



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Amended PLAN COMMISSION

Monday, July 21, 2008

5:30 PM

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

CALL TO ORDER/ROLL CALL

Present: 11 -

Eric W. Sundquist; Tim Gruber; Lauren Cnare; Julia S. Kerr; Nan Fey; Judy K. Olson; James C. Boll; Judy Bowser; Michael A. Basford; Beth A. Whitaker and Michael G. Heifetz

Fey was chair for this meeting. Ald. Kerr arrived after approval of minutes and during Item #1.

Staff present: Brad Murphy & Tim Parks, Planning Division; Matt Mikolajewski, Office of Business Resources; Mario Mendoza, Mayor's Office, and; Brad Clark, Madison City Channel.

MINUTES OF THE July 7, 2008 MEETING

A motion was made by Olson, seconded by Boll, to Approve the Minutes. The motion passed by voice vote/other.

SCHEDULE OF MEETINGS

August 4, 18, and September 15, 2008

SPECIAL ITEM OF BUSINESS

1. [11308](#) Communication dated July 3, 2008 from Brad Clark regarding Madison City Channel's move.

The Plan Commission received an informational presentation and a written communication from Brad Clark, Station Manager of Madison City Channel regarding the station's move to Channel 994 on the Charter cable lineup.

This Communication was Received

NEW BUSINESS

2. [10847](#) Amending Sections 16.23(5)(g), 16.23(7)(d)4. and 16.23(9)(d)2.a. and creating Section 16.23(7)(d)5. of the Madison General Ordinances to update procedural requirements and to clarify that the payment of all unpaid taxes and special assessments shall be required prior to recording a land division (certified survey map).

The Plan Commission recommended approval of the text amendment with the following revision:

- That Section (g)5 be revised to remove the words "at the next regular meeting" from the third sentence of the proposed language.

A motion was made by Bowser, seconded by Kerr, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice

vote/other.

3. [11307](#)

Adopting the recommendations outlined in the Redevelopment Plan, Homeless Assistance Submission, and Public Comment documents regarding the Truman Olson United States Army Reserve Center (1402 S. Park Street) property and authorizing submission by the LRA of said documents to the Federal Government.

The Plan Commission recommended approval of the resolution as presented. In recommending approval, members of the Commission asked that additional information be provided on the financial implications of the proposed solution prior to this resolution being heard at the Common Council.

An amended motion by Basford, seconded by Ald. Gruber, to recommend approval of the resolution with the following revision failed on a vote of 2-6:

- That the Eighth Whereas clause be revised to remove "If in the event an alternative equivalent piece of real estate is not found by the time of the Truman Olson property closing, then" from the clause, which as a result would read "Porchlight, Inc. will be accommodated on the Truman Olson site subject to regulatory approvals including zoning, land use, and other adopted policies."

(AYE (for the amended language): Sundquist, Basford; NAY: Ald. Kerr, Ald. Gruber, Ald. Cnare, Boll, Olson, Bowser; NON-VOTING: Fey, Whitaker; RECUSED: Heifetz)

An earlier motion by Bowser, seconded by Boll, to refer the resolution was withdrawn by Ms. Bowser after additional testimony by Porchlight, Inc. representatives.

A motion was made by Kerr, seconded by Cnare, to Return to Lead with the Recommendation for Approval to the COMMUNITY DEVELOPMENT AUTHORITY. The motion passed by voice vote/other.

Speaking neither in support nor opposition to the resolution were: Steve Schooler, Porchlight, Inc., 306 N. Brooks Street; Bill White, 2708 Lakeland Avenue, representing Porchlight, and; Kyle Richmond, 929 O'Sheridan Street.

PUBLIC HEARING-6:00 p.m.

Note: Public Hearing items may be called at any time after the beginning of the public hearing. Those wishing to speak on an item must fill out a registration slip and give it to the Secretary. The Plan Commission uses a consent agenda, which means that the Commission can consider any item at 6:00 p.m. where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

Zoning Map Amendments/Subdivisions

4. [10845](#)

Creating Section 28.06(2)(a)3373. 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: Final Plans for the Relocation of a House From North Butler Street; 2nd Aldermanic District: 520 East Johnson Street.

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

- That Condition #1 of the Traffic Engineering Division report regarding residential parking permit availability for this project be removed, as moved by Bowser and seconded by Olson and passed on a 6-2 vote (AYE: Ald. Kerr, Ald. Cnare, Boll, Bowser, Sundquist, Olson; NAY: Ald. Gruber, Basford; NON-VOTING: Fey, Whitaker, Heifetz).

A motion was made by Kerr, seconded by Basford, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

Speaking in support of the project was James McFadden, 228 State Street, representing the applicant, Cliff Fisher, 107 N. Hancock Street, who was present and registered in support and available to answer questions.

Ald. Brenda Konkel, 2nd District, also spoke regarding in the project.

5. [10860](#)

Creating Section 28.06(2)(a)3372. 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: Final Plans for a 34-Unit Apartment Building; 2nd Aldermanic District: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street.

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

- That the developer submit proof of financing, which provides assurances that the project will be completed once started, in a form acceptable to the Director of the Department of Planning and Community & Economic Development prior to any permits being issued.
- That Condition #1 of the Traffic Engineering Division report regarding residential parking permit availability for this project be removed, as moved by Bowser and seconded by Olson and passed on a 6-2 vote (AYE: Ald. Kerr, Ald. Cnare, Boll, Bowser, Sundquist, Olson; NAY: Ald. Gruber, Basford; NON-VOTING: Fey, Whitaker, Heifetz).

