



City of Madison

Meeting Minutes - Final

PLAN COMMISSION

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

Monday, November 6, 2006

5:30 PM

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

ROLL CALL

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

Excused: Brian W. Ohm, Albert Lanier and Ruth Ethington

Fey was chair for this meeting.

Staff present: Bill Fruhling, Brad Murphy & Tim Parks, Planning Unit; Katherine Noonan, City Attorney's Office.

MINUTES OF THE MEETING of October 23, 2006

The minutes were approved with a request of staff by Bowser to confirm the motions made and votes taken on Items 6, 9 and 10. Bowser indicated that she was not present for the votes on those items and that the motions on those matters may need to be adjusted to reflect that.

[On October 23, Ms. Bowser left the meeting following consideration of Item #4. Staff reviewed the record on the three items in question and found the following:

-The record on Item #6 will be amended to note that Boll made the motion.

-Item #9 was originally approved on the consent agenda at the beginning of the public hearing before it became known that someone in the audience wished to speak against the matter, thereby causing the reconsideration and referral later in the meeting. Ms. Bowser was not present for the reconsideration and was not noted as making motions regarding the reconsideration or referral.

-Item #10 was also initially considered on the consent agenda and was reconsidered to revise the language per Ald. Golden's request shortly thereafter. Ms. Bowser was still present according to staff's records.]

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

SCHEDULE OF MEETINGS

Regular Meetings: November 20; December 4, 18, 2006; January 8, 22, 2007.

NEW BUSINESS

1. [04730](#) SUBSTITUTE - Authorizing the acceptance of a BUILD Grant from Dane County, the hiring of a planning consulting firm, Vierbicher Associates Inc., and establishing the Regent Street-South Campus Plan Steering Committee.
as a substitute.

A motion was made by Golden, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER as a substitute. The motion passed by acclamation.

2. [04855](#) Plan Commission review of the process for reconsideration of matters before the Commission, including the City Attorney's memo (July 2004) on motions to reconsider.

The Plan Commission asked that an ordinance change be introduced to remove the special reconsideration process for conditional uses found in MGO Section 28.12 (11). Following approval of the ordinance change, all reconsiderations by the Commission will be conducted under the auspices of MGO Section 2.21.

Alds. Konkel, Cnare and Golden indicated that they would sponsor the ordinance for introduction.

A motion was made by Golden, seconded by Konkel, to Approve. The motion passed by acclamation.

PUBLIC HEARING-6:00 p.m.

Zoning Map Amendments/Subdivisions

3. [04854](#) Consideration of design changes to an approved PUD-SIP located at 1121-1155 Erin Street - 707-719 South Orchard Street - "Arboretum Co-Housing" Residential Co-op. 13th Ald. Dist.

The Plan Commission found the plan changes proposed by the developers to be acceptable and authorized the Planning Unit to process a minor alteration to the previously approved specific implementation plan for this project to incorporate these changes.

A motion was made by Golden, seconded by Cnare, to Approve. The motion passed by acclamation.

Speaking in support of the proposed plan changes were John Merrill, 5001 Marathon Drive, president of the board for Arboretum Co-housing, and Jim Glueck, 116 N. Few Street, representing Arboretum Co-housing.

4. [04531](#) Creating Section 28.06(2)(a)3221. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3222. 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: Mixed Use Development with 39 Apartment Units & 6,600 square Feet of Retail Space; 6th Aldermanic District: 301 South Livingston Street.

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

-That the developer post a letter of credit or performance bond for the installation of landscaping along the Capital City Trail/ East Rail Corridor adjacent to the subject site following approval of a master landscaping plan for that corridor as prepared by the City;

