



City of Madison Meeting Minutes PLAN COMMISSION

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

*Nancy E. Fey, Chair; Judith A. Bowser, Vice-Chair; Ald. Brenda K. Konkel;
Ald. Jean M. MacCubbin; Ald. Paul J. Van Rooy; Brian W. Ohm; Sarah Davis;
James C. Boll; Charles S. Thimmesch; Michael Forster Rothbart; Albert Lanier*

Monday, March 7, 2005

5:30 PM

210 MLKJ BLVD RM 201 (CCB)

ROLL CALL

Bowser served as chairperson for the meeting.

Present: Konkel, MacCubbin, Ohm, Davis, Boll, Judy Bowser and Lanier III

Absent: Van Rooy and Thimmesch

Excused: Nan Fey and Forster Rothbart

*Staff present: Mark A. Olinger, Secretary; Brad Murphy, Tim Parks, Bill Fruhling,
Rebecca Cnare, Joe Rude, Planning Unit, Don Marx, CEDU; Hickory Hurie, CBDG,
and; Kitty Noonan, City Attorney's Office.*

MINUTES OF THE FEBRUARY 21 MEETING

*The February 21, 2005 minutes should be revised to note that Chairperson Fey did not
vote on Items 1, 6, and 12, as no tiebreakers were required.*

**A motion was made by Ald. Konkel, seconded by Ohm, to Approve the Minutes.
The motion passed by acclamation.**

SCHEDULE OF MEETINGS

Regular Meetings: March 21; April 4, 18; May 2, 16, 2005

Comprehensive Plan Working Sessions: March 14, 28; April 7, 2005. The March 14 and April
7 meetings will be held in Room 300, MMB. The March 28 meeting will be held in Parks
Conference, MMB.

ROUTINE BUSINESS

1. [00508](#) Authorizing the Mayor and City Clerk to Execute a release of part of a platted
public utility easement reserved within lots constituting the Princeton Club
property located at 1702 - 1726 Eagan Road [17th AD]
**A motion was made by Boll, seconded by Lanier III, to Return to Lead with the
Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion
passed by acclamation.**
2. [00529](#) Authorizing the Mayor and the City Clerk to execute a release of part of a
platted public utility easement reserved within lots constituting the Jon
Lancaster property located at 5314 High Crossing Boulevard and 3401/3501

Lancaster Drive. 17th Ald. Dist.

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

3. [00583](#) Approving the intent of the Water Utility to sell its administrative office building located at 517-523 East Main Street to Block 115, LLC. 6th Ald. Dist.
- A motion was made by Boll, seconded by Lanier III, to Return to Lead with the Recommendation for Approval to the BOARD OF WATER COMMISSIONERS. The motion passed by acclamation.**

UNFINISHED BUSINESS

On a motion by Ohm, seconded by Ald. Konkel, the Plan Commission moved to suspend rules to allow an open discussion with the registrant and staff regarding the proposed ordinance revisions.

Present: Konkel, MacCubbin, Ohm, Davis, Boll, Judy Bowser, Thimmesch and Lanier III

Absent: Van Rooy

Excused: Nan Fey and Forster Rothbart

4. [00428](#) SUBSTITUTE - Amending Section 28.04(25) of the Madison General Ordinances to provide for inclusionary dwelling units
- The Plan Commission recommended approval of the substitute ordinance, noting the following revisions:*
- That 25 (c)1.c on Page 2 [of the substitute ordinance] be revised to state: "...and the number of rental dwelling units receiving low income tax credits and/or qualified housing revenue bonds..."
 - That 25 (c)9.c on Page 5 be revised to state: "The owner and any private mortgage insurance company that obtains title to any inclusionary dwelling unit shall provide notice to the Department of Planning and Development of any foreclosure action..."
 - That 25 (d)1 on Page 5 be revised to state: "When requested, the applicant shall receive one or more incentives for providing inclusionary dwelling units..."
 - That 25 (d)4 on Page 6 be revised to eliminate the phrase "subject to availability" so that the ordinance reads "The applicant shall select an incentive..."
 - That 25 (g) on Page 9 be revised to state: "Standards for Inclusionary Dwelling Units. The following standards shall apply to all inclusionary dwelling units except that par. 7 shall not apply to those units receiving Section 42 low income tax credit and /or qualified housing revenue bonds."
 - That 25 (h)8 on Page 11 be revised to state: "...a non-profit entity that has a buy back provision or ground lease as part of its specific program operation until such time as..."

