



City of Madison Meeting Minutes PLAN COMMISSION

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

Monday, July 18, 2005

5:30 PM

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

ROLL CALL

Fey was chair for this meeting.

Present: Brenda K. Konkol, Lauren Cnare, Kenneth Golden, Nan Fey, Brian W. Ohm, Judy Bowser, Albert Lanier, Michael Forster Rothbart and Kelly A. Thompson-Frater

Absent: James C. Boll

Excused: Sarah Davis and Ruth Ethington

Staff present: Brad Murphy and Tim Parks, Planning Unit, and Joe Gromacki and Don Marx, CEDU.

MINUTES OF THE JUNE 20, 2005 MEETING

Bowser commented that June 20 was Charles Thimmesch's final meeting as a member of the Plan Commission and thanked him for his years of service with the Commission.

Fey welcomed Kelly Thompson-Frater to the Plan Commission.

A motion was made by Bowser, seconded by Ald. Golden, to Approve the Minutes. The motion passed by acclamation.

SCHEDULE OF MEETINGS

Regular Meetings: August 1, 22; September 19, 2005.

Work Sessions: Special Plan Commission work session meetings to review public comments and consider possible revisions to the draft Comprehensive Plan will be discussed at the July 18 meeting. Please bring your calendars for scheduling.

APPOINTMENTS - To be considered on August 1 agenda

Fey asked Plan Commission members to consider Plan Commission appointments to the Commissions and Committees listed below. This matter will be placed on the next Commission agenda.

- Ped-Bike-Motor Vehicle Commission
- State Street Oversight Committee
- Long-Range Transportation Planning Commission (3 needed)

- Joint Southeast Campus Area Committee

- Joint West Campus Area Committee

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

Excused: Sarah Davis and Ruth Ethington

SPECIAL ITEM OF BUSINESS

Presentation of the UW-Madison Campus Master Plan Draft

Alan Fish, UW Vice Chancellor for University Facilities Planning and Management, gave a presentation about the forthcoming University Master Plan. Also present and available to answer questions were Gary Brown, UW Director of Planning, and Dan Okoli, UW Campus Architect.

All three list 610 Walnut Street as their professional address.

ROUTINE BUSINESS

Present: Brenda K. Konkol, Lauren Cnare, Kenneth Golden, Nan Fey, Brian W. Ohm, James C. Boll, Judy Bowser, Albert Lanier and Kelly A. Thompson-Frater

Excused: Sarah Davis, Michael Forster Rothbart and Ruth Ethington

1. [01428](#) SUBSTITUTE - Vacate/Discontinue a portion of West Lawn Avenue and South Spooner Street in the City of Madison. (10th AD)
A motion was made by Ald. Golden, seconded by Bowser, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.
2. [01446](#) Authorizing the Common Council to accept ownership from the Hawks Landing Neighborhood Association of four (4) neighborhood entrance signs to be installed in public right-of-way at several intersections in the Hawk's Landing subdivision. 1st Ald. Dist.
A motion was made by Ald. Golden, seconded by Bowser, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.
3. [01466](#) Vacate/discontinue a portion of Regent Street at its intersection with Owen Parkway in Hoyt Park, in the City of Madison, Wisconsin. (11th AD)
A motion was made by Ald. Golden, seconded by Bowser, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.
4. [01469](#) Accepting a Public Sidewalk Easement from Joshua K. and Jaime R. Farkas across property located at 4510 East Buckeye Road. 16th Ald. Dist.

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

5. [01494](#) Authorizing the Mayor and City Clerk to execute a lease with Jerry Leister for five tracts of City-owned land comprising approximately 35 acres.

A motion was made by Ald. Golden, seconded by Bowser, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by acclamation.

6. [01540](#) Accepting a Perpetual Easements for Public Storm Water Management and Vision Triangle Purposes from Middleton Community Church, Inc. across property located at 645 Schewe Road. 9th Ald. Dist.

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

PUBLIC HEARING-6:00 p.m.

NEW BUSINESS

7. [01551](#) Accepting the Report of the Board of Estimates Subcommittee on Tax Incremental Finance (TIF).

As part of the referral of this item, the Plan Commission asked staff to frame questions for the Commission to help them consider their role in the TIF process.

A motion was made by Ald. Konkel, seconded by Ald. Golden, to Rerefer to the PLAN COMMISSION, due back on August 1, 2005. The motion passed by acclamation.

Joe Gromacki, TIF Coordinator, made a brief presentation on the Board of Estimates report. Don Marx, Community and Economic Development Unit, was present to answer questions. Speaking in opposition to the report was Delora Newton, Smart Growth Madison, 2810 Crossroads Drive #1900L.

8. [01559](#) SUBSTITUTE - Amending the Inclusionary Zoning Policies and Protocols document to change the source of interest rates used to establish the price for inclusionary unit for sale dwelling, and designate certain positions within the City to implement portions of the inclusionary dwelling program, and authorize the Plan Commission to adopt changes in the Inclusionary Zoning Program Policies and Protocol as needed.

