



City of Madison Meeting Minutes PLAN COMMISSION

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

*Nancy E. Fey, Chair; Judith A. Bowser, Vice-Chair; Ald. Brenda K. Konkel;
Ald. Lauren Cnare; Ald. Ken Golden; Brian W. Ohm; Sarah Davis;
James C. Boll; Charles S. Thimmesch; Michael Forster Rothbart; Albert Lanier*

Monday, April 18, 2005

5:30 PM

210 MLKJ BLVD RM 201 (CCB)

ROLL CALL

Fey was in the Chair.

Present: Konkel, MacCubbin, Van Rooy, Nan Fey, Ohm, Davis, Boll, Forster Rothbart and Lanier

Excused: Judy Bowser, Thimmesch and Ruth Ethington

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

MINUTES OF THE APRIL 4, 2005 MEETING

Boll amended the minutes of April 4 to reflect revisions still required to the Plan Commission minutes of March 21 as it pertains to 1002 S. Whitney Way. Boll requested that the minutes of both meetings reflect the Plan Commission's desire to have all registrants on the proposed used car sales lot be notified of the next public hearing of the matter.

A motion was made by Van Rooy, seconded by MacCubbin, to Approve the Minutes. The motion passed by acclamation.

SCHEDULE OF MEETINGS

Regular Meetings: May 2, 16; June 6, 20; July 18, 2005

Comprehensive Plan Working Sessions: April 21, 28, 2005.

Joint Meeting with Urban Design Commission: April 25, 2005 - 5:00 p.m. (Parks Conference Room 120 MMB)

NEW BUSINESS

1. [00677](#) Creating new Section 10.18(13) of the Madison General Ordinances to set aside and declare unenforceable covenants in deeds and various other agreements which govern the storage, placement, location or use of carts required by the City for recycling and trash and renumbering current Sections 10.18(13) and (14) to Sections 10.18(14) and (15), respectively.

A motion was made by Van Rooy, seconded by Boll, to Return to Lead with the Recommendation for Approval to the SOLID WASTE ADVISORY COMMITTEE. The motion passed by acclamation.

Speaking in support of the proposed ordinance revisions was George Dreckmann, Recycling Coordinator, Streets Division.

2. [00811](#) Establishing guidelines for the use of funds received for the Inclusionary Zoning Special Revenue Fund.
- A motion by Ald. Van Rooy, seconded by Boll to rerefer this matter to the Plan Commission for 45 days failed (Favoring referral: Ald. Van Rooy, Boll, Ohm | opposing referral: Ald. Konkel, Ald. MacCubbin, Forster Rothbart, Davis, Lanier)*
- A motion was made by Ald. Konkel, seconded by MacCubbin, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by the following vote:**
- Excused:** 2 - Bowser, Thimmesch and Ethington
- Aye:** 5 - Konkel, MacCubbin, Ohm, Davis, Forster Rothbart and Lanier
- No:** 1 - Van Rooy and Boll
- Speaking in opposition to the proposed guidelines was Delora Newton, Smart Growth Madison, 2810 Crossroads Drive.*

PUBLIC HEARING-6:00 p.m.

Zoning Map Amendments/Subdivisions

3. [00575](#) Creating Section 28.06(2)(a)3067 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District and creating Section 28.06(2)(a)3068 of the Madison General Ordinances rezoning property from Temp A Agriculture to R3 Single-Family and Two-Family Residence District and creating Section 28.06(2)(a)3069 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District; Proposed Use: 108 Residential Lots & 6 Outlots; 16th Aldermanic District: 4949 Meinders Road
- Recommend as substitute (revised R2, R3, R4 legal descriptions).*
- A motion was made by Van Rooy, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by acclamation.**
4. [00820](#) Consideration of a Preliminary Plat known as Owl Creek Subdivision located on Meinders Road - east of Highway 51, south of Voges Road. 16th Ald. Dist.
- Approval recommended subject to the comments and conditions contained in the Plan Commission packets and the following condition:*
- That all lots within 10 feet of the water table be deed restricted to require that all basements on those lots be constructed with drain tiles and sump pumps.*
- A motion was made by Van Rooy, 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.**
- Speaking in support of the rezoning and preliminary plat were Doug Nelson, 2134 Atwood Avenue, the applicant, and Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District.*

5. [00773](#) Creating Section 28.06(2)(a)3085 of the Madison General Ordinances rezoning property C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3086 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: Relocate House to This Lot; 6th Ald. District: 901 Williamson Street/407-411 Paterson Street.