- That in considering final approval of this project, the Urban Design Commission pay particular attention to the architectural treatment of the residential entrance.
- That approval of this project could still serve as a reaffirmation of the East Rail Corridor Plan land use recommendations for commercial uses on the western end of the corridor and residential uses on the eastern end.
- The [Marquette Neighborhood Association] committee will continue to meet with the developer's team to address issues of the project's use of the city's right of way along the bike path corridor: the landscaping plan and how it will relate to an existing prairie garden that John Coleman has tended for years with the city's approval, a proposed bike/ped path through the prairie plantings to the property, the proposed patio adjacent to the commercial frontage on Livingston, and the inclusion of bike parking. The use of the ROW is outside the PUD approval process and will require separate approvals from the Parks Division. Other issues outside of the PUD include the installation of angled parking and the reconstruction of the bike path crossing at Livingston as a 'tabletop'.
- Enhance the aesthetic relationship of the northern side of the building to the bike path as called for in the East Rail Corridor Plan: a) Consider more design elements around the door on the western end of the building, such as an overhang and more architectural elements. This door will likely be used by residents who are bike commuters as well as residents wanting to use the landscaped area for social uses. b) Consider adding windows or some other design element as way to add interest to the upper levels of eastern wall above the patio area which is rather blank.
- Increase articulation on the southern side of the building above the garage entrance. There is a lack of interplay between the materials that is used elsewhere in the project. It's 'boring'.
- Encourage the developer to incorporate green technology, including solar panels, into the design/construction of the building.

A motion was made by Thompson-Frater, seconded by Konkel, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote:

Excused: 2 - Ohm, Lanier and Ethington

Recused: 1 - Boll

Aye: 8 - Konkel, Cnare, Golden, Fey, Davis, Bowser, Forster Rothbart and Thompson-Frater

No: 0 -

Speaking in support of the project were Scott Lewis, 106 E. Doty Street, the applicant, and; Marsha Rummel, 1339 Rutledge Street #2, representing the Marquette Neighborhood Association.

Registered in support and available to answer questions were Douglas Kozel, 621 Williamson Street and John W. Sutton, 104 King Street, both representing Mr. Lewis, and; Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District.

5. [04594](#) Creating Section 28.06(2)(a)3224. 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: 3 Story, 46,000 Square Foot Office Building; 1st Aldermanic District: 9701 Brader Way.

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

6. [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.
- A motion was made by Golden, seconded by Thompson-Frater, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.**
- Registered in opposition and wishing to speak was Robert Ramos, 1505 Beld Street.*
- [New public hearing notices will be sent when this matter is scheduled to return before the Plan Commission.]*

Conditional Uses/ Demolition Permits

7. [04671](#) Reconsideration of Plan Commission action on a demolition permit to demolish a house for future subdivision of the land located at 8815 Silkwood Trail. (Rejected at the 10-16-06 Meeting) 1st Ald. Dist.
- In reconsidering the matter, 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 Cnare, to Approve. The motion passed by the following vote:**
- Excused:** 2 - Ohm, Lanier and Ethington
- Aye:** 6 - Konkel, Cnare, Golden, Davis, Boll and Bowser
- No:** 2 - Forster Rothbart and Thompson-Frater
- Non Voting:** 1 - Fey
- Speaking in support of the proposed demolition were Don Esposito, Veridian Homes, 6801 South Towne Drive, the applicant, and Dan Day, D'Onofrio Kottke, 7530 Westward Way, representing Veridian Homes.*
8. [04680](#) Consideration of a conditional use for an outdoor eating area for an existing restaurant located at 4001 Lien 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 and the following conditions:*
- That there be no amplified music in the outdoor eating area except from 11:45 A.M. and 1:00 P.M. and after 5 P.M. daily;*
 - That signs be posted inside the restaurant and in the subject restaurant's parking lot alerting patrons that there is no restaurant parking on the adjacent industrial property and that violators would be ticketed and towed at the car owner's expense;*
 - That the applicant work with staff on providing enhanced landscaping between the*

subject property and adjacent manufacturing property in the vicinity of the outdoor eating area.

A motion was made by Golden, seconded by Forster Rothbart, to Approve. The motion passed by acclamation.

Speaking in support of the conditional use was Ed Bushman, 1155 Quail Court, Pewaukee, representing the applicant, Laredo's Restaurant.

Speaking in opposition to the conditional use was Tom McComb, 4101 Lien Road, representing Amcor Flexibles.

9. [04808](#) Consideration of a conditional use located at 5320 Lake Mendota Drive for a new garage on a lakeshore lot. 19th Ald. Dist.

The application was withdrawn by the applicant.

