in support of the project were John Gadau, 1017 Vilas Avenue and Robert G. Harriman, 10 E. Doty Street.*
- Speaking in opposition were Maurice & Sybil Better, 424 S. Blount Street.*
- Speaking neither in support or opposition was Don Last, 404 S. Blount Street, representing the Fauerbach Condominium Association.*
- Registered in support but not wishing to speak were Mark & Allison Bergum, 610 Division Street.*
- Registered in opposition and not wishing to speak but willing to support the project with the additional conditions requested by Fauerbach Condominium residents was Ann Walsh Bradley, 428 S. Blount Street.*
13. [03756](#) Consideration of a demolition permit to demolish an existing house and build a new house on this site located at 2553 Upham Street. 2nd 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 condition:*
- That the applicant consider adding additional window(s) or glass along the eastern elevation and a bathroom skylight.*
- Note: This project is located in the 12th Aldermanic District.*
- A motion was made by Ald. Golden, seconded by Ald. Cnare, to Approve. The motion passed by acclamation.**
- Speaking in support of the project was the applicant, Tim Perry, Operation Fresh Start, 1925 Winnebago Street.*

Subdivisions

14. [03757](#) Consideration of a certified survey map located at 3034 Shady Oak Lane - Town of Verona within the City's Extraterritorial Review Jurisdiction.
- The Plan Commission found the non-agricultural extraterritorial jurisdiction standards met and granted approval subject to the comments and conditions contained in the Plan Commission materials.*
- A motion was made by Boll, seconded by Lanier, to Approve. The motion passed by acclamation.**

There were no registrants on this item.

Zoning Text Amendments

15. [03429](#) Amending Sections 28.04(6)(c)1.i. and 28.11(3)(g)3. of the Madison General Ordinances to add skirting and landscaping requirements for wheelchair ramp and off street parking spaces as permitted obstructions.

A motion was made by Boll, seconded by Ald. Cnare, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by acclamation.

16. [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 Ald. Konkol, seconded by Ald. Cnare, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on June 12, 2006. The motion passed by acclamation.

Speaking about Inclusionary Zoning were: David Simon, Veridian Homes, 6801 South Towne Drive; Brian Munson, Vandewalle Associates, 120 E. Lakeside Street, representing Veridian, and; Tom Hirsch, 14 N. Allen Street, representing the Housing Commission.

17. Further Discussion of Potential Text Amendments to Inclusionary Zoning.

The Plan Commission is scheduled to continue their discussions on amendments to the Inclusionary Zoning program at a working session on June 12, 2006.

Note: Item 18 was also a discussion on Inclusionary Zoning.

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.

The Plan Commission spent considerable time discussing options for allowing certain portions of developments to be exempted from Inclusionary Zoning and for the use of twinhomes or larger multi-family units to provide inclusionary dwelling units under the ordinance. Some of the options discussed included allowing the use of twinhomes, four-unit, six unit and eight-unit buildings to provide some of the inclusionary dwelling units but to limit the number of said units in the larger buildings to a percentage of the development total. The Plan Commission asked staff to bring back a recommendation or alternatives based on this discussion.

A motion was made by Ald. Konkol, seconded by Ald. Cnare, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION, due back on June 12, 2006. The motion passed by acclamation.

BUSINESS BY MEMBERS

None

COMMUNICATIONS

None

SECRETARY'S REPORT

UPCOMING MATTERS - June 19, 2006 Meeting

- 8202 Mid-Town Road - PUD veterinary clinic
- 505-550 South Midvale Boulevard - PUD/demolition-proposed mixed-use, retail, condominiums, apartments and library
- 3604 Agriculture Drive - "Genesis" preliminary plat
- 802 Atlas Avenue - Outdoor eating area/existing restaurant
- 2502 East Washington Avenue - Demolish commercial building/expand church parking lot
- 2801 Atwood Avenue - Demolish gas station/build new gas station-convenience store
- 3120-3160 Jeffy Trail - "Badger Mill Creek" final plat
- Review of a concept plan for 6810 Cross Country Road, Town of Verona

UPCOMING MATTERS - July 10, 2006 Meeting

- 203 Wisconsin Avenue - R6-R6H to C2/demolish church-school, expand church
- 5960 Sharpsburg Drive - PUD-retail/office building
- 8201 Mayo Drive - PUD mixed-use/retail-condominiums
- 5100 Block Femrite Drive - C3 to M1-demolish houses for future industrial development

ANNOUNCEMENTS

None

ADJOURNMENT

A motion was made by **Boll**, seconded by **Davis**, to Adjourn at 10:00 P.M. The motion passed by acclamation.