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

Speaking in support of the amendment was Delora Newton, Smart Growth Madison, 2810 Crossroads Drive #1900L.

Zoning Map Amendments

9. [01315](#) Creating Section 28.06(2)(a)3109 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: 10 Condominium Units; 1st Aldermanic District: 1702 Waldorf Boulevard.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials.*
- A motion was made by Ald. Golden, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**
- Registered in support and available to answer questions was Don Schroeder, Knothe & Bruce Architects, 7601 University Avenue, Middleton, representing Temple Construction, the applicant.*
10. [01316](#) Creating Section 28.06(2)(a)3111 of the Madison General Ordinances rezoning property from Temp A Agriculture to R1 Single-Family Residence District, and creating Section 28.06(2)(a)3112 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District. Proposed Use: 32 Single Family Lots & 2 Multi-Family Lots; 1st Aldermanic District: 9201 Mid Town Road.
- A motion was made by Ald. Golden, seconded by Lanier, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.**
11. [01570](#) Approving the preliminary plat/final plat of Hawks Ridge Estates located at 9201 Mid-Town Road. 1st Ald. Dist.
- A motion was made by Ald. Golden, seconded by Lanier, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
12. [01317](#) Creating Section 28.06(2)(a)3113 of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Church, Offices, Mixed Use & Open Space; 9th Aldermanic District: 9602 Mineral Point Road.
- Action on this zoning map amendment should be referred to a future Council meeting until all of the lands in the amendment have been attached to the City from the Town of Middleton.*
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following condition:*
- That condition #7 of the Planning Unit report be revised to state: "That the square footage devoted to retail on Lots 1 and 2 be limited to 50% of the first floor area of each building at that retail uses in these buildings not be allowed until buildings on Lots 3, 5 and 6 (the town center) have been approved and building permits have been issued for each. Employee cafeterias are exempt from this requirement."*
- A motion was made by Ald. Golden, seconded by Bowser, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the COMMON COUNCIL. The motion passed by acclamation.**

13. [01571](#) Approving the preliminary plat of "Blackhawk Church Town Center". 9th Ald. Dist.

The Plan Commission recommended approval subject to the comments and conditions contained in the Plan Commission materials. Approval of the preliminary plat and final plat should be referred to a future Common Council meeting until all of the lands shown on the plat have been attached to the City from the Town of Middleton.

A motion was made by Ald. Konkell, seconded by Bowser, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. The motion passed by acclamation.

Speaking in support of the project and subdivision was Brian Munson, Vandewalle & Associates, 120 E. Lakeside Street, representing Blackhawk Church, the applicant. Registered in support of the project and the subdivision and available to answer questions were: Roderick Smith, 5710 Wilshire Drive, Fitchburg; Gregg Bergman, 110 N. Whitney Way, and; Keith Ketterhenry, 7495 Summit Ridge Road, Middleton, all representing the Blackhawk Church.

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

Excused: Sarah Davis and Ruth Ethington

14. [01324](#) Creating Section 28.06(2)(a)3110 of the Madison General Ordinances rezoning property from Temp A Agriculture to C Conservancy District. Proposed Use: Conservancy for Plat Requirements; 16th Aldermanic District: 4949 Meinders Road.

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

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

Subdivisions

15. [01572](#) Approving an amended preliminary plat/final plat of First Addition to the Meadowlands located at 5951-7001 Littlemore Drive. 3rd Ald. Dist.

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

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.

16. [01574](#) Approving the final plat of "Meadow Estates" located at 3391 Meadow Road.

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

A motion was made by Ald. Golden, seconded by Lanier, 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.

Registered in support and wishing to speak was Ronald M. Trachtenberg, Murphy Desmond PC, 2 E. Mifflin Street #800, representing Cornett Construction, the applicant.

Annexations

17. [01553](#) SUBSTITUTE - Creating Section 15.01(548) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 16th Aldermanic District the WL Holdings Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02 (131) of the Madison General Ordinances to assign the attached property to Ward 131.
- Also recommend to ADOPT Petition ID 06130*
- A motion was made by Bowser, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER. The motion passed by acclamation.**
- Registered in support and wishing to speak was Ronald M. Trachtenberg, Murphy Desmond, PC, 2 E. Mifflin Street #800, representing WL Holding.*
18. [01554](#) SUBSTITUTE - Creating Section 15.01(547) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 7th Aldermanic District the Miller-Krantz-Shalkhalm Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(135) of the Madison General Ordinances to assign the attached property to Ward 135, and amending Section 15.03(7) of the Madison General Ordinances to add Ward 135 to Aldermanic District 7.
- Also recommend to ADOPT Petition ID 01631*
- A motion was made by Boll, seconded by Ald. Golden, to RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER. The motion passed by acclamation.**
- Registered in support and wishing to speak was Ronald M. Trachtenberg, Murphy Desmond, PC, 2 E. Mifflin Street #800, representing Miller Construction.*

