



City of Madison

Meeting Minutes - Final

PLAN COMMISSION

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

Monday, February 20, 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 prior to consideration of item #3.

Present: Brenda K. Konkel, Kenneth Golden, Nan Fey, Sarah Davis, James C. Boll, Judy Bowser, Michael Forster Rothbart and Kelly A. Thompson-Frater

Excused: Lauren Cnare, Brian W. Ohm, Albert Lanier and Ruth Ethington

Staff present: Brad Murphy, Jule Stroick, Archie Nicolette and Tim Parks, Planning Unit; Joe Stepnik and Don Marx, Community & Economic Development Unit.

MINUTES OF THE MEETINGS OF FEBRUARY 6, FEBRUARY 9, 2006 WORKING SESSION (IF AVAILABLE)

Thompson-Frater noted that she should be shown as non-voting on item #4 of the February 6, 2006 agenda.

Fey indicated that the minutes should also be amended to note that the City Engineer did not make the presentation on possible new infiltration standards.

The minutes will be amended accordingly.

A motion was made by Bowser, seconded by Boll, to Approve the Minutes of February 6, 2006. The motion passed by acclamation.

SCHEDULE OF MEETINGS

The Commission tentatively scheduled Inclusionary Zoning working sessions for four dates pending confirmation by the excused members. The dates were February 27, 2006 at 7 P.M., March 2 & 23, 2006 at 5:30 P.M. and April 6, 2006 at 5:30 P.M.

ROUTINE BUSINESS

- [02859](#) Approving the intent of the Park Division to sell lands within Doncaster Park located at 4335 Doncaster Drive to Will Investments-Southside, LLC. 10th Ald. Dist.
A motion was made by Bowser, seconded by Ald. Golden, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by acclamation.
- [02895](#) Accepting an Offer to Sell Real Property from Midvale Plaza Joint Venture or its assignee for the purchase of space within the Midvale Plaza located at 525 South Midvale Boulevard and authorizing funds to complete the space for use as a City of Madison Public Library. BY TITLE ONLY. 11th Ald. Dist.

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

NEW BUSINESS

Plan Commission appointment to the Joint Southeast Campus Area Committee to replace Judy Bowser.

The Plan Commission will consider this matter at its March 6, 2006 meeting.

Fey asked that a table be prepared for the next meeting showing which committees the Plan Commission appoints members to serve on and who was currently serving on those committees.

Ald. Golden asked if an alder-member and commission-member could serve in two capacities on the same committee. Brad Murphy indicated that he didn't believe so.

UNFINISHED BUSINESS

3. [02337](#) Amending Sections 28.08(4)(c)4., 28.08(9)(c)6., and 28.08(11)(c)4. to allow tax -exempt lodging houses as conditional uses in the R3, R4, R4L and R4A Districts.
This text amendment was referred to provide staff with an opportunity to consider further revisions to this text amendment, including possible consideration of a ratio of beds to parking spaces in these uses, a provision requiring a minimum distance between such uses, further refinement of the family definition and the use of a different word for housing co-ops that differentiates them from lodging houses.
A motion was made by Ald. Golden, seconded by Bowser, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.
Speaking in opposition to the proposed text amendment were Fraser Gurd, 1526 Jefferson Street, representing the Vilas Neighborhood Zoning Committee and Julia Kerr, 1626 Madison Street, president of the Vilas Neighborhood Association.
Registered in opposition but not wishing to speak were: JoAnn & Daniel Feeney, 1614 Jefferson Street; Richard Scott, 811 Oakland Avenue; Katharine Odell, 1415 Vilas Avenue; Rosemary Bodolay, 1636 Adams Street, and; Troy Thiel, 2514 Chamberlain Avenue.
4. [02634](#) Repealing Section 16.23(4), amending Sections 16.23(8)(a)1. and 16.23(8)(a)8 .a., creating Sections 16.23(9)(d)6.h. and 16.23(9)(e)6. of the Madison General Ordinances to provide for local streets of variable size.
A motion was made by Ald. Golden, seconded by Davis, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER - REREFER TO PLAN COMMISSION. The motion passed by acclamation.
5. [01363](#) SUBSTITUTE - Adoption of the Wingra Creek Market Study and Redevelopment Plan as a supplement of the South Madison Neighborhood Plan. 13th Ald. Dist.

clause acknowledging the three alternatives for the alignment of the S. Park Street/ Cedar Street/ Beld Street intersection and the Commission's preference for alternative # 3.

