



# City of Madison

## Meeting Minutes - Final

### PLAN COMMISSION

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

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Monday, December 18, 2006

5:00 PM

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

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## ROLL CALL

**Present:** Brenda K. Konkell, Lauren Cnare, Kenneth Golden, Nan Fey, Brian W. Ohm, Sarah Davis, Michael Forster Rothbart and Kelly A. Thompson-Frater

**Excused:** James C. Boll, Judy Bowser and Ruth Ethington

*Fey was chair for this meeting. Ald. Golden left following consideration of neighborhood conservation districts.*

*Staff present: Mark A. Olinger, Secretary; Rick Roll, Brad Murphy & Tim Parks, Planning Unit; Si Widstrand, Parks Division; Larry Nelson, City Engineer's Office, and; Jeanne Hoffman, Mayor's Office.*

## MINUTES OF THE MEETING of December 4, 2006

A motion was made by Thompson-Frater, seconded by Ohm, to Approve the Minutes. The motion passed by acclamation.

## SCHEDULE OF MEETINGS

*January 8, 22; February 5, 19; March 5, 19, 2007*

## APPOINTMENTS

- Brian Ohm was appointed to serve as Plan Commission representative to the Ped-Bike-Motor Vehicle Commission.
- The Plan Commission did not make an appointment to the Joint Southeast Campus Area Committee at this meeting. The appointment will appear on an upcoming Commission agenda.

## UNFINISHED BUSINESS- SPECIAL ITEM - PUBLIC HEARING 5:00 PM

1. [04443](#) Creating Section 28.108 of the Madison General Ordinances to establish a "Neighborhood Conservation District".  
*The Plan Commission referred this matter to the City Attorney's Office to discuss the ordinance revisions discussed at the meeting, including:*
  - Clarify the "other approvals" language in (2)(a) of the proposed substitute.
  - Consider adding the term "existing" before "natural" in (3)(b) of the proposed substitute.
  - Reviewing compatibility between the conservation district proposal and the Americans with Disabilities Act.
  - Revising (3)(c) of the proposed substitute to read: "The standards of the proposed Neighborhood Conservation District must be consistent...";
  - Consideration of an appeal process to the Zoning Board of Appeals for Zoning Administrator determinations on conservation district properties;

- Including a section (4)(b) to the proposed substitute that reads: "If a Neighborhood Conservation District is proposed following the completion of the Neighborhood Conservation Study, it shall include the geographic boundaries and the specific criteria to be used in reviewing development proposals."
- Including a section (4)(c) to the proposed substitute that reads: "The procedure to establish a Neighborhood Conservation District shall follow procedures outlined in Wis. Stats. 62.23 (7) and MGO Section 28.12 (10)."
- Revising (4)(a) of the proposed substitute to add a sentence following "...and business representatives of the proposed district." that reads: "All property owners and occupants within the proposed district shall be afforded the opportunity to participate in drafting the conservation plans and shall be notified in writing of the proposed Neighborhood Conservation District at the time of initiation of a Neighborhood Conservation Study. City staff shall create an interested parties registry for conservation areas for future notifications."
- Revising (4)(a)4e to say: "Architectural features including, but not limited to fenestration, roof pitch and building materials."

The revisions were to be circulated to the ordinance sponsors for initial review and concurrence and then to the members of the Plan Commission and others.

As part of the referral, Ald. Golden asked staff to provide an opinion on whether they felt the Zoning Board of Appeals or Plan Commission would be the best body to hear conservation district appeals. He suggested that any variance to a conservation district requirement be modeled on the area exception program and expressed concerns about the inclusion of "natural" in (3)(b) and "but are not limited to" in (4) and (4)(a)4e.

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

Speaking in support of the proposed text amendment were: Marsha Rummel, 1339 Rutledge Street #2, representing the Marquette Neighborhood Association; Jonathon Cooper, 208 S. Henry Street; Julia Kerr, 1626 Madison Street, representing the Vilas Neighborhood Association; Peter Ostlind, 533 W. Main Street; Ledell Zellers, 510 N. Carroll Street; Gary Peterson, 210 Marinette Trail; Susan Schmitz, Downtown Madison, Inc., 210 Marinette Trail, and; Ald. Mike Verveer, 614 W. Doty Street #407, representing the 4th District.

Speaking neither in support nor opposition were: Curt Brink, 101 Acadia Drive; Carole Schaeffer, Smart Growth Madison, 2810 Crossroads Drive, and; Phil Salkin, Realtors Association of South Central Wisconsin, 4801 Forest Run Road, Verona.

Speaking in opposition was Ron Trachtenberg, 7222 Brenford Lane East.

## ROUTINE BUSINESS

2. [05056](#) Authorizing the execution of a Second Amendment to License pertaining to a license with Sprint Spectrum L.P. at the Lakeview Water Tower, located at 1202 Northport Drive. 18th Ald. Dist.  
**A motion was made by Thompson-Frater, seconded by Cnare, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.**

## UNFINISHED BUSINESS

3. [04939](#) Adopting the Cherokee Special Area Plan as a supplement to the City of Madison Comprehensive Plan, to include lands located west of the Dane County Regional Airport, north of portions of the Whitetail Ridge and Sherman Village subdivisions, east of Yahara River and south of the Cherokee Conservation Park and adjacent Cherokee Marshlands.

