



# City of Madison

## Meeting Minutes - Final

### PLAN COMMISSION

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

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Monday, April 17, 2006

5:30 PM

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

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## ROLL CALL

*Fey was chair for this meeting.*

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

**Excused:** Brenda K. Konkel, Sarah Davis and Ruth Ethington

*Staff present: Mark A. Olinger, Secretary; Brad Murphy and Tim Parks, Planning Unit.*

## MINUTES OF THE MEETING OF APRIL 3, 2006

*Forster Rothbart asked that the minutes on Edgewood College be amended to showing him voting no on the parking lot and yes on the project otherwise.*

*Fey noted that her name was misspelled in the Business By Members section.*

*The minutes were amended accordingly.*

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

## SCHEDULE OF MEETINGS

### ROUTINE BUSINESS

1. [03302](#) Determining a Public Purpose and necessity and adopting Transportation Project Plat (TPP) No: 53W0348-4.01 for the City of Madison Real Estate Department to acquire Parcel 1 and Parcel 2 rights as identified on said TPP, to facilitate the planned public street improvements included in the East Washington to Darbo Frontage Road project and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the land interest acquisitions and disposals. (15th AD)  
**A motion was made by Bowser, seconded by Boll, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.**

2. [03287](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of additional Plat of land interests required to facilitate improvements for a public bike path, public sanitary sewer and public storm water drainage construction along the South side of existing Soo Line Railroad right-of-way from Interstate Highway 39/90/94 East to City View, located in that part of the Southeast ¼, lying East of said Interstate Highway 39/90/94, of Section 27, Town 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)
- A motion was made by Bowser, seconded by Boll, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.**
3. [03284](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests, from Lots 41 and 62, Hawk's Landing Golf Club, required to facilitate public sanitary sewer improvements, per Hawk's Ridge Estates Sanitary Sewer Assessment District, to allow the connection of proposed new public sanitary sewer for proposed "Hawk's Ridge Estates" to the existing public sanitary sewer located in the "Hawk's Landing Golf Club" subdivision being part of the Southwest ¼ of the Southwest ¼ of Section 34, Town 07 North, Range 08 East, City of Madison, Dane County, Wisconsin. (1st AD)
- A motion was made by Bowser, seconded by Boll, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.**

## NEW BUSINESS

4. [03297](#) CHARTER - Amending Section 16.01(4)(b) of the Madison General Ordinances to clarify that alternate members of the Plan Commission may serve as the representative of that Commission on other City committees.
- A motion was made by Bowser, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**

## PUBLIC HEARING-6:00 p.m.

### Zoning Map Amendments/Conditional Uses

5. [02319](#) Creating Section 28.06(2)(a)3152. 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) 3153. 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: Demolish Office Building and Build 50,000 Square

Feet of Grocery Store; 11th Aldermanic District: 702 North Midvale Boulevard.

*The motion to place this application on file was subsequent to an earlier motion by Ald. Golden, seconded by Ald. Cnare, to recommend approval of the project. The motion to approve failed by a vote of 2-5 by the following members:*

*AYE: Ald. Cnare, Ald. Golden*

*NAY: Boll, Lanier, Ohm, Bowser, Forster Rothbart*

*RECUSED: Thompson-Frater*

*EXCUSED: Ald. Konkel, Davis*

*NON VOTING: Fey*

*Ald. Golden asked that the recommendation to place this application on file be forwarded to the Common Council with a condition proposed with the failed motion to recommend approval that would require a Transportation Demand Management Plan or participation in a Transportation Management Association for Hilldale to be provided to serve the proposed Whole Foods to begin addressing concerns about employee parking demand. The TDM/ TMA provision would follow the provisions for such in Section 33.02 (4)(f)9.d of the Urban Design Commission ordinance.*

**A motion was made by Bowser, seconded by Lanier, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by the following vote:**

**Excused:** 2 - Konkel, Davis and Ethington

**Recused:** 1 - Thompson-Frater

**Aye:** 5 - Ohm, Boll, Bowser, Lanier and Forster Rothbart

**No:** 2 - Cnare and Golden

**Non Voting:** 1 - Fey

*Speaking in support of the project were: Bob Fink, Dennis Harder and Domenic Lanni, Joseph Freed & Associates, LLC, 220 N. Smith Street, Palatine, Illinois, the applicants; David Schwartz and Lee Pearson, Whole Foods Market, 3241 N. Lincoln Avenue, Chicago, Illinois; Fritz Ragatz, 702 N. Midvale Boulevard, representing the Hilldale Merchants Association; Michael J. Lawton, 6 S. Eau Claire Avenue, representing the Hill Farms Neighborhood Association; Ald. Tim Gruber, 4349 Bagley Parkway, representing the 11th District, and; Ald. Noel Radomski, 5521 Terre Haute Avenue, representing the 19th District.*

