



City of Madison

Meeting Minutes - Final

PLAN COMMISSION

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

Monday, August 21, 2006

5:30 PM

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

ROLL CALL

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

Excused: Nan Fey, Sarah Davis, Judy Bowser, Albert Lanier and Ruth Ethington

Boll was chair for this meeting. Ald. Konkol and Ald. Cnare arrived following the approval of minutes and during the presentation of the Special Item of Business.

Staff present: Brad Murphy & Tim Parks, Planning Unit; Dan McCormick, Traffic Engineering and Joe Gromacki, Community & Economic Development Unit.

MINUTES OF THE MEETING of August 7, 2006

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

SCHEDULE OF MEETINGS

Regular Meetings: September 11, 25; October 9, 23; November 6, 20; December 4, 18, 2006.

Subcommittee on Demolition Permit Standards: September 11, 25; October 9, 2006, Noon, LL-110 Madison Municipal Building.

Subcommittee on Adult Entertainment: Schedule of Meetings: The Plan Commission tentatively agreed to explore holding the meetings of this subcommittee at Noon of the Monday's when the Subcommittee on Demolition Permit Standards is not scheduled to meet. The first meeting would be September 18, 2006 subject to a polling of members by staff to confirm their availability.

Plan Commission Appointments to the Ped-Bike-Motor Vehicle Commission

Michael Forster Rothbart was appointed to continue representing the Plan Commission on the Pedestrian-Bicycle-Motor Vehicle Commission.

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

The Plan Commission received an informational presentation by the State Department of Administration on the process to develop redevelopment plans for the Hill Farms State Office building property located at 4800 Sheboygan Avenue. Making the presentation was Robert Cramer, Department of Administration, 101 E. Wilson Street.

Also speaking in support of the future project was Barry Orton, 4718 Lafayette Drive, representing the Westside Community Market.

ROUTINE BUSINESS

1. [04230](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the relocation and construction associated with the Union Corners Development - involving the relocation of Winnebago Street Phase 2 from S. Sixth Street to LaFollette Avenue-Engineering Project No. 53W0387 and amending the 2006 Capital Budget to authorize the expenditure of an additional \$100,000 for the estimated acquisition costs associated with this project. (6th AD)
A motion was made by Thompson-Frater, seconded by Cnare, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.

UNFINISHED BUSINESS

2. [04191](#) Adopting the attached TIF Policy, as amended, per the recommendations of the Board of Estimates Sub-Committee on Tax Increment Finance.
In recommending referral, the Plan Commission requested that Joe Gromacki, TIF Coordinator, incorporate changes in the TIF policy based on the responses and written materials provided in his memo dated August 21, 2006.
A motion was made by Konkel, seconded by Thompson-Frater, to Rerefer to the PLAN COMMISSION, due back on September 11, 2006. The motion passed by acclamation.
Speaking in support of the proposed TIF policy was Carole Schaeffer, Smart Growth Madison, 2810 Crossroads Drive.

PUBLIC HEARING-6:00 p.m.

The public hearing began at 6:15 P.M.

Zoning Map Amendments

3. [04003](#) Creating Section 28.06(2)(a)3200. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3201. 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: 156 Apartment Units with Clubhouse & 20 Condominium Units;
1st Aldermanic District: 9201 Mid Town Road.
In referring this matter, the Plan Commission asked Planning Unit staff to address the connection of sidewalks within the project to public sidewalks on adjoining streets, the amount of bike parking to be provided near the clubhouse and the removal of four parking spaces in the northwest corner of the project.

A motion was made by Forster Rothbart, seconded by Golden, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION, due back on September 11, 2006. The motion passed by acclamation.

4. [04154](#) Creating Section 28.06(2)(a)3207. of the Madison General Ordinances rezoning property from 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)3208. 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 Commercial Building & Build 6-Story, Mixed-Use Building with 13,500 Square Foot Retail Space, 10,025 Square Feet Office Space & 49 Condominium Units; 13th Aldermanic District: 1501 Monroe Street.

Referred for 90 days at the request of Ald. Golden and Ald. Knox. December 4, 2006 is the next available Plan Commission following the 90-day referral period.

A motion was made by Golden, seconded by Thompson-Frater, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on December 4, 2006. The motion passed by acclamation.

5. [04155](#) Creating Section 28.06(2)(a)3209. 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 Townhouse Units; 3rd Aldermanic District: 6001 Kilpatrick Lane.

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

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

Speaking in support of the project was Brian Munson, Vandewalle & Associates, 120 E. Lakeside Street representing the applicants, Veridian Homes.

6. [04156](#) Creating Section 28.06(2)(a)3210. 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)3211. 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 3 Residential Buildings & Build 4-Story, 20-Unit Condominium Building; 4th Aldermanic District: 415, 417 & 419 West Dayton Street.