A motion was made by Boll, seconded by Bowser, to Place On File Without Prejudice. The motion passed by acclamation.

10. [04809](#) Consideration of a conditional use located at 17 Schenk Street to demolish an existing garage and construct a new garage in excess of the size allowed in residential districts. 15th 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.

There were no registrants on this matter.

Zoning Text Amendments

11. [04662](#) Creating Section 28.10(4)(c)67. of the Madison General Ordinances to allow adult day care facilities as a permitted use in the M1 Districts.

In referring this matter, the Plan Commission asked that staff prepare a memo containing the definition of an "adult day care facility" and the other zoning districts in which they are permitted.

A motion was made by Thompson-Frater, seconded by Cnare, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.

ADDENDUM

12. [04899](#) Consideration of an amendment to the Plan Commission's Rules of Procedure to change or eliminate Rule 3.115(e).

In referring the matter, the Plan Commission asked the City Attorney's Office to review the Commission's rules to determine any other changes that may need to be made to update the document, with their findings to be reported to the Commission before any changes are made.

A motion was made by Golden, seconded by Bowser, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.

BUSINESS BY MEMBERS

Ald. Konkel asked staff about the process to rewrite the Zoning Ordinance. Brad Murphy responded that it was hoped that a scope of work, project time line, request for qualifications or request for proposals would be forthcoming in the first quarter of 2007. He estimated that it would be the second quarter of 2007 at the earliest before a consultant had been identified for the project.

Ald. Golden expressed an interest in establishing expectations for demolitions of certain structures in newly developing areas (farmhouses). Nan Fey indicated that the Plan Commission Subcommittee on Demolitions was already studying this idea as well as other revisions to the demolition process.

Michael Forster Rothbart announced that he would be leaving the Plan Commission at the end of this year to travel to the Ukraine for eight months beginning in January 2007.

Sarah Davis mentioned an article in the architecture section of the New York Times regarding green building projects in the City of Chicago. Kelly Thompson-Frater followed regarding a green building program in Milwaukee.

COMMUNICATIONS

None.

SECRETARY'S REPORT

Brad Murphy noted that the Commission had been provided with the three concept plans for the Allied Drive area that emerged from the four-day AIA design meeting in September, which Kelly Thompson-Frater provided a brief overview of.

Ald. Golden asked that the Allied Task Force, neighborhood residents and the Mayor and Plan Commission of Fitchburg be invited to the future special meeting to discuss these plan concepts between the Plan Commission and Urban Design Commission, and that the meeting be held in the Allied Drive neighborhood if possible. Ald. Konkel asked that the Madison Common Council also be invited to the special meeting.

Mr. Murphy also summarized upcoming matters before the Commission. Due to the expected length of the December 4, 2006 meeting, Ald. Konkel asked that the ordinance enabling the creation of neighborhood conservation districts instead be rescheduled for December 18. Mr. Murphy indicated that it would be so rescheduled. [Note: Because the matter was specifically referred by the Plan Commission on October 23, 2006 to the December 4 meeting, the item will likely appear on that agenda with a note for it to be referred to December 18.]

UPCOMING MATTERS - November 20, 2006 Meeting

- 2300-2500 Block Winnebago Street - PUD, "Union Corners" mixed-use development
- 301 South Ingersoll Street - PUD, apartment building
- 1501 Parkside Drive - M1 to C3L, convert existing building into a church
- 1814 Waunona Way - garage on lakeshore lot
- (Tentative) Hiestand Neighborhood Plan

UPCOMING MATTERS - December 4, 2006 Meeting

- 702 North Midvale Boulevard, Amend PUD, "Hilldale", mixed-use and building demolition
- 5701 Femrite Drive - C3 to M1, building demolition, woodchip business
- 4922 Lake Mendota Drive - demolish/build new house on lakeshore lot
- 8201 Flagstone Drive - Condominium project
- 6001 Canyon Drive - Condominium project
- Second Addition to Hawks' Creek Final Plat
- Ordinance creating "Neighborhood Conservation Districts"

ANNOUNCEMENTS

None.

ADJOURNMENT

A motion was made by Boll, seconded by Thompson-Frater, to Adjourn at 7:40 P.M. The motion passed by acclamation.