



City of Madison

Meeting Minutes - Final

PLAN COMMISSION

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

Monday, August 7, 2006

5:30 PM

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

ROLL CALL

Present: Brenda K. Konkell, Lauren Cnare, Kenneth Golden, Nan Fey, Brian W. Ohm, Sarah Davis, James C. Boll, Judy Bowser and Albert Lanier

Excused: Michael Forster Rothbart, Kelly A. Thompson-Frater and Ruth Ethington

Fey was chair for this meeting. Ald. Cnare arrived following the approval of minutes.

Staff present: Tim Parks, Planning Unit and Joe Gromacki & Dan Rolfs, Community & Economic Development Unit.

MINUTES OF THE JULY 24, 2006 MEETING

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

SCHEDULE OF MEETINGS

Regular Meetings - August 21; September 11, 25; October 9, 23; November 6, 20; and December 4, 18, 2006

Plan Commission Working Group on Demolitions - August 21; September 11, 25; October 9, 2006 at 12 PM.

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

The Plan Commission referred this matter to the meeting of August 21, 2006 to allow the current Commission representative to the PBMVC, Michael Forster Rothbart, to be present.

- Appointment of Members to the Adult Entertainment Ordinance Working Group

Plan Commission members Ohm, Lanier, Ald. Golden and Ald. Cnare agreed to serve on the Adult Entertainment Establishment Working Group, with Boll to serve as alternate.

Staff will poll working group members on dates and times for future meetings.

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

Dennis Harder and Domenic Lanni of Joseph Freed & Associates, 220 N. Smith Street, Palatine, Illinois gave an informational presentation to the Plan Commission regarding the most recent plans for the second phase of the Hilldale redevelopment project, including summarizing plans for the former Humana complex and the western and southern portions of the shopping center.

ROUTINE BUSINESS

1. [04202](#) Accepting an Offer to Purchase from Will South Side LLC for the purchase of a surplused City-owned parcel of land within Doncaster Park located at 4335 Doncaster Drive. 10th Ald. Dist.
A motion was made by Ald. Golden, seconded by Lanier, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.

2. [04213](#) Authorizing the acceptance of an Offer to Sell from Occasional Partners, LLC, for a two-unit residential income property located at 17-19 S. Orchard Street, and amending the 2006 Parks Division Capital Budget to add funding for Ed Klief Park expansion. 13th Ald. Dist.
A motion was made by Bowser, seconded by Boll, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.

3. [04236](#) Authorizing the execution of a Utility Easement to Madison Gas and Electric Company across a City-owned property located at 207 West Olin Avenue. 13th Ald. Dist.
A motion was made by Bowser, seconded by Lanier, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS. The motion passed by the following vote:
Excused: 2 - Forster Rothbart, Thompson-Frater and Ethington
Recused: 1 - Boll
Aye: 8 - Konkel, Cnare, Golden, Fey, Ohm, Davis, Bowser and Lanier
No: 0 -

NEW BUSINESS

4. [04294](#) Amending a condition of approval of a previously approved certified survey map located at 3034 Shady Oak Lane - Town of Verona within the City's Extraterritorial Review Jurisdiction.
The Plan Commission voted to approve the removal of the condition requiring adjustment of the common property line between the two proposed lots.
A motion was made by Boll, seconded by Bowser, to Approve. The motion passed by acclamation.
Registered in support of the removal of the condition and available to answer questions was Michelle Johnson, 7500 Midtown Road, Verona.

5. [04191](#) Adopting the attached TIF Policy, as amended, per the recommendations of the Board of Estimates Sub-Committee on Tax Increment Finance.
In referring this matter, the Plan Commission requested that staff clarify the following

items:

- What constitutes a complete TIF application.
- The feasibility of having a developer finance an initial meeting (including a mailed notice to residents) early in the TID/ TIF process.
- The feasibility of providing applicants a date certain for when their matter will be considered by the Board of Estimates.
- What the content of a staff report on a TIF request could include.
- Improvements to the blight letter mailed to property owners.
- The impacts Inclusionary Zoning has on TIF requests.
- The value of TID/ TIF oversight committees and the need for such a committee for every TID.
- The creation of an interested parties list.

The Commission also asked for a memo from the City Attorney's Office outlining any legal issues and statutory requirements involving the proposed TIF policy.