*Speaking in opposition were Sandra F. Saul, 14 S. Hillside Terrace and Ald. Robbie Webber, 2613 Stevens Street, representing the 5th District.*

*Speaking neither in support nor opposition was Karen Jankowski, 5410 Temple Court.*

*Registered in support and available to answer questions was Mike Sturm, Ken Saiki Design, Inc., 910 E. Dayton Street; Kyle Knop, Epstein Uhen Architects, 333 E. Chicago Street, Milwaukee; Stephen A. Jovicich, 1111 North Loop West, Suite 800, Houston, Texas, and; Matt Yentz, 6618 Parkway Drive, Sun Prairie, all representing Joseph Freed & Associates and Whole Foods.*

*Registered in support but not wishing to speak was Paul Sigmund, 4602 Waterman Way, Monona.*

*Registered in opposition but not wishing to speak were Rosemary Lee, 111 W. Wilson Street #108 and Barry Orton, 4718 Lafayette Drive. Mr. Orton provided prepared*

*comments that were given to the Commission members.*

6. [03141](#) Creating Section 28.06(2)(a)3174. of the Madison General Ordinances rezoning property from Temp A Agriculture to R1 Single-Family Residence District. Proposed Use: City of Madison Water Utility Reservoir; 17th Aldermanic District: 1224 Felland Road.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials.*
- A motion was made by Boll, seconded by Ald. Golden, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**
7. [03397](#) Consideration of a conditional use for a City of Madison Water Utility reservoir located at 1224 Felland Road. 3rd 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 acclamation.**
- Registered in support and available to answer questions on the rezoning and conditional use were Alan Larson, Madison Water Utility, 119 E. Olin Avenue and Ravi Jayaraman, Clark Deitz, Inc., 5017 Green Bay Road, Suite 126, Kenosha, representing the Water Utility.*
8. [03142](#) Creating Section 28.06(2)(a)3175. 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) District and creating Section 28.06(2)(a)3176. 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: Demolish Existing Commercial Building & Build 4-Story, 45,000 Square-Foot Commercial Building; 4th Aldermanic District: 601 West Wilson Street.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials and addendum and the following conditions:*
- That the applicant develop a plan for the north facade involving either an architectural treatment, landscaping or both subject to the approval of the Planning Unit director.
  - That the applicant work with the Planning Unit to address the location and orientation of building entrance.
- A motion was made by Boll, seconded by Forster Rothbart, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**
- Speaking in support of this project were: Doug Hursh, Potter Lawson, Inc., 15 Ellis Potter Court, representing the applicants, National Conference of Bar Examiners; Michael May, 533 W. Main Street, representing the Bassett District Steering Committee; Rosemary Lee, 111 W. Wilson Street #108, and; Ald. Mike Verveer, 614 W. Doty Street, representing the 4th District.*
- Speaking in opposition of this project was Leslie Herje, 614 W. Doty Street.*

## Conditional Uses/ Demolition Permits

9. [03398](#) Consideration of a conditional use for an outdoor eating area for an existing restaurant located at 66 West Towne Mall. 9th 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 Bowser, to Approve. The motion passed by acclamation.**
- Registered in support and available to answer questions were Gerardo Fitzgibbon, Potbelly Sandwich Works, 222 Merchandise Mart, Chicago, Illinois and Ald. Paul Skidmore, 13 Red Maple Trail, representing the 9th District.*
10. [03399](#) Consideration of a conditional use for a Planned Residential Development for a mixed-use/condominium/retail/commercial development located at 1513 Lake Point Drive. 14th Ald. Dist.
- The Plan Commission referred this item to allow an opportunity for the developer to meet with neighboring property owners and for the district alderperson to comment on the project.*
- A motion was made by Ald. Golden, seconded by Bowser, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
- Speaking in support were Scott Norton, Norton Building Company, 5121 Hilltop Road, Fitchburg, the applicant and J. Randy Bruce, Knothe Bruce Architects, LLC, 7601 University Avenue, Middleton, representing the applicant.*
- Speaking in opposition to this project was Robin Alpenglow, 61 Waunona Woods Court, representing the Waunona Woods [Condominium] Association. Linda Hoskins, 11 Waunona Woods Court #2 registered to speak in opposition but left prior to this case being considered.*
- Registered in opposition but not wishing to speak was Kimberly Turner, 20 Waunona Woods Court.*
11. [03400](#) Consideration of a conditional use for a new boathouse on a lakeshore single-family home site located at 1816 Waunona Way. 14th Ald. Dist.
- The Plan Commission referred this matter so that the applicant could meet with nearby property owners to discuss the proposed boathouse.*
- Thompson-Frater asked that additional details of the proposed boathouse be provided the next time this matter is scheduled for consideration by the Commission.*
- A motion was made by Bowser, seconded by Boll, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
- Speaking in support of the boathouse was the applicant, Brad Pommerening, 1816 Waunona Way.*
- Speaking in opposition to the proposal was Dick Gartner, 1814 Waunona Way.*
- Speaking neither in support nor opposition to the request were JoAnn Tiedeman, 1910 Waunona Way and George Kohn, 2002 Waunona Way.*