*Rerefer to the Plan Commission.*

**A motion was made by Cnare, seconded by Davis, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. The motion passed by acclamation.**

4. [04942](#) Authorizing the Annexation/Attachment Agreement between the City of Madison and Cherokee Park, Inc.

*Rerefer to the Plan Commission.*

**A motion was made by Cnare, seconded by Davis, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. The motion passed by acclamation.**

5. [04956](#) SUBSTITUTE - Authorizing the Mayor and Clerk to sign a Memorandum of Understanding with Cherokee Park, Inc. ("Cherokee") providing for the purchase of lands owned by Cherokee and the purchase of conservation easements over other lands owned by Cherokee.

*Rerefer to the Plan Commission.*

**A motion was made by Cnare, seconded by Davis, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. The motion passed by acclamation.**

*Registrants on Items #3-5 (Cherokee):*

*Speaking in support of the special area plan was Bill White, 2708 Lakeland Avenue, Tim Anderson, Schriber Anderson Associates, 717 John Nolen Drive, and Ann Marie Kirsch, 2820 Walton Commons West, Suite 135, all representing the plan proponent, Cherokee Park, Inc.*

*Speaking neither in support nor opposition were Jon Becker, 4233 Kenwood Street and Janet Battista, 154 Kensington Street, Maple Bluff, both representing Friends of Cherokee Marsh.*

*Ellen Barnard, 925 Burning Wood Way, was registered neither in support nor opposition to the special area plan and wished to speak. However, she left prior to the matter being called. A statement from Ms. Barnard was read into the record by Mary Schumacher, 517 Nova Way, who stated that she did not represent Ms. Barnard's group, Friends of Cherokee Marsh.*

*Registered in support and available to answer questions was Randy Kyle, 5317 Arapahoe Lane.*

*Registered neither in support nor opposition but not wishing to speak was Ed Jepsen,*

2317 Oakridge Avenue.

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

### Special Item of Business

6. [04859](#) Amending Section 16.04 and relocating, amending, and renumbering Section 3.18 as Section 16.05 of the Madison General Ordinances to reflect the reorganization of the Department of Planning and Development as the Department of Economic and Community Development and to update existing references in various Chapters to reflect the changes in Department and Unit names.
- A motion was made by Konkel, seconded by Ohm, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**

### Zoning Map Amendments

7. [04154](#) Creating Section 28.06(2)(a)3207. of the Madison General Ordinances rezoning property from 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)3208. 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 Commercial Building & Build 6-Story, Mixed-Use Building with 13,500 Square Foot Retail Space, 10,025 Square Feet Office Space & 49 Condominium Units; 13th Aldermanic District: 1501 Monroe Street.
- A motion was made by Thompson-Frater, seconded by Davis, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.**

### Conditional Uses/ Demolition Permits

8. [04940](#) Consideration of a conditional use for a new garage on a lakeshore lot located at 1814 Waunona Way. 14th Ald. Dist.
- The Plan Commission referred this matter so that the new property owner can work with the adjacent property owner to address issues with the proposal.*
- A motion was made by Thompson-Frater, seconded by Davis, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
- Speaking in support of the proposed conditional use was the applicant, Dick Gartner, 1814 Waunona Way.*
- Speaking in opposition to the proposed conditional use was Brad Pommerening, 1816 Waunona Way.*

### Zoning Text Amendments

9. [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.
- A motion was made by Cnare, seconded by Ohm, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by acclamation.**
- Speaking in support of the proposed text amendment were: Ken Eimers, Elder Care, 2802 International Lane; Arlan Kay, Architecture Network, 116 E. Dayton Street, representing Elder Care, and; Susan Springman, EMI, 1702 Alexandria Court.*
- Registered in support and available to answer questions were Amy Hasselman, Architecture Network, 116 E. Dayton Street, representing Elder Care, and Craig Dupont & Karen Musser, Elder Care, 2802 International Lane.*
10. [03429](#) Amending Sections 28.04(6)(c)1.i. and 28.11(3)(g)3. of the Madison General Ordinances to add skirting and landscaping requirements for wheelchair ramp and off street parking spaces as permitted obstructions.
- The Plan Commission referred this matter so that Ald. Judy Olson, the sponsor, could be present to answer questions about the text amendment, specifically why the Commission on People with Disabilities not support the provision regarding landscaping and skirting for accessible ramps.*
- A motion was made by Konkel, seconded by Davis, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION. The motion passed by acclamation.**

## BUSINESS BY MEMBERS

- Ald. Cnare gave a brief update on the status of Adult Entertainment Subcommittee.
- Nan Fey gave a brief update on the status of Demolition Standards Subcommittee.

## COMMUNICATIONS

None.

## SECRETARY'S REPORT

None.

## UPCOMING MATTERS - January 8, 2007 Meeting

- 2121 East Springs Drive - Outdoor eating area/bowling alley

## ANNOUNCEMENTS

- Fey reminded Commission members to file their Statement of Interest Forms with the City Clerk's Office and provided an update on the required oath of office.
- Ald. Cnare asked staff to add a "Previous Hearing" section on Planning Unit reports that follow an earlier Commission referral so that members could be reminded what the earlier issues causing the referral were.
- Forster Rothbart thanked the Plan Commission and staff for their hard work upon his resignation from the Commission. He also suggested a way for Commission members to remember his enthusiasm towards providing ped-bike connections wherever possible

## ADJOURNMENT

A motion was made by Forster Rothbart, seconded by Thompson-Frater, to Adjourn at 10:30 P.M. The motion passed by acclamation.