A motion was made by Ald. Konkol, seconded by Bowser, to Rerefer to the PLAN COMMISSION, due back on August 21, 2006. The motion passed by acclamation.

Speaking in support of the proposed TIF policy were Marsha Rummel, 1339 Rutledge Street #2 and Carole Schaeffer, Smart Growth Madison, 2810 Crossroads Drive.

Speaking neither in support nor opposition to the policy was Vicky Selkove, 2961 Union Street.

PUBLIC HEARING-6:00 p.m.

Tax Incremental Finance District

6. [04215](#) Approving a Project Plan Amendment for Tax Incremental Finance (TIF) District #29 (Allied Drive) City of Madison. 10th Ald. Dist.

A motion was made by Ald. Konkol, seconded by Bowser, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.

Zoning Map Amendments

7. [04158](#) Creating Section 28.06(2)(a)3213. 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)3214. 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: Addition to Join 2 Residential Buildings & Remodel For Bakery, Restaurant/Tavern & 4 Apartments; 4th Aldermanic District: 453 W. Washington Avenue.

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

- That the hours of operation for public service are to be between 6:00 AM and 11:00 PM, with the last interior seating at 10:30 PM and the last exterior seating at 9:00 PM.
- The onsite bakery at the lower level may have a production schedule outside of the

hours for public service. These hours of public operation shall also be made a part of the alcohol license approval.

-That vendor deliveries and trash pickup will occur between the hours of 7:00 AM and 5:00 PM.

-In lieu of providing bicycle and scooter parking equivalent to one per bedroom for the residential tenants, the proposal will include 6-7 stalls at the rear of the building and wording within the residential leases prohibiting parking in other areas including porches or the street terrace. The property owner will actively enforce this lease provision.

-That venting for all mechanical, restaurant and bakery equipment shall be subject to approval by Planning Staff and the Urban Design Commission. This approval shall include consideration of the location, type of vent terminus and noise impacts of the venting.

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

Speaking in support of the project were: Mark Schmidt, Knapp-Schmidt Architects, PO Box 762, Wautoma; Peter Ostlind, 533 W. Main Street representing the Bassett District of Capitol Neighborhoods, Inc., and; Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Registered in support and available to answer questions was the applicant Navin Jaurgumilli, Capitol Bakery, LLC, 18 Shepard Terrace and Jeff Holm, 629 Havey Road.

Conditional Uses/ Demolition Permits

8. [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.
- Referred at the request of the applicant and district alderperson to allow an opportunity for the applicants to meet with staff to resolve issues related to the request.*
- A motion was made by Ald. Golden, seconded by Ald. Cnare, to Rerefer to the PLAN COMMISSION, due back on August 21, 2006. The motion passed by acclamation.**
- Speaking in support of referral was Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District.*
- Registered in support and wishing to speak was the applicant, Kris Sturman, MadCity Roofing, 3609 Brigham Avenue.*
9. [04030](#) Consideration of a conditional use for an auto repair shop in an existing building located at 2508 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, the 16 conditions of approval requested by the Glendale Neighborhood Association Advisory Committee in a letter to staff dated July 24, 2006, and the following conditions:*
- That the perpendicular parking along the west wall of the building be removed in favor of two parallel parking spaces subject to approval by the City Traffic Engineer.*
- That the conditional use for the auto repair shop be restricted to the current tenant and that any new auto repair shop tenant require a new conditional use application to be presented to the Plan Commission. (This approval is non-transferable.)*
- A motion was made by Bowser, seconded by Ald. Cnare, to Approve. The motion passed by acclamation.**

Speaking in support of the project was Ronald Trachtenberg, Murphy Desmond, SC, 2 E. Mifflin Street #800 representing the applicant, Schoepp Motors.

Speaking neither in support nor opposition to the project was Ald. Judy Compton, 6030 Fairfax Drive, representing the 16th District.

Registered neither in support nor opposition to the project and available to answer questions was Kathy Dustin, 709 Glenview Drive, representing the Glendale Neighborhood Association.