A secondary motion by Thimmesch, seconded by Boll, to amend the substitute ordinance to include the language regarding other residential occupancy dwelling units proposed by Smart Growth Madison failed on a vote of 3-4, with Ald. Konkel, Ald. MacCubbin, Davis and Lanier voting no.

On a secondary motion by Thimmesch, seconded by Boll, the Plan Commission recommended that payments to the special revenue fund for a waiver of inclusionary rental units shall be ten percent of the appraised value of the average unit times the number of units waived. The motion passed 4-3, with Ald. Konkel, Ald. MacCubbin and Davis voting NO.

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

Speaking to the proposed amendments was Delora Newton, Smart Growth Madison, 2810 Crossroads Drive.

Present: Konkell, MacCubbin, Van Rooy, Ohm, Davis, Boll, Judy Bowser, Thimmesch and Lanier III

Excused: Nan Fey and Forster Rothbart

5. [00691](#) Review of the Best Practices Guide "Participating in the Development Process" and process improvement recommendations from the Fall Neighborhood Roundtable.

Defer

The Plan Commission reviewed the Best Practices Guide and was presented with a list of procedural changes to consider. Brad Murphy indicated that if any members had specific comments or revisions that they should contact the Planning Unit. Ald. Konkell asked that staff share the latest draft of the guide with members of the development community and with certain neighborhood associations frequently involved in development matters. It was also determined that the resolution requesting the development of the guide requires that the Plan Commission report on the guide to the Common Council.

Delora Newton, Smart Growth Madison, 2810 Crossroads Drive, indicated that she had not reviewed the latest draft but indicated that she would be prepared to discuss it at a future Commission meeting. She also indicated that she would share the draft with members of her organization.

The Plan Commission asked that the draft be provided to some developers and neighborhood associations to review.

6. [00693](#) Consideration of a revised inclusionary dwelling unit plan for the approved "Liberty Station" Plat to be now know as "Cardinal Glenn" Plat located in the 9200 Block of Mineral Point Road. (Previously approved at the July 3, 2004 Plan Commission meeting). 9th Ald. Dist.

A motion was made by Ald. Van Rooy, seconded by Thimmesch, to Approve. The motion passed by acclamation.

Speaking in support of the project was Jeff Rosenberg, Veridian Homes, 6801 South Towne Drive and Brian Munson, Vandewalle Associates, 120 E. Lakeside Street.

7. [00337](#) Adopting the Allied-Dunn's Marsh-Belmar Neighborhood's Physical Improvement Plan.

A motion was made by Ald. Van Rooy, seconded by Boll, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.

NEW BUSINESS

8. [00692](#) Consideration of an appeal of the Urban Design Commission's action on an alteration to an existing conditional use to expand the Kohl's Department Store

located at 7401 West Towne Way. 9th Ald. Dist.

The Plan Commission overturned the decision of the Urban Design Commission to require that windows be provided along the north wall of an expanded Kohl's department store as part of their approval of the building design.

A motion was made by Boll, seconded by Ald. Van Rooy, to Approve. The motion passed by acclamation.

Speaking in support of the appeal were: Roger C. Phillips, 244 N. Broadway, Milwaukee and David DeVos, N56 W1400 Ridgewood Drive, Menomonee Falls, both representing Kohl's Department Stores, Inc., and Ald. Paul Skidmore, 13 Red Maple Trail, representing District 9. Registered in support and available to answer questions was John Kramp, National Survey and Engineering, 16745 W. Bluemound Road, Brookfield, representing Kohl's Department Stores, Inc.

PUBLIC HEARING-6:00 p.m.

Zoning Map Amendments

9. [00027](#) SUBSTITUTE - Creating Section 28.06(2)(a)3050 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: 4-Building, 48 Total Unit Apartment Development; 3rd Ald. Dist.: 302 East Hill Parkway.
- The Plan Commission recommended approval of the substitute ordinance subject to the plans dated March 2, 2005 (neighborhood supported plan) and the conditions contained in the Plan Commission packet.*
- A motion was made by Ald. Van Rooy, seconded by Ald. MacCubbin, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**
- Speaking in support of the project were: Randy Bruce, Knothe Bruce Architects, 7601 University Avenue, Middleton, representing the applicant, Dave Roark; Kris Dockter, 418 Wyalusing Drive (in favor of the March 2 plan); Dave deFelice, 6302 Dominion Drive (in favor of the March 2 plan), and; Gary Liedtke, 329 Wyalusing Drive (in favor of the March 2 plan and opposed to the plan originally submitted). Registered in support but not wishing to speak was James Dockter, 418 Wyalusing Drive. Speaking in opposition were Michael Gall, 410 Bailey Drive and Nicholas Howe, 402 Bailey Drive.*

