



City of Madison

Meeting Minutes - Final

PLAN COMMISSION

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

Monday, July 24, 2006

5:30 PM

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

ROLL CALL

Present: Brenda K. Konkell, Kenneth Golden, Brian W. Ohm, Sarah Davis, James C. Boll and Albert Lanier

Excused: Lauren Cnare, Nan Fey, Judy Bowser, Michael Forster Rothbart, Kelly A. Thompson-Frater and Ruth Ethington

Boll was chair for this meeting. Lanier arrived following the approval of minutes.

Staff present: Mark Olinger, Secretary; Brad Murphy, Michael Waidelich and Tim Parks, Planning Unit; Catherine Debo, Metro Transit; Joe Stepnik, Community & Economic Development Unit, and; Hickory Hurie, Community Development Block Grant Office.

MINUTES OF THE JULY 10, 2006 MEETING, THE JUNE 27 WORKING SESSION AND THE JULY 6, 2006 SPECIAL MEETING

A motion was made by Ald. Golden, seconded by Ald. Konkell, to Approve the Minutes. The motion passed by acclamation.

SCHEDULE OF MEETINGS

Regular Meetings: August 7, 21; September 11, 25; October 9, 23; November 6, 20; December 4, 18, 2006.

Tentative meeting of the Demolition Standards Subcommittee of the Plan Commission - Monday, August 7, 2006 at 12:00 Noon in Room LL-110, MMB.

SPECIAL ITEM OF BUSINESS

1. [04192](#) Informational Presentation on Buckeye Amendment to Cottage Grove Neighborhood Development Plan.
Michael Waidelich gave the Plan Commission a presentation on the proposed expansion of the Cottage Grove Neighborhood Development Plan to include lands south of E. Buckeye Road.

ROUTINE BUSINESS

2. [04115](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the relocation and construction of Pleasant View Road from Valley View Road to Mineral Point Road, located in that part of the Northwest ¼, of Section 27, Town 7 North, Range 8 East, City of Madison, Dane County, Wisconsin. (9th AD)

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

3. [04153](#) Communication dated 7/10/06 from Supervisor C. Bayrd, C. Erickson, and K. Richmond re: proposed development in the Arboretum area of south Madison. *The Plan Commission moved to have staff send a letter to the Town of Madison stating that, while the City has no jurisdiction or regulatory authority in regards to the proposed housing construction project in the UW Arboretum, the City is concerned about the impact the homes and their septic systems will have on water quality in the surrounding area and Lake Wingra.*

An earlier motion by Ald. Golden for the letter to include verbiage suggesting that the Town facilitate the purchase of the lands in question for conservancy uses was removed from the final action on a request by Ald. Konkel. Ald. Golden and Lanier consented to the removal of this language.

A motion was made by Ald. Golden, seconded by Lanier, to Accept. The motion passed by acclamation.

4. [04146](#) Authorizing the acceptance of an offer to sell a residential property located at 311 N. Marquette Street to facilitate Starkweather Creek bank stabilization activities.

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

PUBLIC HEARING-6:00 p.m.

Neighborhood Plan

5. [04078](#) Amending the Blackhawk Neighborhood Development Plan, a supplement to the City of Madison Comprehensive Plan, to include additional lands located generally west of the current neighborhood boundary, between Blackhawk Road and Old Sauk Road.

A motion was made by Davis, seconded by Lanier, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.

Registered in support of the neighborhood plan amendment was Tom Wohlleber, Middleton-Cross Plains Area School District, 7106 South Avenue, Middleton.

Registered in support but not wishing to speak were Elizabeth & Arthur Pope, 7492 Old Sauk Road.

Annexations

6. [02152](#) Petition dated October 4, 2005, from E. Lawry re: direct annexation from the Town of Burke to the City of Madison. *Accept the Petition.*

A motion was made by Ald. Golden, seconded by Ohm, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER : Accept the Petition. The motion passed by acclamation.

7. [04095](#) Creating Section 15.01(553) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Lawry Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(133) of the Madison General Ordinances to assign the attached property to Ward 133.

14 Votes Required.

A motion was made by Ald. Golden, seconded by Ohm, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER 14 Votes Required. The motion passed by acclamation.

Registered in support of the annexation and available to answer questions was Monica Slaughter, 796 Whispering Oaks Road.

Registered in support but not wishing to speak was Linda Harbort, 2663 Oak Crest Circle, Sun Prairie.

8. [02312](#) Petition dated October 25, 2005 from D. & J. Hoepker, W. Paulson, & R. Yelk, re: direct annexation from the Town of Burke to the City of Madison.

Accept the Petition.

A motion was made by Lanier, seconded by Ohm, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER : Accept the Petition. The motion passed by acclamation.