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

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

Registered in support and wishing to speak was Jim Vincent, 221 S. Midvale Boulevard representing Scott Lewis, the applicant.

6. [00782](#) Creating Section 28.06(2)(a)3083 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)3084 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: Relocate House to This Lot; 4th Ald. District: 444-446 West Doty Street.

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

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

Registered in support and wishing to speak was Jim Vincent, 221 S. Midvale Boulevard representing Jan Klund, the applicant. Registered in support but not wishing to speak was Ald. Mike Verveer, 614 W. Doty Street, representing 4th District.

7. [00783](#) Creating Section 28.06(2)(a)3087 of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 164 Condominium Units, 16,000 Square Feet Commercial Space & 320 Stall Parking; 4th Ald. District: 333 West Mifflin Street.

At the request of Ald. Verveer Plan Commission will consider this item at their May 2, 2005 meeting. A recommendation will be made from the floor at the May 3, 2005 Common Council meeting.

A motion was made by Van Rooy, seconded by MacCubbin, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - PUBLIC HEARING. The motion passed by acclamation.

Speaking in support of the project were: Cliff Fisher, Fisher Development, 107 N. Hancock Street; Ray White, Dimension IV Architects, 313 W. Bellline Highway, representing Fisher Development; Michael McCann, 360 W. Washington Avenue; John Scherpelz, 360 W. Washington Avenue; Joann Ehlenz, 360 W. Washington Avenue;

Nelson Flynn, 360 W. Washington Avenue; Jim Walker, 360 W. Washington Avenue; Geoffrey Hurtado, 241 N Broadway, Suite 300, Milwaukee, representing Fisher Development; Ken Saiki, Ken Saiki Designs, 303 S. Paterson Street, representing Fisher Development, and; Ald. Mike Verveer, 614 W. Doty Street, representing the 4th District. Registered in support and available to answer questions were Jerry Bourquin, Dimension IV Architects, 313 W. Beltline Highway and Arlen Ostreng, 624 Water Street, Prairie du Sac, representing Fisher Development. Registered in support but not wishing to speak were: Jill & Tom Geier, 123 W. Washington Avenue; Jimm Crampden, 360 W. Washington Avenue #701; Ingrid Rothe, 300 N. Pinckney Street, and; Diane Christen, 360 W. Washington Avenue. Speaking in opposition to the project were: Clare Fehsenfeld, 416 Rogers Street #2, representing Mifflin Street Co-op; Linda Oakley, 360 W. Washington Avenue; Amanda Fuller, 315 N. Ingersoll Street, and; Lauren Miller, 220 S. Charter Street #2. Registered in opposition and available to answer questions were Jamie Hobbler, 146 Langdon Street and Stephen Burns, 138 W. Gorham Street. Registered in opposition but not wishing to speak were Tim Moye, 138 W. Gorham Street and Susan Hollingsworth, 1820 Summit Avenue. Registered to speak in support of referral was Robert Holloway, 360 W. Washington Avenue.

8. [00785](#) Creating Section 28.06(2)(a)3088 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District. Proposed Use: 73 Residential Lots & 5 Outlots; 1st Aldermanic District : 9435 Valley View Road

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

9. [00961](#) Consideration of a Preliminary and Final Plat know as Pine Hill Farm located on Valley Ridge Road. 1st Ald. Dist.

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

- That the developer provide a pedestrian access easement between Lots 58 and 59, and;*
- That the applicant submit a tree protection plan to the City as part of the subdivision construction plans.*

A motion was made by Forster Rothbart, seconded by Ohm, 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.

Speaking in support of the project was Matt Carlson, Michael Best & Friedrich, LLP, One South Pinckney Street, Suite 700, representing Holley Development, LLC. Registered in support and available to answer questions were: Bill Holley, Holley Development, LLC, 1828 Parmenter Street, Middleton, and David Glusick, Calkins Engineering, 5010 Voges Road and Ken Saiki, Ken Saiki Design, 303 S. Paterson Street, both representing Holley Development.

Conditional Uses/ Demolition Permits

10. [00823](#) Consideration of a conditional use located at 1002 South Whitney Way to allow auto sales as part of an auto-service business. 1st Ald. Dist.