The Commission also requested that staff continue to work on north-south pedestrian and bicycle connections through this plan area.

A motion was made by Ald. Golden, seconded by Bowser, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation

PUBLIC HEARING-6:00 p.m.

Annexation

6. [02872](#) Creating Section 15.01(554) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 3rd Aldermanic District the Water Utility Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(136) of the Madison General Ordinances to assign the attached property to Ward 136, and amending Section 15.03(3) to add Ward 136 to the 3rd Aldermanic District.

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.

Zoning Map Amendments/Subdivisions

7. [02718](#) Creating Section 28.06(2)(a)3158. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2S Single-Family Residence District. Proposed Use: 6 Single-Family Lots; 9th Aldermanic District: 9624 Old Sauk Road.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:*
- That condition #1 of the Planning Unit report now read "The applicant shall submit a tree preservation plan for approval by the Planning Unit director including smaller building envelopes for each lot to preserve as many trees as possible."
 - That covenants and restrictions be submitted for Planning Unit approval for the subdivision that include provisions for the maintenance of the proposed bioretention swales on Lot 1 and 6 and the rain gardens on Lots 3 and 4.
 - That the applicant work with the City Engineer's Office to locate the bioretention swales as part of the project's stormwater management plan. The Plan Commission asked that the City Engineer review the stormwater management plan to ensure that properties to the north are not negatively affected.
- A motion was made by Forster Rothbart, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.

8. [02939](#) Approving the preliminary/final plat of "Emerick Oaks" located at 9624 Old Sauk Road. 9th Ald. Dist.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the conditions of approval for Ordinance ID 02718 for*

rezoning of the same property.

A motion was made by Forster Rothbart, seconded by Boll, 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 rezoning and subdivision was the applicant Blanche Emerick, 9624 Old Sauk Road and her surveyor, Michelle Burse, Burse Surveying & Engineering, Inc., 1400 E. Washington Avenue, Suite 158.

Speaking in opposition to the request were: Therese Roth, 9613 Shadow Ridge Trail; Patricia A. Brill, 9609 Shadow Ridge Trail, and; Marc Mason, 9621 Shadow Ridge Trail.

Registered in opposition but not wishing to speak were Sharon Mason, 9621 Shadow Ridge Trail and Scott Brill, 9609 Shadow Ridge Trail.

9. [02719](#)

Creating Section 28.06(2)(a)3159. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3160. 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 2-Unit & Build New 2-Unit & New 4-Unit Apartment Buildings in Addition to Existing 2-Unit Which Will Remain; 4th Aldermanic District: 437-439 & 441-443 W. Mifflin Street.

Ald. Konkel moved to separate the demolition of 441 W. Mifflin Street from the zoning map amendment. The Plan Commission found that the demolition standards were met and recommended approval of the demolition on a vote of 5-2 (AYE: Forster Rothbart, Ald. Golden, Davis, Bowser, Frater-Thompson; NAY: Ald. Konkel, Boll)

Approval of the overall project recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:

- That condition #5 of the Planning Unit report be modified to ask that the Urban Design Commission strongly consider the extension of front porches across the entire front elevation of the 441 W. Mifflin Street two-flat and additional modifications to the front elevation of the four-unit building during its consideration of final approval of this project.*
- That a condition be added requiring that the developer make exterior improvements (paint, detailing, etc.) to the two-flat at 437 W. Mifflin Street as part of this project.*
- That condition #1 of the Traffic Engineer's report be removed due to the affordability of this project.*

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

Speaking in support of the project were: Frank Staniszewski, Madison Development Corporation, 550 W. Washington Avenue, the applicant; Jim Glueck, Glueck Architects, 116 N. Few Street, representing MDC; Rosemary Lee, 111 W. Wilson Street #108, and; Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Speaking in opposition to the project, particularly the demolition of the existing two-flat at 441 W. Mifflin Street, was Gene Devitt, 28 E. Gilman Street.

Registered in support and available to answer questions was Joseph Houseman, Madison Development Corporation, 550 W. Washington Avenue.

10. [01143](#) Creating Section 28.06(2)(a)3099 of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3100 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 2 Residential Buildings & Build 4-Story, 23-Unit Apartment Building; 4th Aldermanic District: 437-441 West Mifflin Street.

