



# City of Madison Meeting Minutes - Final PLAN COMMISSION

City of Madison  
Madison, WI 53703  
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Monday, March 20, 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. Ald. Golden and Ald. Cnare arrived after approval of minutes, Items #1 and #2 and during Item #3.*

**Present:** Brenda K. Konkel, Lauren Cnare, Kenneth Golden, Nan Fey, Brian W. Ohm, Sarah Davis, James C. Boll, Albert Lanier and Kelly A. Thompson-Frater

**Excused:** Judy Bowser, Michael Forster Rothbart and Ruth Ethington

*Staff present: Mark A. Olinger, Secretary; Brad Murphy and Tim Parks, Planning Unit; Michael Gay, Office of Business Resources.*

## MINUTES OF THE MEETING OF MARCH 6, 2006 and WORKING SESSION OF MARCH 2, 2006

*Fey noted that she should be shown as non-voting for Item #6 on the March 6, 2006 Plan Commission meeting. The minutes were amended accordingly.*

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

## SCHEDULE OF MEETINGS

## UNFINISHED BUSINESS

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

*Albert Lanier volunteered to be the Plan Commission representative. No members objected.*

## ROUTINE BUSINESS

- 03038** Authorizing the execution of a Utility Easement to Madison Gas and Electric Company across a City-owned property located at 1902 E. Main Street. 6th Ald. Dist.  
**A motion was made by Ald. Konkel, seconded by Ohm, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by the following vote:**  
**Excused:** 2 - Bowser, Forster Rothbart and Ethington  
**Recused:** 1 - Boll  
**Aye:** 7 - Konkel, Cnare, Golden, Ohm, Davis, Lanier and Thompson-Frater

No: 0 -

Non Voting: 1 - Fey

2. [03072](#) Authorizing the acceptance of a Permanent Limited Easement for Public Pedestrian/Bicycle Path Purposes from the Feldt Trust across their property located at 2801 Snowmist Trail. 7th Ald. Dist.

**A motion was made by Ohm, seconded by Boll, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.**

## UNFINISHED BUSINESS

3. [02634](#) SUBSTITUTE - 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.

*The Plan Commission recommended approval of the substitute as recommended by the Long Range Transportation Planning Commission subject to the following revisions:*

*-That subsection a. iv. (C) 5. be amended to read "Or where alleys exist, at least seventy-five percent (75%) of the houses have a minimum of two (2) car garages and there are at least three (3) off-street parking spaces, and a minimum garage setback of ten (10) feet or a parking space adjacent to the garage."*

*-That the first sentence of subsection a. viii. be amended to read: "For all of the above, the applicant shall provide a plan which overlays the plat or certified survey map at the time of application that demonstrates how the above standards are being met."*

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

*Speaking in opposition to the proposed ordinance revisions was Bob Schaefer, 6 Cottonwood Circle, a member of the Long Range Transportation Planning Commission.*

4. [02367](#) Amending Section 28.11(4) of the Madison General Ordinances to permit Common Council approval of off-street loading facilities that do not conform to the requirements of Sec. 28.11(4).

*In supporting the recommendation of approval, Ald. Golden asked that staff give consideration to developing standards regarding the functionality of projects requesting off-street loading modifications and criteria for ordinance waivers.*

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

## NEW BUSINESS

5. [03066](#) Authorizing the execution of two Options to Purchase with FHB Investments, LLC to acquire lots within the World Dairy Center for the Wisconsin BioAg Gateway project. 16th Ald. Dist.

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

*Speaking in support of the project was Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District.*

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

### **Zoning Map Amendments/Subdivisions**

6. [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.

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

*-That condition #6 of the Planning Unit report be revised to read: "That recording of the PUD-GDP-SIP and issuance of demolition permits not occur until all of the properties are under the ownership of LG1, LLC or its successors and assigns."*

*-That a direct pedestrian connection be provided from the Sergenians building to the Beltline Highway frontage road sidewalk.*

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

*Speaking in support of the project were: Bradley Hutter, Mortenson Investment Group, 3113 W. Beltline Highway; Sheri Carter, 3009 Ashford Lane, representing the Arbor Hills Neighborhood Association; Mark Clark, 1123 Rainbow Court, Mukwonago, representing Robert Buhler, owner of the Open Pantry store on the site; Cynthia Laitman, 3001 Grandview Boulevard, and; Ald. Timothy Bruer, 3310 Leyton Lane, representing the 14th District.*

