



# City of Madison

## Meeting Minutes - Final

### PLAN COMMISSION

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

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Monday, January 9, 2006

5:30 PM

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

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## ROLL CALL

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

**Excused:** Judy Bowser and Ruth Ethington

*Fey was chair for this meeting. Ald. Konkol arrived during Item #20 and prior to the beginning of the public hearing. Ald. Golden left during consideration of Item #17.*

*Staff present: Mark A. Olinger, Secretary; Brad Murphy, Michael Waidelich, Rebecca Cnare, Rick Roll and Tim Parks, Planning Unit; Barb Constans and Hickory Hurie, CDBG Office and Dan McCormick, Traffic Engineering.*

## MINUTES OF THE DECEMBER 5, 2005 MEETING

*The Plan Commission asked staff to change the Roll Call to move members listed as "absent" to "present" with a note indicating when members arrived.*

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

## SCHEDULE OF MEETINGS

### ROUTINE BUSINESS

1. [02558](#) Authorizing the execution of an amendment to the lease with MLG Capital/ Meadowood LLC allowing for the City's continued use of space at 5740 Raymond Road for the operation of the Meadowridge Branch Library. 20th Ald. Dist.  
**A motion was made by Thompson-Frater, seconded by Boll, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.**
2. [02248](#) Determining a Public Purpose and necessity and adopting Transportation Project Plat No: 5992-06-29-4.01 for the City of Madison to acquire necessary land interests, including the purchase of a portion of the property at 2609 East Washington Avenue required for the planned public street improvements included in the East Washington Avenue Segment 3 Reconstruction Project, and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the land interest acquisitions. (15th AD)  
*This item was acted on by the Plan Commission on November 21, 2005 with a recommendation of approval to the Board of Public Works. No additional action was*

*taken on this item by the Commission.*

3. [02491](#) Authorizing funds for the demolition of an 8-unit apartment building located at 902 Magnolia Lane. 14th Ald. District.
- A motion was made by Thompson-Frater, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**

## UNFINISHED BUSINESS

4. [02207](#) Adopting and confirming the City of Madison Comprehensive Plan.
- The Plan Commission recommended adoption of the substitute ordinance adopting the Comprehensive Plan subject to the revisions recommended in the attachment to the Minutes dated December 5, 2005 and January 9, 2006.*
- A motion was made by Forster Rothbart, seconded by Davis, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**
- Speaking in support of the Comprehensive Plan revisions was Heather Mann, Urban Open Space Foundation, 200 N. Blount Street. Registered in support and available to answer questions was Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District.*

## NEW BUSINESS

5. [02567](#) Report on Evaluation Study Framework: Inclusionary Zoning Ordinance.
- A motion was made by Davis, seconded by Ald. Cnare, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
- Registered in support and wishing to speak was Marsha Rummel, 1339 Rutledge Street #2, representing the Marquette Neighborhood Association.*
6. [02562](#) Authorizing the Mayor and City Clerk to execute appropriate documents to release a use restriction on the Brentwood Terrace Apartments located at 2018 North Sherman Avenue. 12th Ald. District.
- The Plan Commission in referring this item requested that staff provide notice of the next hearing of this item to current residents of the building with the contact information of the alderperson and City staff and a staff report explaining the original intent of the deed restriction as well as an explanation of the need for its release.*
- A motion was made by Ald. Golden, seconded by Davis, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
- Speaking in support of lifting the deed restriction was Thomas S. Brooks, 8500 Greenway Boulevard, Middleton, representing Brentwood Terrace, LLP.*

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

### Zoning Map Amendments

7. [00220](#) Creating Section 28.06(2)(a)3059 of the Madison General Ordinances rezoning property from C2 General Commercial District and M1 Limited Manufacturing District to PUD (GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Approximately 440 Future Residential Units & Approximately 80,000 Square Feet of Future Commercial Space. 6th Ald. Dist. 2503, 2509 & 2525 East Washington Avenue & 2401, 2405 & 2415 Winnebago Street.