12. [03401](#) Consideration of a conditional use-demolition permit for a major renovation to an existing building's facade, addition of another floor and future demolition of a building located on a portion of the site at 202 State Street. 4th 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 Arlan Kay, 116 E. Dayton Street, representing the applicants, the Rifkin Group.*
- Registered in support but not wishing to speak was Rosemary Lee, 111 W. Wilson Street #108.*
13. [03402](#) Consideration of a demolition permit to demolish a single-family house and build a new house on the site located at 5379 Park 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.*
- A motion was made by Forster Rothbart, seconded by Boll, to Approve. The motion passed by acclamation.**
- There were no registrants on this matter.*

### Zoning Text Amendments

14. [03205](#) Amending Sections 28.07(6)(g)5. and (h) of the Madison General Ordinances to clarify the two provisions, make them consistent, and add six months to the time period for obtaining a permit as well as the ability to request an additional 24 months from the Plan Commission, and creating Section 28.12(12)(a)11. of the Madison General Ordinances to add a fee of \$500 for an application for an extension from the Plan Commission.
- The Plan Commission recommended approval of a substitute ordinance to be prepared by the City Attorney's Office that reflects the agreement reached between Katherine Noonan, City Attorney's Office, and Ron Trachtenberg, attorney for the proponent of the text amendment, Stone Fence Development, LLC, regarding the timing of the submittal of the application for extension.*
- A motion was made by Forster Rothbart, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING as a substitute. The motion passed by acclamation.**
- Speaking in support of the text amendment was Ron Trachtenberg, Murphy Desmond, SC, 2 E. Mifflin Street #800.*

### BUSINESS BY MEMBERS

*None*

### COMMUNICATIONS

*Fey noted the letter dated April 12, 2006 from Edegwood College to the Commission.*

## SECRETARY'S REPORT

*Brad Murphy summarized upcoming Plan Commission members. Ald. Golden asked that trip generation information be provided when the matter at 8240 Mineral Point Road and other similar projects come before the Commission.*

*Mr. Murphy solicited a request for topics to be discussed at upcoming IZ Working Sessions so that staff would have sufficient time to prepare materials for those items.*

*Mr. Murphy also mentioned several ordinance amendments staff have suggested to move from the conditional use list to the permitted use lists as well as changes to the demolition standards. Discussions on those items will be scheduled for upcoming Commission meetings.*

### UPCOMING MATTERS - May 1, 2006 Meeting

- 702 North Midvale Boulevard - PUD-SIP, demolish commercial building, build new retail/restaurant
- 8240 Mineral Point Road - PUD-SIP, credit union
- 3120-3160 Jeffy Trail - "Badger Mill Creek" preliminary plat R1, R2T, R4
- 5622 Milwaukee Street - M1/contractor's office
- 1 Terrace Court - New hotel
- 5702 Raymond Road - Demolish part of existing shopping center, build new Walgreen's store with drive-up pharmacy
- 2912 Waunona Way - Demolish house, build new house on lakeshore lot
- 2801 Atwood Avenue - Demolish gasoline station, build new convenience store with gasoline pumps

### UPCOMING MATTERS - May 15, 2006 Meeting

- 1135 Erin Street - PUD-SIP, demolish houses, remodel houses, build new units co-op housing proposal

## ANNOUNCEMENTS

*None*

## ADJOURNMENT

**A motion was made by Boll, seconded by Thompson-Frater, to Adjourn at 9:10 P.M. The motion passed by acclamation.**