*Speaking in opposition was Duane Steinhauer, 2818 Todd Drive.*

*Speaking neither in support or opposition was Sarah Harrington, 2809 Curry Parkway.*

*Registered in support and available to answer questions 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/ Mortenson Investment Group, the applicants, and; Don Holec, 3113 Ashford Lane.*

*Registered in support but not wishing to speak were: Paul A. Scott, 3401 Kingston Drive; Wayne R. & Jackie Pauly, 2913 Grandview Boulevard; Terry Mason, 3225 Knollwood Way; Paul Cook, 3117 Grandview Boulevard; Carol & James Lin Compton, 3301 Westview Lane; Erv Bendorf, 2920 Greenway View; Terry & Mary Warfield, 2713*

*Post Road; Mark Landmark, 2913 Nottingham Way, and; Beverly A. Crosson, 3117 Grandview Boulevard.*

7. [02319](#) SUBSTITUTE - 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 Davis, to recommend approval of the project. The motion to approve failed by a vote of 1-6 (AYE: Ald. Golden; NAY: Ald. Cnare, Ald. Konkel, Boll, Lanier, Ohm, Davis; RECUSED: Thompson-Frater; NON VOTING: Fey)*

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

**Excused:** 2 - Bowser, Forster Rothbart and Ethington

**Recused:** 1 - Thompson-Frater

**Aye:** 7 - Konkel, Cnare, Golden, Ohm, Davis, Boll and Lanier

**No:** 0 -

**Non Voting:** 1 - Fey

*Speaking in support of the project were: Bob Fink & Domenic Lanni, Joseph Freed & Associates, LLC, 220 N. Smith Street, Palatine, Illinois, the applicants; Ald. Tim Gruber, 4349 Bagley Parkway, representing the 11th District; Ald. Noel Radomski, 5521 Terre Haute Avenue, representing the 19th District, and; Ald. Zach Brandon, 3526 Mammoth Trail, representing the 7th District.*

*Speaking in opposition were Al Matano, 3745 Rose Street and Ald. Robbie Webber, 2613 Stevens Street, representing the 5th District.*

*Speaking neither in support nor opposition were Connie McCabe, 602 Sawyer Terrace #212 and Carolyn Benforado, 3902 University Avenue.*

*Registered in support and available to answer questions was Mike Sturm, Ken Saiki Design, Inc., 910 E. Dayton Street, representing the applicants; Chad Wright, 333 E. Chicago Street, Milwaukee, and; Bill White, 2708 Lakeland Avenue, representing Weston Place Condominium Homes.*

8. [02871](#) Creating Section 28.06(2)(a)3163. 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)3164. 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 Shopping Center and Build 12-Story Mixed Use Building with 134,000 Square Feet Retail, 71,000 Square Feet Offices, 97,000 Square Feet Health Center, 62,000 Square Feet Activity Center and 350 Dwelling Units; 8th Aldermanic District: 700 Block University Avenue.

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

*-That condition #3a of the Planning Unit report be revised to read: "a range of the parking to be allocated for the various uses shall be included in a revised zoning text."  
-That condition #10 of the Planning Unit report be revised to read: "That the Plan Commission approves the waiver request as summarized in the report from the Community Development Block Grant (CDBG) Office. If the assumptions made in this report and the outcomes change, the waiver approval shall be brought back to the Plan Commission for additional review and approval. The applicant shall verify that the assumptions and outcomes have not changed with the CDBG Office prior to final sign off. All provisions of the waiver approval shall be satisfied prior to recording of the PUD-GDP-SIP.*

*-That the applicant work with staff to ensure no off-street parking be allowed on the site of the demolished University Square building should construction of the new University Square building not proceed.*

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

*Speaking in support of the project were Susan Springman, Executive Management, Inc., 2901 International Lane, the applicant; Rick Gilbertsen, Potter Lawson, Inc., 15 Ellis Potter Court and Bill Patek, JJR, LLC, 625 Williamson Street, both representing the applicant.*

*Registered in support and available to answer questions were: Greg Rice & Adam Smith, Executive Management, Inc., 2901 International Lane; Gary Brown, University of Wisconsin, 610 Walnut Street, and; Mark Bastian, Potter Lawson, Inc., 15 Ellis Potter Court.*

9. [02997](#) Creating Section 28.06(2)(a)3165. 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)3166. 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 Existing 6-Unit Residential Building and Build 4-Story, 5-Unit Condominium on Waterfront Lot; 2nd Aldermanic District: 428 North Livingston St. (Recommend place on file without prejudice-withdrawn by applicant.)