Conditional Uses/Demolition Permits

10. [00540](#) Consideration of a conditional use for two 4-unit buildings at 6418 - 6426 Maywick Drive. Ald. Dist 16.
- The Plan Commission determined that the conditional use standards could be met and approved the conditional use requests subject to the conditions contained in the Plan Commission packet.*
- A motion was made by Boll, seconded by Lanier III, to Approve. The motion passed by acclamation.**
- Registered in support and available to answer questions was Chad Wuebben, 2156 Steven Street, Sun Prairie.*

11. [00694](#) Consideration of a conditional use to remove and replace the outdoor tennis facility for Monona Grove School District at 104 Coldspring Avenue. 16th Ald. Dist.
- A motion was made by Ald. MacCubbin, seconded by Boll, to Refer to the PLAN COMMISSION. The motion passed by acclamation.**
- Registered in opposition to the conditional use request and wishing to speak were Mike Sanders, 4202 Jerome Street and Timothy R. Diedrich, 4210 Jerome Street. Both registrants withheld their comments given the pending referral.*
12. [00695](#) Consideration of a conditional use/demolition permit to demolish a house and build a new house on a shoreline lot located at 5235 Harbor Court. 19th Ald. Dist.
- The Plan Commission determined that the conditional use standards could be met and approved the conditional use requests subject to the conditions contained in the Plan Commission packet.*
- A motion was made by Ald. MacCubbin, seconded by Thimmesch, to Approve. The motion passed by acclamation.**
- Registered in support and wishing to speak were Ed Linville, Linville Architects, 408 E. Wilson Street and Doug McLean, 5227 Harbor Court. Registered in support and available to answer questions was Michael Lawton, 740 Regent Street. Registered in support but not wishing to speak were Leslie Dierhauf and Jim Hurley, 5235 Harbor Court.*
13. [00590](#) Authorizing the Parking Utility to exchange the Evergreen Parking Lot located at 1802 Monroe Street for a parking lot condominium in the proposed Monroe Commons redevelopment project.
- A motion was made by Ald. Van Rooy, seconded by Ald. MacCubbin, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by the following vote:**
- Present:** 0 -
- Excused:** 2 - Fey and Forster Rothbart
- Aye:** 8 - MacCubbin, Van Rooy, Ohm, Davis, Boll, Bowser, Thimmesch and Lanier III
- No:** 1 - Konkel
- Registered in support of the resolution and available to answer questions was David Keller, 448 W. Washington Avenue.*

ANNOUNCEMENTS

None

BUSINESS BY MEMBERS

- Ohm inquired about the status of revisions to the Inclusionary Zoning Program Policies and Protocols document. Ald. Konkel responded that the policy document would be revised after this grouping of ordinance revisions pass. She envisioned other

ordinance amendments, including discussion of equity and mortgage rate references, would be forthcoming.

- Ald. Konkel inquired about the status of conservation zoning districts. Mark Olinger responded that a discussion of ordinance options needs to occur internally. He indicated that staff will provide materials to the Commission soon after.

COMMUNICATIONS

None

SECRETARY'S REPORT

Brad Murphy gave an update on Zoning Text Amendment Staff Team Activities. The agenda was provided in the Commission packets.

Upcoming Matters - March 21, Meeting

- 5400 Block High Crossing Boulevard - C2 to C3 car dealer site
- 1051-1053 Williamson Street - PUD to expand rooming house
- 1000 Block South Whitney Way - Car sales/existing repair garage
- 1400 Block Pflaum Road - Car sales/vacant gas station site
- 200 Block Nygard Street- Certified Survey Map
- 300 Block Olin Avenue - Municipal Pool Site
- 2906 Perry Street - Contractors Office

Upcoming Matters - April 4, Meeting

- 600 Block Jupiter Drive - Nursing Home/Senior Housing
- 3800 Block Atwood Avenue - Drive-in add to Michaels Frozen Custard
- 333 West Mifflin - Demolish House
- 4900 Pflaum Road - Car sales
- Nelson Addition to Rustic Acres
- 4700 Jenewein Road - Parking lot proposed Boys-Girls Club site

Upcoming Matters - April 18 Meeting

- 333 West Mifflin - PUD - Metro Place Phase 2

ADJOURNMENT

A motion was made by Boll, seconded by Davis, to Adjourn at 7:50 PM The motion passed by acclamation.