



City of Madison Meeting Minutes - Final PLAN COMMISSION

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

Monday, December 4, 2006

5:30 PM

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

ROLL CALL

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

Excused: Kenneth Golden and Ruth Ethington

Fey was chair for this meeting. Davis arrived after approval of minutes. Ald. Cnare and Forster-Rothbart arrived after consideration of Item #4.

Staff present: Rick Roll, Brad Murphy & Tim Parks, Planning Unit; Dan McCormick, Traffic Engineering Division; Si Widstrand, Parks Division; David Denig-Chakaroff, Madison Water Utility; Katherine Noonan, City Attorney's Office; Mike Dailey, City Engineer's Office, and; Jeanne Hoffman, Mayor's Office.

MINUTES OF THE MEETING of November 20, 2006

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

SCHEDULE OF MEETINGS

December 18, 2006; January 8, 22; February 5, 19; March 5, 19, 2007.

NEW BUSINESS

1. [04926](#) Accepting recommended changes to the Inclusionary Zoning Policy Document.

A motion was made by Konkol, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER as substitute. The motion passed by the following vote:

Excused: 3 - Cnare, Golden, Forster Rothbart and Ethington

Aye: 5 - Konkol, Ohm, Davis, Boll and Bowser

No: 0 -

Abstain: 1 - Thompson-Frater

Non Voting: 1 - Fey

Registered in support and available to answer questions about the policy changes were Marsha Rummel, 1339 Rutledge Street #2 and Curt Brink, 101 Acadia Drive.

- 2. [04942](#) Authorizing the Annexation/Attachment Agreement between the City of Madison and Cherokee Park, Inc.
A motion was made by Cnare, seconded by Davis, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER - Re-refer to the Plan Commission. The motion passed by acclamation.

- 3. [04956](#) SUBSTITUTE - Authorizing the Mayor and Clerk to sign a Memorandum of Understanding with Cherokee Park, Inc. ("Cherokee") providing for the purchase of lands owned by Cherokee and the purchase of conservation easements over other lands owned by Cherokee.
A motion was made by Cnare, seconded by Davis, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER - Re-refer to the Plan Commission. The motion passed by acclamation.
Registrants on Items #2 & 3 will be noted in the minutes following Item #13.

ROUTINE BUSINESS

- 4. [04954](#) Approving the intent of the Water Utility to sell a parcel of land located at 604 Bordner Drive to the Wisconsin Cooperative Housing Association. 19th Ald. Dist.
A motion was made by Konkel, seconded by Davis, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by the following vote:
Excused: 3 - Cnare, Golden, Forster Rothbart and Ethington
Recused: 1 - Thompson-Frater
Aye: 5 - Konkel, Ohm, Davis, Boll and Bowser
No: 0 -
Non Voting: 1 - Fey

PUBLIC HEARING-6:00 p.m.

Conditional Uses/Demolition Permits

- 5. [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.
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 Ohm, seconded by Boll, to Approve. The motion passed by acclamation.
There were no registrants on this item.