**A motion was made by Boll, seconded by Lanier, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on April 3, 2006. The motion passed by acclamation.**

### Conditional Uses/Demolition Permits

10. [03143](#) Consideration of a conditional use - amendment to a Planned Commercial Site

located at 72 West Towne Mall for a restaurant/brewpub that provides an outdoor eating area. 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 Ohm, to Approve. The motion passed by acclamation.**

*Registered in support and available to answer questions were Bill White, 2708 Lakeland Avenue, representing CBL, and Ald. Paul Skidmore, 13 Red Maple Trail, representing the 9th District.*

11. [03145](#) Consideration of a demolition permit located at 1906 Northwestern Avenue to demolish an existing house and build a new house on the site. 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 conditions:*

*-That the applicant work with staff to include a window and additional landscaping on the eastern wall of the garage.*

**A motion was made by Ald. Cnare, seconded by Boll, to Approve. The motion passed by acclamation.**

*Speaking in support of the project were Sandy Gamm, 514 Sager Street, representing the applicants, Ultimate Construction, and Mike Welling, 1833 Northwestern Avenue.*

12. [03146](#) Consideration of a conditional use - amendment to a Planned Residential Development located at 5309-5341 Brody Drive to add an apartment building to an existing apartment building complex. 19th Ald. Dist.

*Referred at applicant's request pending recommendation by the Urban Design Commission.*

**A motion was made by Ald. Konkell, seconded by Davis, to Rerefer to the PLAN COMMISSION, due back on April 3, 2006. The motion passed by acclamation.**

### Zoning Text Amendment

13. [02995](#) Amending Section 28.04(25) of the Madison General Ordinances to change the equity distribution at sale and add exemptions to the inclusionary zoning ordinance.

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

*Registered neither in support or opposition of the ordinance changes was: Phil Salkin, Realtors Association of South Central Wisconsin, 4801 Forest Run Road, who hoped that the Plan Commission would delay any decisions about inclusionary zoning until the Mayor's Committee on Inclusionary Zoning has completed its work.*

### BUSINESS BY MEMBERS

*Ald. Golden warned Plan Commission members to expect a lengthy meeting on April 3, 2006.*

## COMMUNICATIONS

*Report from George Dreckmann, City Recycling Coordinator regarding demolition recycling plans.*

*Ald. Konkel asked that the report be forwarded to the City Attorney's Office for drafting and that Mr. Dreckmann be available to testify when the resulting text amendment is introduced.*

*Thompson-Frater asked that staff contact Mr. Dreckmann to inquire whether the materials recycling program includes reuse or recycling of "precious" building materials like granite and marble.*

## SECRETARY'S REPORT

*Mr. Murphy summarized upcoming matters for the April 3 and April 17, 2006 meetings of the Commission.*

### Upcoming Matters - April 3, 2006 Meeting

- 5901 Milwaukee Street - Second Addition to Grandview Meadows Plat*
- 3540 Atwood Avenue - Demolition of commercial building/new PUD-GDP-SIP, condominium building*
- Hickory Ridge Road - 7900 Block Raymond Road - First Addition to Ice Age Falls Plat*
- 1014 Edgewood Avenue - Alterations to a conditional use, new student dorm, expand parking lot on Edgewood Campus*
- 4302 East Washington Avenue - Demolish commercial building/new coffee shop with drive-through service*
- 1713 Eagan Road - Demolish commercial building/new retail building*
- 4226 Owl Creek Drive - New 4-unit building*

### Upcoming Matters - April 17, 2006 Meeting

- 601 West Wilson Street - Demolish commercial building, PUD-GDP-SIP, new commercial building*
- 1224 Felland Road - A to R1 rezone/conditional use, new Water Utility reservoir*
- 702 North Midvale Boulevard - Demolish commercial building, retail-restaurant*
- 66 West Towne Mall - Outdoor eating area for existing restaurant*
- 1513 Lake Point Drive - Apartments-retail-mixed-use*
- 5379 Park Way - Demolish house, new house*
- 2801 Atwood Avenue - Demolish gas station/new gas station-convenience store*
- 1806 Waunona Way - New boathouse on lakeshore lot*
- 202 State Street - Add story and facade change to existing building in C4 zoning.*

## ANNOUNCEMENTS

*None*

## ADJOURNMENT

**A motion was made by Boll, seconded by Davis, to Adjourn at 9:40 P.M. The motion passed by acclamation.**