Referred at the request of the Planning Unit.

A motion was made by Golden, seconded by Forster Rothbart, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on September 11, 2006. The motion passed by acclamation.

7. [04157](#) Creating Section 28.06(2)(a)3212. of the Madison General Ordinances rezoning property from R2 Single-Family Residence District to R5 General Residence District. Proposed Use: Demolish 2 Townhouse Apartment Buildings & Construct New Surface Parking Lot; 10th Aldermanic District: 4381 Doncaster Drive.

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

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

Excused: 4 - Fey, Davis, Bowser, Lanier and Ethington

Aye: 5 - Konkel, Cnare, Golden, Ohm and Thompson-Frater

No: 1 - Forster Rothbart

Non Voting: 1 - Boll

There were no registrants on this item.

8. [04210](#) Creating Section 28.06(2)(a)3215. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) and creating Section 28.06(2)(a) 3216. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Convert Vacant Retail Store to Bank with Drive-Up Windows; 9th Aldermanic District: 301 Junction Road.

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

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

Registered in support and available to answer questions were Jeff Gillis & William A. Simpson, 133 S. Butler Street representing the applicant, Anchor Bank.

9. [04214](#) Creating Section 28.06(2)(a)3218 of the Madison General Ordinances rezoning property from R1 Single-Family Residence District to R3 Single-Family and Two-Family Residence District. Proposed Use: Demolish House & Build New Duplex; 13th Aldermanic District: 2016 Sundstrom Street.

The Plan Commission recommended referral of both the demolition and zoning map amendment to allow for a neighborhood meeting to be conducted regarding the burning of the house by the Madison Fire Department before any decision by the Plan Commission on the demolition was made.

The Commission also felt that more information on the proposed use of the property was required before a decision could be made.

This motion superceded an earlier motion by Thompson-Frater, seconded by Ald. Cnare, to approve the demolition subject to the house not being burned and to refer the zoning map amendment indefinitely.

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

Speaking in support of the demolition was the applicant, Hubert McKenzie, 3055 Waunona Way.

Speaking in opposition to the project were: Barbara Gilligan, 2009 Sundstrom Street; Valleri Quintanilla, 307 Koster Street, and; Barb Fahrenkrug, 2005 Sundstrom Street.

Registered in opposition and available to answer questions was Christopher Hoffman, 2002 Sundstrom Street.

Registered in opposition but not wishing to speak were: Roger L. Baize, 2109 Cliff Court; Kevin J. Clark, 319 Koster Street; Virginia Link, 2102 Cliff Court; Joanne Kirkland, 319 Koster Street, and; Mary Hopkins, 2020 Sundstrom Street.

Conditional Uses/ Demolition Permits

10. [04268](#) Consideration of a conditional use for an outdoor eating area for an existing restaurant located at 702 North Whitney Way. 19th 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 condition #4 of the Planning Unit report be revised to remove the restriction on amplified music*
 - That the proposed deck comply with the Americans With Disabilities Act as required by existing codes.*
- A motion was made by Konkel, seconded by Golden, to Approve. The motion passed by acclamation.**
- Registered in support and available to answer questions was the applicant, Christine Campion, 702 N. Whitney Way*
11. [03614](#) Consideration of a conditional use for the expansion of an existing building for use as a contractor's shop-office located at 1619 South Stoughton Road. 16th Ald. Dist.
- A motion was made by Cnare, seconded by Golden, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
12. [04318](#) Consideration of a conditional use for an outdoor eating area for a new restaurant located at 4601 American Parkway. 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 condition:*
- That the hours of operation for the outdoor eating area be restricted to the hours of 10:30 A.M. to Midnight, Sunday through Wednesday and 10:30 A.M. to 2 A.M., Thursday through Saturday.*

A motion was made by Thompson-Frater, seconded by Golden, to Approve. The motion passed by acclamation.

Registered in support of the project and available to answer questions were: Jeff Schuller, Lead Dog, Inc., 510 Main Street, Plain, the applicant; Brad A. Bailey, 9622 Shadow Ridge Trail, Middleton; Jerry Waller, 4672 Signature Drive, Middleton; Brian Stoddard, JGS Architects, 102 S. Washington Street, Spring Green, representing the applicant, and; Richard Wilberg, 2141 Chamberlain Avenue, representing the property owner, American Family.

13. [04319](#)

Consideration of a conditional use for an outdoor eating area for an existing restaurant located at 1901 Aberg 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 and the following condition:

- That no amplified music is allowed.

A motion was made by Golden, seconded by Konkel, to Approve. The motion passed by acclamation.

Registered in support of the project and available to answer questions was Kristi Gilmore, 2621 Dahle Street.