Approval granted subject to the comments and conditions contained in the Plan Commission packets and the following condition:

- That the 39-foot wide easement be maintained between this property and the*

properties to the north as shown on the site plan presented to the Plan Commission on April 18, 2005.

A motion was made by Van Rooy, seconded by MacCubbin, to Approve. The motion passed by acclamation.

Speaking in support of the request were: Yomi Jarrett, 795 Sky Ridge Drive, the applicant; Joel Weitz, Vitense Golfland, 5501 W. Beltline Highway; Jeff Georgson, 6621 Montclair Lane; Elizabeth Pilon, 6601 Dumont Road, and; Ald. Ronn Ferrell, representing the 1st District. Registered in support but not wishing to speak was Akan Uko, 6906 Schroeder Road.

11. [00824](#)

Consideration of a conditional use located at 1415 Pflaum Road for an auto Sales business in a vacant gas station/convenience store. 16th Ald. Dist.

The motion to refer superceded a prior motion by Ald. Konkel, seconded by Ald. Van Rooy to approve the request subject to a number of conditions related to the operation of the proposed conditional use.

A motion was made by Boll, seconded by Davis, to Rerefer to the PLAN COMMISSION, due back on May 2, 2005. The motion passed by the following vote:

Excused: 2 - Bowser, Thimmesch and Ethington

Aye: 4 - Konkel, MacCubbin, Van Rooy, Davis, Boll and Forster Rothbart

No: 2 - Ohm and Lanier

Non Voting: 1 - Fey

Speaking in support of the request were: Bill White, 2708 Lakeland Avenue, representing Goben Cars; Don Goben, 80 Blair Street, Oconomowoc, the applicant; Steven G. Ziegler, 4797 Capitol View Road, Middleton, representing Goben Cars; Lynda Goben, 1401 McKenna Boulevard #2; Barbara Goben, 3803 Monona Drive #215. Also speaking about the requested conditional use was Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District. Registered in support and available to answer questions were Tonya Hamilton-Nisbet, 9 Tern Circle and Noelle Goben, 80 Blair Street, Oconomowoc. Registered in support but not wishing to speak were: Jeff DuFrane, 5206 Forge Drive, representing the East Buckeye Neighborhood Association; Ray Leimkeuhler, 1412 Pflaum Road, and; Jim Roloff, 5609 Herro Lane. Speaking in opposition to the project were: Michael J. Lawton, 740 Regent Street; Kathy Dustin, 709 Glenview Drive, and; Suzanne Christofferson, 5309 Groveland Terrace, all representing the Glendale Neighborhood Association; Richard J. McGrath, 5412 Joylynn Drive; Dave Gawenda, 1004 Douglas Trail; Mary McGrath, 5224 Spaanem Avenue; Gregory Strain, 5305 Groveland Terrace, and; Bryan Ryan, 2620 S. Stoughton Road. Registered in opposition and available to answer questions was Russ Thornburg, 608 W. Broadway. Registered in opposition but not wishing to speak were: Gloria & Charles N. Waity, 901 Crestview Drive; Dennis Bertz, 5229 Spaanem Avenue; Bruce Christofferson, 5309 Groveland Terrace, and; Greg Dustin, 709 Glenview Drive.

12. [00909](#)

Consideration of a conditional use located at 4914 Pflaum Road to allow auto sales as part of an existing vehicle detailing shop. 16th Ald. Dist.

This request was placed on file subject to written correspondence from the applicant withdrawing his application.

The request was approved on the consent agenda by an earlier motion by Ald. Van

Rooy, seconded by Boll that was passed with acclamation subject to the comments and conditions contained in the Plan Commission packets.

At the request of Ald. Judy Compton, Davis moved and Ald. Konkel seconded a motion to reconsider the earlier approval. The motion passed with acclamation. Ald. Compton indicated that the applicant had indicated to her his desire not to proceed with the request.

A motion was made by MacCubbin, seconded by Davis, to Place On File. The motion passed by acclamation.

Registered in support and available to answer questions was Tonya Hamilton-Nisbet, 9 Tern Circle. Registered in support but not wishing to speak was Jeff DuFrane, 5206 Forge Drive. Both registrants were representing the East Buckeye Neighborhood Association.

13. [00962](#)

Approving a lot-width exception for a proposed land division located at 423-501 Pflaum Road. 16th Ald. Dist.

Approval granted subject to the comments and conditions contained in the Plan Commission packets.