*This zoning map amendment is replaced by the zoning map amendment ID 02454.*

**A motion was made by Boll, seconded by Davis, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by acclamation.**

8. [02319](#) 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 & 7-Story, 84-Unit Condominium; 11th Aldermanic District: 702 North Midvale Boulevard.

**A motion was made by Davis, seconded by Ohm, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION, due back on January 23, 2006. The motion passed by acclamation.**

9. [02453](#) Creating Section 28.06(2)(a)3154. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Two Hotels & 16,000 Square Feet Retail (Future Development); 9th Aldermanic District: 8102 Watts Road.

**A motion was made by Boll, seconded by Davis, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on February 6, 2006. The motion passed by acclamation.**

10. [02454](#) Creating Section 28.06(2)(a)3157 of the Madison General Ordinances rezoning property from C2 General Commercial District and M1 Limited Manufacturing District to PUD (GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 19 Buildings For Future Residential & Commercial Development; 6th Aldermanic District: 2313-2525 East Washington Avenue & 2306-2422 Winnebago Street, 2317-2415 Winnebago Street and 11 South Fifth Street.

*Ald. Konkel moved separation of the approval of the demolition/ relocation of the French Battery Building. The Plan Commission found that the demolition standards were met and recommended approval of the demolition on a vote of 6-2 (AYE: Ald. Cnare, Boll, Lanier, Ohm, Golden, Davis; NAY: Ald. Konkel, Forster Rothbart.)*

*The Plan Commission found that the standards for approval were met and*

*recommended approval of the general development plan subject to the comments and conditions contained in the Plan Commission materials and the following conditions:*

*-That the specific implementation plan explore the Milwaukee Street frontage to create a more urban feel.*

*-That a pedestrian connection from the development be provided to Farwell Street east of Buildings G.1-G.3.*

*-That this project be presented by the applicant to the Pedestrian, Bicycle, Motor Vehicle Commission for review prior to the submittal of the first specific implementation plan.*

*-That the single-family residences on the site be moved where possible.*

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

*Speaking in support of the project were: Lance and Todd McGrath, McGrath & Associates, 103 N. Hamilton Street, the applicants; John Lichtenheld, Schreiber Anderson Associates, 717 John Nolen Drive and Paul Cuta, Engberg Anderson, 1 N. Pinckney Street, both representing the applicants; Dan Melton, 2138 LaFollette Avenue, representing the Schenk-Atwood-Starkweather-Yahara Neighborhood Association; Marsha Rummel, 1339 Rutledge Street #2, and; Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District.*

*Speaking in opposition were Joe Lusson, 480 N. Baldwin Street, representing the Madison Trust for Historic Preservation; Michael Carlson, 226 Oak Street, and; Andrea Den Otter, 2714 LaFollette Avenue.*

*Speaking neither in support nor opposition was Karen FASTER, 133 Ohio Avenue.*

*Registered in support but not wishing to speak were Allen Arntsen, 2817 Milwaukee Street; Brendan McGrath, 614 W. Doty Street #206, and; Renae J. Field Accardo, 533 W. Main Street #102.*

*Registered in opposition to the demolition of the French Battery Building was Carolyn Freiwald, 1442 Williamson Street.*

*Registered in opposition to the project were Jason Tish, 2714 LaFollette Avenue; Brett Myers, 230 Oak Street, and; Ellen Carlson, 226 Oak Street.*

**11. [02455](#)**

Creating Section 28.06(2)(a)3155. of the Madison General Ordinances rezoning property from Unrecorded 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)3156. 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: 33 Condominium Units; 4th Aldermanic District: 33 South Broom Street.