Conditional Uses/ Demolition Permits

19. [01575](#) Consideration of a conditional use located at 1010 Ann Street for an auto sales business in a former service station. 14th Ald. Dist.
- A motion was made by Boll, seconded by Ald. Golden, to Rerefer to the PLAN COMMISSION, due back on August 22, 2005. The motion passed by acclamation**
- Speaking in support of the project and requesting referral to the August 22 meeting was Ronald M. Trachtenberg, Murphy Desmond, PC, 2 E. Mifflin Street #800, representing Miguel Brube, the applicant.*
20. [01576](#) Consideration of a conditional use located at 3918 Monona Drive for drive-up service and an outdoor eating area for a restaurant (coffee shop) in an existing building. 15th Ald. Dist.
- Approval granted subject to the comments and conditions contained in the Plan Commission materials.*

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

Excused: 1 - Davis and Ethington

Aye: 8 - Konkel, Cnare, Golden, Ohm, Boll, Bowser, Lanier and Thompson-Frater

No: 1 - Forster Rothbart

Non Voting: 1 - Fey

Registered in support of this project and available to answer questions was the applicant, Shari Olson, 22 Hollywood Drive.

Zoning and Subdivision Ordinance Text Amendments

21. [01342](#) Amending Sections 28.08(13)(f), 28.08(15)(f), and 28.08(16)(f), and 28.08(17)(f) of the Madison General Ordinances to clarify allowed projections into front yards and size of front yards.
A motion was made by Bowser, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.
22. [01358](#) Creating Section 16.23(7)(a)21. and amending Sections 16.23(7)(b) and 28.03(2) of the Madison General Ordinances to require identification of secondary dwelling units on subdivision plats.
A motion was made by Bowser, seconded by Lanier, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.
23. [01359](#) Creating Section 28.10(6) of the Madison General Ordinances to establish a Research and Development Center District.
A motion was made by Bowser, seconded by Boll, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on August 1, 2005. The motion passed by acclamation.
24. [01483](#) Amending Sections 28.12(10)(c) and 28.12(11)(d) of the Madison General Ordinances to require notification of business associations prior to submitting an application for rezoning or conditional use.
A motion was made by Bowser, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.
Registered in support of the amendment was Delora Newton, Smart Growth Madison, 2810 Crossroads Drive #1900L.
Present: Brenda K. Konkel, Lauren Cnare, Kenneth Golden, Nan Fey, Brian W. Ohm, James C. Boll, Judy Bowser, Albert Lanier and Kelly A. Thompson-Frater
Excused: Sarah Davis, Michael Forster Rothbart and Ruth Ethington
25. [01498](#) Amending Section 28.085(5)(d) of the Madison General Ordinances to make hospitals a conditional use in the O-4 District.

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

Excused: 2 - Davis, Forster Rothbart and Ethington

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

No: 1 - Konkel

Non Voting: 1 - Fey

Speaking in support of the text amendment were Juli Aulik, UW Health-Marketing and Public Affairs, 635 Science Drive, and Jerry E. McAdow, Lathrop & Clark, 740 Regent Street, representing American Family Mutual Insurance Co. Registered in support and available to answer questions was Richard W. Wilberg, American Family Mutual Insurance Co., 6000 American Parkway.

26. [01548](#)

Creating Section 16.23(5) of the Madison General Ordinances to provide procedure for combined submission and approval of preliminary plats and final plats.

A motion was made by **Boll**, 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.

Registered in support of the amendment was Delora Newton, Smart Growth Madison, 2810 Crossroads Drive #1900L.

BUSINESS BY MEMBERS

Ald. Golden asked that other City reviewing agencies be provided advanced copies of future proposed zoning text amendments to solicit comments.

Ald. Golden also noted upcoming discussions on changes to the recently enacted ordinance regulating large retail establishments ("Big Box"). Ald. Konkel noted that she and Ald. King had also requested the City Attorney's Office to prepare amendments as a follow-up to the ordinance.

Draft of a zoning text amendment on building demolitions.

This discussion was held over to the August 1 Commission agenda. Copies of the proposed ordinance amendment should be provided with the materials for that meeting.

COMMUNICATIONS

None

SECRETARY'S REPORT

Update on Zoning Text Amendment Staff Team activities.

Brad Murphy noted the latest ZTAST agenda was included in the Commission's packet of materials.

Upcoming Matters - August 1, 2005 Meeting

- 2322 Atwood Avenue - wall mural
- 2720 Waunona Way - Demolition/build new house on lakeshore lot
- 2844 Commercial Avenue - Demolition/build new 4-unit dwelling
- 6001 Canyon Parkway - 32-unit residential development
- 809 Watson Avenue - Demolition/build new building
- 401 North Third Street - Demolition of vacant truck terminal

Upcoming Matters - August 22, 2005 Meeting

- 2198 West Badger Road - "Fritz Mill, LLC" preliminary plat
- 6654 Milwaukee Street - "Second Addition to Meadowlands"
- 401 North Third Street - PUD-new convenience store with gasoline sales
- 5434 Commercial Avenue - Agriculture to C1

ANNOUNCEMENTS

None

ADJOURNMENT

**A motion was made by Ald. Golden, seconded by Bowser, to Adjourn at 8:15 PM
The motion passed by acclamation.**