9. [04096](#) Creating Section 15.01(557) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Hoepker-Paulson-Yelk Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(138) of the Madison General Ordinances to assign the attached property to Ward 138, and amending Section 15.03(17) to add Ward 138 to the 17th Aldermanic District.

14 Votes Required.

A motion was made by Lanier, seconded by Ohm, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER 14 Votes Required. The motion passed by acclamation.

Registered in support of the annexation and available to questions were Bill White, 2708 Lakeland Avenue, representing Park Towne Realty, and Ron Trachtenberg, Murphy Desmond, SC, 2 E. Mifflin Street #800, representing Elert Realty.

10. [03994](#) Petition dated June 7, 2006, from Lathrop & Clark on behalf of L. Norman Schweiss re: direct annexation from the Town of Burke to the City of Madison.

Accept the Petition.

A motion was made by Ohm, seconded by Lanier, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER : Accept the Petition. The motion passed by acclamation.

11. [04097](#) Creating Section 15.01(558) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 3rd Aldermanic District the Schweiss, et. al. Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(139) of the Madison General Ordinances to assign the attached property to Ward 139, and amending Section 15.03(3) to add new Ward 139 to the 3rd Aldermanic District.

14 Votes Required.

A motion was made by Boll, seconded by Lanier, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER 14 Votes Required. The motion passed by acclamation.

There were no registrants on this item.

12. [04113](#) Petition dated June 30, 2006, from the Zeiers, re: direct annexation from the Town of Burke to the City of Madison.

Accept the Petition.

A motion was made by Lanier, seconded by Ald. Konkell, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER : Accept the Petition. The motion passed by acclamation.

13. [04098](#) Creating Section 15.01(559) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Zeier Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(18) of the Madison General Ordinances to assign the attached property to Ward 18.

14 Votes Required.

A motion was made by Lanier, seconded by Ald. Konkell, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER 14 Votes Required. The motion passed by acclamation.

There were no registrants on this item.

Zoning Map Amendments

14. [04003](#) Creating Section 28.06(2)(a)3200. 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)3201. 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: 156 Apartment Units with Clubhouse & 20 Condominium

Units;

1st Aldermanic District: 9201 Mid Town Road.

This matter was referred to allow for additional discussion on the inclusionary zoning waiver requested for the apartment component.

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

Speaking in support of the project was Randy Bruce, Knothe & Bruce Architects, 7601 University Avenue, Middleton, representing the applicant, Tim McKenzie.

Mr. McKenzie was registered in support and available to answer questions.

15. [04004](#)

Creating Section 28.06(2)(a)3202. of the Madison General Ordinances rezoning property from R6 General Residence District and R6H General Residence District to C2 General Commercial District. Proposed Use: Demolish Church School Wing and Build Addition to Existing Church Building; 4th Aldermanic District:203 Wisconsin Avenue.

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

-That the applicant work with Traffic Engineering staff to address their conditions of approval.

-That the applicant work with staff on an acceptable arrangement for bus parking on E. Dayton Street. Should an arrangement acceptable to both sides not be forthcoming, that the matter be appealed to the Transit & Parking Commission.

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

Speaking in support of the project were: Bill White, 2708 Lakeland Avenue, co-chair of the First United Methodist Church Building Committee; Alan Fish, 1533 Morrison Street; Scott Foss, 419 Aspen Court; James Hoyt, 4709 Fond du Lac Trail; Gene Devitt, 28 E. Gilman Street, representing Mansion Hill District of Capitol Neighborhoods, Inc.; Mary Beam, 404 Tompkins Drive; Gary & Kathy Sandefur, 5910 Hempstead Drive; Kate Vandercheiden, 5825 Tree Line Drive; Paul Delong, 5125 Juneau Road; Douglas & Sherry Caves, 2317 Middleton Beach Road; John Stolzenberg, 2826 Van Hise Avenue; Curtis Wittwer, 111 W. Wilson Street #501; Steven Schooler, 306 N. Brooks Street, and; Ald. Mike Verveer, 614 W. Doty Street # 407, representing the 4th District.

Speaking in opposition to the project was Catherine Debo, Metro Transit.

Speaking neither in support nor opposition to the project was Lawrence L. Barton, Strang, Inc., 6411 Mineral Point Road, representing First United Methodist Church.

Registered in support but not wishing to speak was Jon & Matt Furlow, 717 Oneida Place; Elizabeth Gill, 5379 Mariner's Cove Drive; Rosemary Lee, 111 W. Wilson Street; Myron Talcott, 6754 Raymond Road; Leigh Roberts, 33 S. Midvale Boulevard; Carolyn May, 3815 Meyer Avenue; Ray & Pat Waulton, 5337 Knightsbridge Drive; Allan Marty, 428 Lily Drive; Rev. Tina S. Lang, S5593 Glacier Drive, Baraboo; Randy Kyle, 5317 Arapahoe Lane; 1701 Browning Road; 6617 Regis Road, and; Kitt Reuter Foss, 419 Aspen Court.