6. [05034](#) Consideration of a conditional use for a Planned Residential Development for a 32-unit condominium development located at 6001 Canyon Parkway. 16th 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 Ohm, seconded by Thompson-Frater, to Approve. The motion passed by acclamation.**
- Registered in support of the project and available to answer questions were the applicants, Roger Guest and Don Esposito, Veridian Homes, 6801 South Towne Drive and David Marquardt and Travis Schreiber, Vierbicher Associates, 999 Fourier Drive, representing Veridian.*
7. [05035](#) Consideration of a conditional use for an outdoor eating area for an existing restaurant located at 1405 Emil Street. 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 Bowser, seconded by Boll, to Approve. The motion passed by acclamation.**
- Speaking in support of the project was John Vesperman, 1217 Redan Drive.*
- Speaking neither in support nor opposition was Laura Parker, ARC Community Services, 1409 Emil Street.*
8. [05036](#) Consideration of a conditional use/demolition permit to approve the demolition of a house (that has already occurred) on this lakeshore lot and the new house proposed for the site located at 4922 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.*
- In granting approval of the project, the Commission encouraged the Director of the Inspection Unit to levy the maximum penalties to this property as provided for in the Madison General Ordinances for demolishing the former house without the necessary approvals and permits.*
- A motion was made by Thompson-Frater, seconded by Cnare, to Approve. The motion passed by the following vote:**
- Excused:** 1 - Golden and Ethington
- Aye:** 7 - Cnare, Ohm, Davis, Boll, Bowser, Forster Rothbart and Thompson-Frater
- No:** 1 - Konkel
- Non Voting:** 1 - Fey
- Speaking in support of the project was James Spahr, 26 Maple View Court, representing the property owner, Dr. Michael Shapiro.*
- Registered in support and available to answer questions were Karlien Geens and Terry L. Kolberg, Brink, Kolberg & Associates, LLC, 4504 Regent Street, also representing the property owner.*

Subdivisions

9. [01796](#) Approving the preliminary plat/final plat of "Second Addition to Meadowlands Plat" located in the 6600 Block of Milwaukee Street. 3rd Ald. Dist.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials.*
- A motion was made by Cnare, 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.**
- Registered in support of the project and available to answer questions was Dan Day, D'Onofrio Kottke, 7530 Westward Way, representing Veridian Homes, the applicants.*

Zoning Map Amendments

10. [04597](#) Creating Section 28.06(2)(a)3225. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3226. 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 Structures & Build Mixed-Use Development With 13 Apartment Units & 5,243 Square Feet of Commercial & Retail Space; 13th Aldermanic District: 1516, 1610 Gilson Street and 1507 Beld Street.
- Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following conditions:*
- That "health clubs" be added to the list of permitted uses for this PUD as identified in Planning Unit condition #3a.*
 - That Planning Unit condition #2 now read as follows: That the applicant submit a screening and buffering plan for this project for approval by Planning Unit staff that mitigates traffic noise and impacts from vehicle headlights accessing the ramp to the underground parking level from the adjoining residential properties north of the alley. If the screening and buffering provided is to be located within the alley right of way, that a privilege in streets approval or encroachment agreement be approved by the City prior to final approval. If the screening and buffering provided is to be located on private property, that an easement be obtained from the affected property owner(s).*
 - That the applicant work with the Traffic Engineering Division to provide 24 feet of backup space for garages on the north side of the alley and to restrict parking in the alley.*
- A motion was made by Konkel, seconded by Cnare, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by acclamation.**
- Speaking in support of the project were: Ed Banks, 1610 Gilson Street, the applicant; Robert Bouril, Bouril Design Studio, 6602 Grand Teton Plaza, representing the applicant; Milele Chikasa Anana, 1033 Melvin Court, and; Ald. Isadore Knox, Jr., 1735 Baird Street, representing the 13th District.*
- Speaking in opposition to the project were: Mark Vosberg, 509 Pine Street; Raquel Kampfer, 702 Cherry Wood Court, and; Manuela Ramos, 1505 Beld Street.*

11. [04857](#)

Creating Section 28.06(2)(a)3233. 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) 3234. 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 Complex & Build 65,000 Square Foot Grocery Store, 30,000 Square Foot Additional Retail Space, 238 Condominium Units & 1,100 Structured Parking Spaces With a Future Phase Consisting of 220 Residential Units and One Hotel; 11th Aldermanic District: 702 North Midvale Boulevard.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials, the addendum, and the following conditions:

-That Planning Unit condition #3 now read as follows: That the recorded documents shall include assurances that the greenspace on the south side of Frey Street shall be improved by the end of 2009 and be maintained by the owners of the Hilldale Shopping Center and that neither shopping center nor the greenspace shall be sold separately. The specific design of the greenspace shall be subject to subject to Planning Unit and Urban Design Commission staff approval prior to the given date of construction and should incorporate a connection to the Westside Senior Center property to the south if possible. The specific language of this condition shall be approved by the Planning Unit and the City Attorney's Office.