Registered in support but not wishing to speak was Lorry Bond, 1902 Aberg Avenue.

14. [04320](#)

Consideration of a conditional use for an outdoor eating area for an existing restaurant located at 1968 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:

- The 26' x 10' expansion will be located only in back of the Ideal Bar, directly behind the building. The expansion will not extend into the alley between 1962 Atwood Avenue and 1968 Atwood Avenue.

- The Ideal Bar will build an 8-foot tall solid wall to block along the western property line and a 6-foot tall solid wall with two-foot decorative lattice top on the other two edges of the patio [subject to plans approved by the Planning Unit]. This wall will not have any openings other than for a solid door for emergency exiting and utility use.

- The Ideal Bar will provide lighting in the alley between the two buildings at night during regular open hours.

- There will be no music, either piped into or performed in the outdoor patio space. Any televisions in the outdoor patio space will have their sound turned off by 10 P.M., subject to negotiation with the neighbors.

- The outdoor patio area will close to customers at 1 A.M. every night.

A motion was made by Konkel, seconded by Golden, to Approve. The motion passed by acclamation.

Speaking in support of the project was the applicant, John Gray, 1968 Atwood Avenue, and Thomas Garver, 1942 Atwood Avenue.

Also speaking in support of the project was Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District.

15. [04322](#)

Consideration of a conditional use for a cartage establishment (moving business) located at 3817 Kipp Street. 16th Ald. Dist.

the comments and conditions contained in the Plan Commission materials.

A motion was made by Thompson-Frater, seconded by Konkel, to Approve. The motion passed by acclamation.

Registered in support of the project and available to answer questions were Steve Shulfer, 1918 Parmenter Street #2, Middleton, representing the applicants, Two Men & A Truck, and Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District.

16. [04323](#) Consideration of a conditional use for a boathouse on a lakeshore lot located at 5046 Lake Mendota Drive. 19th 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 Golden, seconded by Ohm, to Approve. The motion passed by acclamation.

Registered in support of the project and available to answer questions was the applicant, Robert Fillingame, 5046 Lake Mendota Drive.

17. [04324](#) Consideration of a conditional use to remove an existing boathouse and construct a new boathouse on a lakeshore lot located at 2118 Waunona Way. 14th Ald. Dist.

The Commission found that the standards were met and granted approval of the new boathouse without the structure above subject to the comments and conditions contained in the Plan Commission materials.

The Commission determined that the structure above the boathouse did not meet the conditional use standards, particularly standard #3, that the uses, values and enjoyment of other property in the neighborhood not be impacted by the establishment of that portion of the requested conditional use.

A motion was made by Golden, seconded by Forster Rothbart, to Approve. The motion passed by acclamation.

Speaking in support of the project was Melissa Destree, 222 W. Washington Avenue representing the applicant, Scott Fortune, 2118 Waunona Way. Mr. Fortune was registered in support and available to answer questions.

Speaking in opposition were Scott Faust, 2112 Waunona Way and Phyllis Tschumper, Waunona Neighborhood Association 2224 Waunona Way.

Registered in support and available to answer questions was Tyler Smith, 222 W. Washington Avenue.

Registered in opposition but not wishing to speak was Gigi Faust, 2112 Waunona Way.

Zoning Text Amendment

18. [04197](#) Amending Sections 9.05(1) and 28.03(2) of the Madison General Ordinances to modify the definitions of "adult book or video store" to include reference to sexual paraphernalia and devices.

Referred for 90 days to the Plan Commission Subcommittee on Adult Entertainment. December 4, 2006 is the next available Plan Commission following the 90-day referral period.

A motion was made by Golden, seconded by Konkel, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on December 4, 2006. The motion passed by acclamation.

BUSINESS BY MEMBERS

Ald. Konkel requested an update on the requirements for rental housing under the Inclusionary Zoning ordinance in light of the recent Court of Appeals decision.

COMMUNICATIONS

None

SECRETARY'S REPORT

Brad Murphy summarized upcoming matters for the Plan Commission.

UPCOMING MATTERS - September 11, 2006 Meeting

- *Spring Harbor Neighborhood Plan*
- *Westside Bike Plan*
- *309 West Washington Avenue - Major alteration to PUD-"Capitol West" project, Block 51*
- *2 Greenside Circle - Conditional use, condominiums*

UPCOMING MATTERS - September 25, 2006 Meeting

- *Presentation RE: Metropolitan Planning Organization Regional Transportation Plan*
- *5002 Siggelkow Road - Conditional use, condominiums*

ANNOUNCEMENTS

None

ADJOURNMENT

A motion was made by Boll, seconded by Golden, to Adjourn at 8:00 P.M. The motion passed by acclamation.