16. [04005](#)

Creating Section 28.06(2)(a)3203. of the Madison General Ordinances

rezoning property from C2 General Commercial and R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3204. 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: Move 7-Unit Building to Pinckney Street, Demolish 2-Unit Building and Build 48-Unit Apartment Building; 4th Aldermanic District: 22 East Dayton St./208 North Pinckney St.
Approval recommended subject to the comments and conditions contained in the Plan Commission materials.

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

Speaking in support of the project were John W. Sutton, 104 King Street, representing the applicant, Scott Lewis, and Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Mr. Lewis was registered in support and available to answer questions.

17. [04006](#) Creating Section 28.06(2)(a)3205. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3206. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Build 44 Condominium Units and Approximately 9,000 Square Feet of First Floor Commercial Space. 1st Aldermanic District: 8201 Mayo Drive.
Approval recommended subject to the comments and conditions contained in the Plan Commission materials and the following condition:
-That staff confirm that the inclusionary dwelling units in this project are eligible to be provided at one Area Median Income level.

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

Registered in support of the project and available to answer questions was Jerry Bourquin, Dimension IV, 313 W. Beltline Highway representing the applicants, Tien Truong and Jim Hess.

Conditional Uses/ Demolition Permits

18. [04030](#) Consideration of a conditional use for an auto repair shop in an existing building located at 2508 South Stoughton Road. 16th Ald. Dist.
Referred at the request of the alder.
A motion was made by Davis, seconded by Ohm, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.
Registered in support of the referral was Ron Trachtenberg, Murphy Desmond, SC, 2 E . Mifflin Street #800 representing the applicants, Shoep Motors.
19. [04183](#) Consideration of a conditional use/demolition permit to demolish a tavern and

house to expand a convenience store-gasoline sales and construct a self-service car wash located at 4402-4420 East Buckeye 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 and the following condition:

-That the buildings on this property not be burned as part of the demolition. Should the applicant wish to have the buildings burned, a neighborhood meeting shall first be held and the burning shall be allowed only if there are no objections.

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

Speaking in support of the project was Tom McCoy, 5440 Willow Road, Waunakee, representing the applicant, PDQ Food Stores.

Jerry Archer, PDQ Food Stores, was registered in support and available to answer questions.

Zoning Text Amendments

20. [03831](#) Creating Sections 28.09(2)(c)55. and 56. of the Madison General Ordinances to make physical culture and health services, reducing salons and health clubs a permitted use in the C1 District.

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

21. [03842](#) Amending Sec. 28.10(4)(c)56.d., of the zoning code of the Madison General Ordinances to provide that the 1,000 foot buffer between adult entertainment establishments and certain other uses shall not be measured to cross state or federal highways with more than four lanes and a posted speed limit of 45 mph or more, except where legal pedestrian access exists.

The Plan Commission recommended referral, recessed the public hearing, and moved that a work group of the Plan Commission appointed by the Chair be formed to study the City's adult entertainment establishment siting regulations.

A motion was made by Ald. Golden, seconded by Lanier, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by the following vote:

Excused: 5 - Cnare, Fey, Bowser, Forster Rothbart, Thompson-Frater and Ethington

Aye: 3 - Golden, Ohm and Lanier

No: 2 - Konkel and Davis

Non Voting: 1 - Boll

BUSINESS BY MEMBERS

Davis suggested that whenever referral or rejection is recommended by a reviewing agency, a representative of that agency be present at the Plan Commission meeting.

Ald. Golden commented on the written comments provided by Traffic Engineering on

projects and asked staff to indicate when they were provided to applicants.

COMMUNICATIONS

None

SECRETARY'S REPORT

Brad Murphy summarized upcoming Plan Commission matters.

UPCOMING MATTERS - August 7, 2006 Meeting

- 453 West Washington Avenue - PUD-SIP, remodel/combine two houses for bakery/bar/apartments
- 702 North Whitney Way - Conditional use, outdoor eating area for restaurant
- 4504 Pflaum Road - Demolish house
- 6613 Mineral Point Road - Demolish restaurant/build new restaurant on site
- 1619 South Stoughton Road - Conditional use, contractors office

UPCOMING MATTERS - August 21, 2006 Meeting

- 301 Junction Road - Amended PUD-SIP, 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

ANNOUNCEMENTS

None

ADJOURNMENT

A motion was made by Lanier, seconded by Davis, to Adjourn at 8:45 P.M. The motion passed by acclamation.