-That Planning Unit condition #7 (of the addendum) be revised to read "Phase II" instead "Phase I" as currently noted.

-That the conditions of approval listed in the December 4, 2006 memorandum from the Hill Farms Neighborhood Association Planning Committee and Board of Directors to the Plan Commission be included in the conditions for this project.

-That steps be taken to minimize noise from rooftop mechanical units for the Whole Foods store.

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

Excused: 1 - Golden and Ethington

Recused: 1 - Thompson-Frater

Aye: 7 - Konkel, Cnare, Ohm, Davis, Boll, Bowser and Forster Rothbart

No: 0 -

Non Voting: 1 - Fey

Speaking in support of the project were: Domenic Lanni, Joseph Freed & Associates, 220 N. Smith Street, Palatine, Illinois, the applicants; Tom Favour, 118 Marinette Trail, representing the Hill Farms Neighborhood Association; Eliot Butler, 128 S. Hancock Street #3, and; Dan Sebald, 1553 Adams Street #AB.

Speaking in opposition to the project was Laura Moberly, 310 Karen Court.

Speaking neither in support nor opposition to the project was Steven Siehr, 584 N. Midvale Boulevard; Travis Roy Carter, 625 N. Segoe Road, representing Weston Place

Condominiums, and; Ald. Tim Gruber, 4349 Bagley Parkway, representing the 11th District.

Registered in support and available to answer questions were: Dennis Harder and Joseph Lee, Joseph Freed & Associates, 220 N. Smith Street, Palatine, Illinois, the applicants; Jeff Held and Matt Yentz, Strand Associates, Inc., 910 W. Wingra Drive and Mike Sturm, Ken Saiki Design, Inc., 303 S. Paterson Street, all representing the applicants, and; Peter Frautschi, 2819 Dewey Court.

Registered in support but not wishing to speak was Jennifer Hemingson, 5521 Gettle Avenue.

12. [04856](#) Creating Section 28.06(2)(a)3232. of the Madison General Ordinances rezoning property from C2 General Commercial District to M1 Limited Manufacturing District. Proposed Use: Demolish House for Woodchip Processing Facility; 16th Aldermanic District: 5701 Femrite Drive.

A motion was made by Ohm, seconded by Boll, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -PUBLIC HEARING. The motion passed by acclamation.

PUBLIC HEARING-7:30 p.m.

Special Area Plan

13. [04939](#) Adopting the Cherokee Special Area Plan as a supplement to the City of Madison Comprehensive Plan, to include lands located west of the Dane County Regional Airport, north of portions of the Whitetail Ridge and Sherman Village subdivisions, east of Yahara River and south of the Cherokee Conservation Park and adjacent Cherokee Marshlands.

The Plan Commission referred the Cherokee Special Area Plan-related matters to their December 18, 2006 meeting to allow other referral bodies to review the plan before making its recommendation, and to have time to further consider the information presented by the Friends of Cherokee Marsh.

Following the referral, Brad Murphy asked the Commission what information from staff would be needed for future meetings on the Cherokee Plan. The following responses were provided:

-Forster Rothbart indicated that he felt it appropriate to increase the density somewhat in Area 2 and asked staff to report back to the Commission how much increased density would be appropriate in that area in exchange for preserving more open space. He also asked what areas of additional open space should be protected if the density in Area 2 was increased. He also indicated his desire that good pedestrian and bicycle routes be provided in the area, particularly on N. Sherman Avenue and CTH CV.

-Ald. Konkel indicated that the December 18 meeting should include a discussion about the direction of the plan in light of the December 4 testimony. She indicated that it would be helpful for staff to provide some information responding to the Friends of the Cherokee Marsh proposal.