10. [04266](#) Consideration of a demolition permit to demolish a vacant restaurant and build a used car sales establishment on the site located at 1518 North Stoughton Road. 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.*
- A motion was made by Bowser, seconded by Boll, to Approve. The motion passed by acclamation.**
- Registered in support and available to answer questions were Bob Sieger and Brian Reddeman, Sieger Architecture, 1501 Monroe Street, representing the applicant, Jeff Riegert, Gass-Riegert Auto Complex.*
- Mr. Riegert, 4910 Meinders Road, was registered in support and available to answer questions.*
11. [04267](#) Consideration of a demolition permit to demolish a house to expand parking for a contractors business located at 4504 Pflaum 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 Boll, seconded by Ald. Golden, to Approve. The motion passed by acclamation.**
- Registered neither in support nor opposition to the project and available to answer questions was Ald. Judy Compton, 6030 Fairfax Drive, representing the 16th District.*
12. [04268](#) Consideration of a conditional use for an outdoor eating area for an existing restaurant located at 702 North Whitney Way. 19th Ald. Dist.
- Referred at the request of the applicant.*
- A motion was made by Ald. Golden, seconded by Boll, to Rerefer to the PLAN COMMISSION, due back on August 21, 2006. The motion passed by acclamation**
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13. [04269](#) Consideration of a conditional use/demolition permit to demolish an existing restaurant and build a new restaurant including an outdoor eating area on the site located at 6613 Mineral Point Road. 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 Bowser, seconded by Lanier, to Approve. The motion passed by acclamation.**

Registered in support of the project and available to answer questions was the applicant, John Flad, Flad Development & Investment Corp., 7941 Tree Lane and Frank Maersh, 6413 Keelson Drive representing the applicant.

Registered in support of the project but not wishing to speak was Ald. Noel Radomski, 5521 Terre Haute Avenue, representing the 19th District.

Zoning Text Amendments

14. [04085](#) Amending Secs. 28.03(2), 28.04(20), 28.06(3), 28.105, 28.12(2)(b), 28.12(3)(b), 28.12(6), 28.12(7)(c) and (d), 28.12(9)(c), 28.12(10)(a), (f)5., and (i) of the Madison General Ordinances to bring the ordinances into conformity with the recently amended Ch. NR 116, Wis. Adm. Code, regarding floodplain management.

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

BUSINESS BY MEMBERS

Ald. Golden noted for the Commission the settlement of the lawsuit against the City of Milwaukee regarding their ordinances regulating the location of group homes and lauded the City of Madison for the work done here to avoid similar lawsuits.

Fey advised staff that the Westside Bike Plan should be brought back before the Plan Commission for their consideration at an upcoming meeting.

Ald. Golden asked that a presentation be made to the Plan Commission at an upcoming meeting regarding the Metropolitan Planning Organization Regional Transportation Plan.

COMMUNICATIONS

Fey noted the receipt of a letter from Cherokee Park, Inc. thanking the Plan Commission for holding the special meeting on June 27, 2006 to discuss future development efforts on their property.

SECRETARY'S REPORT

Tim Parks summarized the upcoming matters, including the referral of the redevelopment proposal at 1501 Monroe Street pending a neighborhood involvement process.

Upcoming Matters - August 21, 2006 Meeting

- 301 Junction Road - Amended PUD-SIP, proposed bank
- 6001 Kilpatrick Lane - PUD-SIP, apartments
- 1501 Monroe Street - PUD-SIP/demolition of buildings, new mixed-use/condominium building
- 9401 Mid-Town Road - PUD-SIP, condominiums
- 415-419 West Dayton Street - PUD-SIP/demolition of buildings, new condominium building
- 4381 Doncaster Drive - R2 to R5/demolition apartment building
- 4601 American Parkway - Conditional use, new restaurant with outdoor eating area
- 1901 Aberg Avenue - Conditional use, outdoor eating area for existing restaurant

- 5046 Lake Mendota Drive - Conditional use, boathouse
- 3817 Kipp Street - Conditional use, cartage business
- 5901 Odana Road - Demolition permit, car dealer expansion
- 2016 Sundstrom Street - Demolition of house/new duplex, R1 to R3

Upcoming Matters - September 11, 2006 Meeting

- 309 West Washington Avenue - Major alteration to PUD "Capitol West" Project - Block 51
- 2 Greenside Circle - Conditional use, condominiums
- 406 Glen Highway - Demolish house/build new house
- 2724 Waunona Way - Demolish house/build new house and subdivide lake shore site

ANNOUNCEMENTS

None

ADJOURNMENT

A motion was made by **Boll**, seconded by **Davis**, to Adjourn at 7:10 P.M. The motion passed by acclamation.