A motion to refer the matter at the alderperson's request by Ald. Konkel, seconded by Davis failed. (Voting for referral: Ald. Konkel, Ald. MacCubbin, Davis, Boll | voting against referral: Ald. Van Rooy, Ohm, Lanier, Forster Rothbart)

A motion was made by Van Rooy, seconded by Ald. Konkel, to Approve. The motion passed by the following vote:

Excused: 2 - Bowser, Thimmesch and Ethington

Aye: 5 - Konkel, MacCubbin, Van Rooy, Ohm, Davis, Forster Rothbart and Lanier

No: 1 - Boll

Non Voting: 1 - Fey

Speaking in support of the request was Marc Damman, 501 Pflaum Road, the applicant. Registered in support and available to answer questions was Olga Damman, 501 Pflaum Road. Speaking in opposition of the request were Eric Seidl, 419 Pflaum Road and Jim Scharping, 415 Pflaum Road. Registered in opposition but not wishing to speak wasCarolynn Scharping, 415 Pflaum Road.

14. [00960](#)

Consideration of a demolition permit/conditional use located at 5837 Odana Road to demolish a self-service car wash to provide expansion of the parking lot for an adjacent car sales business. 19th Ald. Dist.

A motion was made by Davis, seconded by Van Rooy, to Rerefer to the PLAN COMMISSION, due back on May 16, 2005. The motion passed by acclamation.

Zoning Text Amendments

15. [00792](#)

Creating Section 28.09(2)(c)53. and repealing Section 28.09(2)(d)26. of the Madison General Ordinances to change business and professional offices from a conditional to a permitted use in the C1 District.

A motion was made by Van Rooy, seconded by MacCubbin, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.

BUSINESS BY MEMBERS

Davis asked if there was a formal process for applicants to meet with neighbors during the approval process. Brad Murphy indicated that the forthcoming "Best Practices Guide" would include a process for discussions between applicants, neighbors and alderpersons. Ald. MacCubbin also asked that this process be clarified for land divisions and plats and asked that the circulation sheets be reviewed to ensure that Council members are on those sheets.

Ohm distributed copies of a magazine story discussing a new two-story Menards home improvement store in St. Paul, Minnesota.

On the occasion of her last meeting as a member of the Common Council and Commission, Forster Rothbart lauded Ald. MacCubbin on her years of service to the Plan Commission. The Commission joined in praise of Ald. MacCubbin.

COMMUNICATIONS

None.

SECRETARY'S REPORT

Update on Zoning Text Amendment Staff Team Activities

Brad Murphy noted that the latest ZTAST agenda had been provided to the Commission at the start of the meeting.

Murphy also indicated that a presentation to the Commission would be forthcoming from students from the UW LaFollette Institute School of Management regarding the City's development review process.

Ald. Konkell asked what the purpose of "Big Box" (large retail establishment requirements) on the agenda was. Murphy explained that a discussion and training on "Big Box" was held at the last ZTAST meeting to help familiarize staff from the Planning Unit and Zoning on the basic tenets of the ordinance, as that staff will be working most closely with the development community on implementation of the ordinance.

Ald. MacCubbin inquired about the progress of the proposed conservation districts and indicated that passage of enabling language in the Zoning Ordinance would be welcomed in time for the City's sesquicentennial next year. Murphy indicated that staff was in the early stages of reviewing other examples of conservation districts and would keep the Commission updated on the development of the districts.

Upcoming Matters - May 2 Meeting

- Hawks Meadow - 9500 Block Mid-Town Road
- Nelson Addition to Rustic Acres - 200 Block Rustic Drive
- First Addition to Nelson Addition - 200 Block Rustic Drive

- Hansen Addition to American Center - East Park Boulevard
- Meadow Estates - Meadow Road at Pioneer Road
- 500 Block West Main Street - demolish building/new office building
- 700 Block South Gammon Road/Watts Road - employee parking deck (Woodman's)
- 2800 Block Atwood Avenue - Demo/replace gas station - convenience store
- 300 Block Knutson Drive - Communications Tower

Upcoming Matters - May 16 Meeting

- UW Research Park Pioneer - Highway M/Mineral Point Road

ANNOUNCEMENTS

None.

ADJOURNMENT

**A motion was made by MacCubbin, seconded by Boll, to Adjourn at 10:35 PM.
The motion passed by acclamation.**