-Bowser asked if there was anything that staff and the developers heard on which there could be agreement with the recommendations made by the Friends of Cherokee Marsh.

-Ald. Cnare indicated that the Friends of Cherokee Marsh still had some information that needed to be vetted and that the Commission owed the Friends the opportunity to

re-present that information whether it will have any impact on the Commission's decision or not. She also stated that the Plan Commission was presented with a lot of material at the meeting that they needed to digest in the context of the information and recommendations of the staff-drafted area plan. She also asked that if it was at all possible that the Friends of Cherokee Marsh and the neighborhood associations have additional discussions with the proponents of the plan to share information and ideas that might lead to more agreement on the final plan.

A motion was made by Cnare, seconded by Davis, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER - Re-refer to the Plan Commission. The motion passed by acclamation.

Registrants on Items #2, 3 & 12 (Cherokee):

Speaking in support of the special area plan was Bill White, 2708 Lakeland Avenue, Tim Anderson, Schriber Anderson Associates, 717 John Nolen Drive, and Rob Montgomery, 2820 Walton Commons West, Suite 135, all representing the plan proponent, Cherokee Park, Inc. Also speaking in support was Jim Schnitzler, 10 Cherokee Circle #203.

Speaking in opposition to the plan was Linda Lehnertz, 512 S. Paterson Street.

Speaking neither in support nor opposition were: Ellen Barnard, 925 Burning Wood Way, Satya Rhodes-Conway, 2642 Hoard Street and Jon Becker, 4233 Kenwood Street, all three representing Friends of Cherokee Marsh; Paul Noeldner, 136 Kensington Street, Maple Bluff, representing the Madison Audubon Society; Dayna Dalton, 1422 Warrior Lane, representing the Cherokee Park Neighborhood Association; Dan Sebald, 1553 Adams Street #AB; Brad Ayre, 4401 N. Sherman Avenue; Lori Kief, 4413 Doe Crossing Trail; and Shelley Legried, 4414 Doe Crossing Trail, representing the Whitetail Ridge Neighborhood Association.

Registered in support and available to answer questions were: Ann Marie Kirsch and Steve Gaffield, 2820 Walton Commons West #135, and; John Lichtenheld, Schriber Anderson Associates, 717 John Nolen Drive, all representing Cherokee Park, Inc.

Registered neither in support nor opposition and available to answer questions was Margot Babler, 4575 Dennis Drive.

Registered in support but not wishing to speak were Dorothy Wheeler, 1639 Haas Street and Kathryn Lederhouse & Daryl K. Sherman, 3106 Gregory Street.

Registered in opposition but not wishing to speak were Stephen Hewuse, 6706 Spring Grove Court and John Hurst, 1629 Randy Lane.

Registered neither in support nor opposition were: Muriel Simms, 5106 Comanche Way; Pat Woicek, 3505 Harper Road; Jim Powell, 1311 Lakeview Acne, representing the Northside Planning Council, and; Sean Barry, 5325 Comanche Way.

BUSINESS BY MEMBERS

None

COMMUNICATIONS

The resignation of Plan Commission member Albert Lanier is noted in the record.

SECRETARY'S REPORT

Brad Murphy gave the Commission a brief summary of upcoming matters prior to the beginning of the public hearing.

UPCOMING MATTERS - December 18, 2006

- Ordinance creating "Neighborhood Conservation Districts"
- 1501 Monroe Street - PUD-GDP, mixed-use/condominium project
- Ordinance regarding the proposed reorganization of the Department of Planning and Development
- 1814 Waunona Way - New garage on lakeshore lot
- 8201 Flagstone Drive - Condominium project

ANNOUNCEMENTS

None

ADJOURNMENT

A motion was made by **Boll**, seconded by **Davis**, to Adjourn at 10:45 P.M. The motion passed by acclamation.