*Approval recommended subject to the comments and conditions contained in the Plan Commission materials, the comments of the Urban Design Commission and the following condition:*

*-That the bus shelter requested by Madison Metro along Broom Street be provided only if it meets the established standards for determining the need for bus shelters; a bench and trash receptacle are acceptable otherwise.*

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

*Speaking in support of the project were: Thomas Miller, The Alexander Company, 145 E. Badger Road, the applicants; Stephanie Moritz, 530 W. Doty Street, representing the Capitol West Steering Committee, 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 were: Natalie Bock, The Alexander Company, 145 E. Badger Road and Ed Freed & Nathan Novak, JJR, 625 Williamson Street, representing the applicants.*

*Registered in support but not wishing to speak were: Jonathon Cooper, 208 S. Henry Street, representing the Bassett District of Capitol Neighborhoods, Inc.; Ledell Zellers, 510 N. Carroll Street, representing Capitol Neighborhoods, Inc., and; Rosemary Lee, 111 W. Wilson Street #108.*

### Conditional Uses/ Demolition Permits

12. [02584](#) Consideration of a conditional use for two apartment buildings located at 6326 Maywick Drive. 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 comments of the Urban Design Commission and the following condition:*
- That the applicant work with staff on adding landscaping between the north building and Cottage Grove Road and permeability at south end of site.*
- A motion was made by Ald. Golden, seconded by Ald. Cnare, to Approve. The motion passed by acclamation.**
- Speaking in support of the project were Peter Weston, 1003 Madison Avenue, Fort Atkinson representing the applicant, Jeff Wickline and Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District.*
13. [02585](#) Consideration of a demolition permit/conditional use to demolish an existing house and construct a new house on this lakeshore lot located at 5116 Spring Court. 19th Ald. Dist.
- The Plan Commission referred this matter to allow the applicant an opportunity to consider a narrower garage. In referring the matter, the Commission show the width of the garage on the plans and provide photos of the house to be demolished. Fey urged Commission members to conduct a site visit to Spring Court independently.*
- A motion was made by Ald. Konkell, seconded by Davis, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
- Speaking in support of the project was George Solner, Zingg Design, 3102 Elm Lane, Middleton representing the applicants Jason & Lori Smith; Richard Glad, 5128 Spring Court and David Anderson, 5132 Spring Court.*
- Speaking in opposition were Jeannine Sievert, 5101 Spring Court and Alice Erickson, 5109 Spring Court.*
- Registered in support but not wishing to speak was Candi Anderson, 5132 Spring Court*

### Subdivisions

14. [02500](#) Approving Certified Survey Map of the property located at 2878 Femrite Drive, Town of Cottage Grove, within the City's Extraterritorial Review Jurisdiction.
- A motion was made by Forster Rothbart, seconded by Davis, to Refer to the PLAN COMMISSION. The motion passed by acclamation.**
- Speaking in support of the request were the applicants Brian and Roger Korfmacher, 2846 Femrite Drive, Cottage Grove and Kris Hampton, Chair, Town of Cottage Grove, 3310 CTH N, Cottage Grove.*
15. [02625](#) Approving a certified survey map of the property located at 4002 Alvarez Avenue, Town of Blooming Grove, within the City's Extraterritorial Review Jurisdiction.
- The Commission found that the criteria and 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 was Al Kaukl, Badger Surveying & Mapping, 2702 International Lane representing the applicant Hung T. Nguyen.*

### Zoning Text Amendments

16. [02320](#) Repealing Section 28.04(25) of the Madison General Ordinances to eliminate the requirements for Inclusionary Zoning.
- A motion was made by Ald. Konkel, seconded by Davis, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by the following vote:**
- Excused:** 1 - Bowser and Ethington
- Aye:** 7 - Konkel, Cnare, Golden, Ohm, Davis, Lanier and Forster Rothbart
- No:** 1 - Boll
- Non Voting:** 2 - Fey and Thompson-Frater
- Speaking in support of repeal were: Ald. Jed Sanborn, 12 Cherbourg Court, representing the 1st District; Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District; Gabe Albrecht, 3745 Mammoth Trail; Rosemary Lee, 111 W. Wilson Street #108, and; Phil Salkin, Realtors Association of South Central Wisconsin, 4801 Forest Run Road.*
- Speaking in opposition of repeal was Marsha Rummel, 1339 Rutledge Street #2, representing the Marquette Neighborhood Association.*
- Speaking neither in support or opposition to the repeal was Allen Arntsen, 2817 Milwaukee Street representing Downtown Madison, Inc.*
17. [02363](#) Amending Section 28.04(25) of the Madison General Ordinances to change the equity distribution at sale, add a new kind of occupancy, and add exemptions to the inclusionary zoning ordinance.