A motion was made by Bowser, seconded by Davis, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by acclamation.

11. [02720](#) Creating Section 28.06(2)(a)3161. of the Madison General Ordinances rezoning property from Temp A Agriculture District, C2 General Commercial District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3162. 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 4 Commercial Buildings, 1 Apartment Building, 1 Private Clubhouse, & Build 4-Story, 91,665 Square Foot Retail & Office Building; 14th Aldermanic District: 2810-2818 Todd Drive & 2703-2805 West Beltline.

The Commission recommended re-referral until the project financing was further along including the submission of the application for possible tax increment financing for the project, noting the following conditions:

- That the Common Council not take action on the demolition and planned unit development until a tax increment financing agreement for the project is also before them.
- That there be no demolition permits issued until the planned unit development is recorded.
- That the plans include a sidewalk from the Sergenian's building to the frontage road sidewalk.

The motion to rerefer replaced an earlier motion by Forster Rothbart, seconded by Ald. Golden, to recommend approval of the project with the conditions noted above.

A motion was made by Ald. Konkel, seconded by Ald. Golden, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.

Speaking in support of the project were Doug Hursh, Potter Lawson Architects, 15 Ellis Potter Court and Andrew Inman, Vierbeicher Associates, Inc., 999 Fourier Drive, Suite 201, both representing Landmark Gate, LLC, the applicants.

Speaking in opposition to the project was Duane Steinhauer, 2818 Todd Drive.

Conditional Uses/Demolition Permits

12. [02937](#) Consideration of a demolition permit/conditional use located at 2616 Waunona Way to demolish an existing house and build a new house on this lakeshore lot. 14th 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 Thompson-Frater, to Approve. The motion passed by acclamation.

Registered in support and wishing to speak was Mark Schuster, 2620 Waunona Way.

Registered in support and available to answer questions was the applicant Tom Haver, 2616 Waunona Way.

13. [02938](#)

Consideration of a conditional use, addition to a Planned Commercial Site, located at 4841 Annamark Drive for a new restaurant. 17th 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 a pedestrian connection be provided along the southern end of the subject site as approved on the Zeier planned commercial site plan.

-That exterior windows be removed from the men's room and office as requested by the applicant.

A motion was made by Bowser, seconded by Ald. Konkell, to Approve. The motion passed by acclamation.

Speaking in support of the project were David Behrens, 3455 Salt Creek Lane, Suite 100, Arlington Heights, Illinois and Jennifer Mowen, 3071 Savannah Drive, Aurora, Illinois, both representing the applicant Texas Roadhouse.

Registered in support but not wishing to speak was Ed Buechner, 4821 E. Washington Avenue.

Zoning Text Amendments

14. Amending 28.04 (25) of the Madison General Ordinance to change the equity distribution at sale, add a new kind of occupancy, and add exemptions to the inclusionary zoning ordinance.

The Commission requested that staff prepare a memo similar to the one prepared last year for the discussion on TIF policy that the Commission could use to focus discussion on Inclusionary Zoning. Members suggested that the memo include recommendations for the Commission to consider and the advantages and disadvantages of those recommendations.

A motion was made by Ald. Konkell, seconded by Davis, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.

BUSINESS BY MEMBERS

Thompson-Frater requested an update on waterfront development standards at an upcoming meeting.

COMMUNICATIONS

None

SECRETARY'S REPORT

15. [02768](#)

Drafts of two proposed amendments, one regarding building demolition or

removal permit standards; the second regarding extending the time period for recording approved PUD proposals and obtaining building permits.

The Commission asked that this matter be placed near the top of their March 6, 2006 agenda at 5:30 P.M.

Ald. Konkol requested that a list of parties interested in the demolition standard discussion be generated.

A motion was made by Ald. Konkol, seconded by Davis, to Rerefer to the PLAN COMMISSION, due back on March 6, 2006. The motion passed by acclamation.

Upcoming Matters - March 6, 2006 Meeting

- 700 Block University Avenue - PUD-SIP "University Square" Site
- 9201 Mid-Town Road - "Hawks Ridge Estates" Plat
- 2801 University Avenue - Demolish/rebuild gas station - convenience store
- 141 West Gilman Street - Add unit to existing apartment building

Upcoming Matters - March 20, 2006 Meeting

- 428 North Livingston Street - PUD-SIP/demolition of house-new condominium building

ANNOUNCEMENTS

None

ADJOURNMENT

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