*The public hearing on this matter was recessed.*

**A motion was made by Ald. Konkel, seconded by Davis, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION, due back on January 23, 2006. The motion passed by acclamation.**

*Speaking in support of ordinance changes was Marsha Rummel, 1339 Rutledge Street #2, representing the Marquette Neighborhood Association.*

*Speaking in opposition to the ordinance changes were William Butcher, 2661 Scott Lane, McFarland and Allen Arntsen, 2817 Milwaukee Street representing Downtown Madison, Inc.*

*Registered in support of ordinance changes was Phil Salkin, Realtors Association of South Central Wisconsin, 4801 Forest Run Road.*

*Registered neither in support or opposition to the ordinance changes and available to answer questions was Tom Hirsch, 14 N. Allen Street representing the Housing Commission.*

18. [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).

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

19. [02488](#) Amending Section 28.12(9)(d)2. and creating Section 28.12(9)(d)20. of the Madison General Ordinances to allow variances for reduction of usable open space.

**A motion was made by Boll, seconded by Davis, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote:**

**Excused:** 2 - Golden, Bowser and Ethington

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

**No:** 1 - Thompson-Frater

**Non Voting:** 1 - Fey

## BUSINESS BY MEMBERS

*Davis urged staff to send out public hearing notices on any items that staff believes may be controversial. Ms. Davis also requested a memo outlining any Plan Commission actions that do not currently require public hearing notices for Commission review. Brad Murphy indicated that staff would work on both requests.*

*Thompson-Frater asked that a memo be prepared by staff to give Commission members guidance on reviewing waterfront developments. Mr. Murphy said such a memo could be prepared.*

## COMMUNICATIONS

20. [02586](#) Communication from Robert and Melissa Meyer regarding a land division - certified survey map located at 941 Pontiac Trail. 10th Ald. Dist.
- The Plan Commission received the communication from Robert and Melissa Meyer. Ald . Golden discussed ordinance changes proposed that would address the Meyer's concern about the public hearing requirements for deep residential lots.*
- Chairperson Fey also noted a communication she received from T. Wall Properties regarding the proposed Tribeca Village development.*

## ADDENDUM

21. [02692](#) This Plan Commission Resolution recommends adoption of the City of Madison Comprehensive Plan, as required by Sec. 66.1001(4), Wis. Stats.
- The Plan Commission recommended adoption of the substitute ordinance adopting the Comprehensive Plan subject to the revisions recommended in the attachment to the Minutes dated December 5, 2005 and January 9, 2006.*
- A motion was made by Boll, seconded by Davis, to Approve. The motion passed by acclamation.**
22. [01742](#) Creating a TID 36 Stakeholders Advisory Committee.
- A motion was made by Ald. Konkel, seconded by Davis, to Rerefer to the PLAN COMMISSION, due back on January 23, 2006. The motion passed by acclamation.**
- Registered to speak in support of this item was Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District. She was not present when this matter was called.*

## SECRETARY'S REPORT

### Update on Zoning Text Staff Team Matters

*The latest ZTAST agenda was included in the Commission's packet of materials.*

### Upcoming Matters - January 23, 2006 Meeting

- 100 Morningside Avenue - demolish/replace house
- 2 East Park Court - car rental business
- 1402 Wingra Creek Parkway - expand parks maintenance building
- 5109 West Terrace Drive - hotel

### Upcoming Matters - February 6, 2006 Meeting

- 2810-2818 Todd Drive/2703-2805 West Beltline Highway - building demolitions/new retail - office building

## ANNOUNCEMENTS



*None*

## **ADJOURNMENT**

A motion was made by Boll, seconded by Davis, to Adjourn at 11:55 P.M. The motion passed by acclamation.