A motion was made by Kerr, seconded by Basford, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

Speaking in support of the project was James McFadden, 228 State Street, representing the applicant, Cliff Fisher, 107 N. Hancock Street, who was present and registered in support and available to answer questions.

Ald. Brenda Konkel, 2nd District, also spoke regarding in the project.

6. [10868](#)

Creating Section 28.06(2)(a)3374. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2T Single-Family Residence District, and creating Section 28.06(2)(a)3375. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2Y Single-Family Residence District, and creating Section 28.06(2)(a)3376. of the Madison General Ordinances rezoning property from Temp A Agriculture District to C Conservancy District, and creating Section 28.06(2)(a)3377. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: 102 Residential Lots and 5 Outlots; 3rd Aldermanic District: 6001 Milwaukee Street.

The Plan Commission recommended referral pending completion of gap and waiver analyses for the Inclusionary Dwelling Unit Plan.

A motion was made by Bowser, seconded by Olson, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.

- 7. [11310](#) Approving the preliminary and final plat of Eastlawn located at 6001 Milwaukee Street. 3rd Ald. Dist.

The Plan Commission recommended referral pending completion of gap and waiver analyses for the Inclusionary Dwelling Unit Plan.

A motion was made by Bowser, seconded by Olson, to Rerefer to the PLAN COMMISSION. The motion passed by voice vote/other.

Conditional Uses/ Demolition Permits

- 8. [11312](#) Consideration of a demolition permit to allow a fire-damaged, nonconforming second residence to be demolished at 1500 Williamson Street. 6th 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 Kerr, to Approve. The motion passed by voice vote/other.

Registered in support of the request and available to answer questions was James Stopple, 1202 Regent Street and Ald. Marsha Rummel, 1029 Spaight Street, representing the 6th District.

- 9. [11313](#) Consideration of a conditional use for a wall mural on an existing building at 1202 Williamson Street. 6th 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 Olson, to Approve. The motion passed by voice vote/other.

Registered in support of the request and available to answer questions was the applicant, Sharon Kilfoy, 1020 Williamson Street and Ald. Marsha Rummel, 1029 Spaight Street, representing the 6th District.

Zoning Text Amendments

- 10. [10834](#) Amending Sections 28.08(2)(b)8.j., 28.08(9)(b)7.c., 28.08(11)(b)7.i. and 28.08(12)(b)2. of the Madison General Ordinances to allow the keeping of chickens within 2-family detached dwellings in residential districts.

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

Ayes: 6 -

Eric W. Sundquist; Tim Gruber; Judy K. Olson; James C. Boll; Judy Bowser and Michael A. Basford

Noes: 2 -

Lauren Cnare and Julia S. Kerr

Non Voting: 3 -

Beth A. Whitaker; Michael G. Heifetz and Nan Fey

Registered in support of the proposed text amendment and available to answer questions were David Wilhelm, 404 S. Park Street and Ald. Marsha Rummel, 1029 Spaight Street, representing the 6th District.

11. [11077](#) Amending Sec. 28.03(2), creating Sec. 28.04(18)(e); repealing Secs 28.08(2)(c)16., 28.08(9)(c)5., 28.08(11)(c)9., 28.12(13)(a)10.d.; renumbering current Secs. 28.12(13)(a)10.e. through g. to Secs. 28.12(13)(a)10.d. through f., respectively; amending Secs. 30.01(3)(b)5., 30.01(5)(b); repealing Secs. 30.01(9)(c)9. and 11.; renumbering current Sec. 30.01(9)(c)10. to Sec. 30.01(9)(c)9.; amending Sec. 30.05(2); repealing Sec. 30.05(5); renumbering current Secs. 30.05(6) through (17) to Secs. 30.05(5) through (16), respectively; amending Sec. 30.05(9); repealing 30.05(11)(e); creating new Sec. 30.05(13)(d); renumbering current Secs. 30.05(13)(d) through (f) to Secs. 30.05(13)(e) through (g); creating new Secs. 30.05(13)(h), 30.05(15)(b), 30.05(15)(c); renumbering current Secs. 30.05(15)(b) and (c) to Secs. 30.05(15)(d) and (e); and repealing Sec. 33.19(12)(d)3.; renumbering Sec. 33.19(12)(d)4. through 11. to 3. to 10.; repealing Sec. 33.19(12)(f)1.f.; renumbering Sec. 33.19(12)(f)1.g. to f.; repealing 33.19(13)(d)8. and renumbering Sec. 33.19(13)(d)9. through 13. to 8. through 12., respectively of the Madison General Ordinances to update provisions relating to solar/wind systems.

The Plan Commission recommended referral of this ordinance for 60 days (September 15, 2008) pending a recommendation by the Sustainable Design and Energy Committee and also recommended that the Common Council re-referral of this ordinance to the Landmarks Commission and Urban Design Commission for reconsideration by those bodies. In recommending referral, the Plan Commission asked that staff provide additional information regarding the impacts of the proposed ordinance on private restrictions and historic tax credit projects, and the noise impacts of wind turbines.

A motion was made by Basford, seconded by Cnare, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION. The motion passed by voice vote/other.

Due to the pending referral, the materials related to this text amendment were not provided to the Plan Commission. However, the Plan Commission opened and later recessed the public hearing on this matter to hear from two registrants:

Speaking in opposition to the proposed text amendment was Phil Salkin, 1229 Enterprise Drive, representing the Wisconsin Realtors Association.

Speaking neither in support nor opposition to the amendment was Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District.

BUSINESS BY MEMBERS

None

COMMUNICATIONS

Nan Fey noted that she received an open invitation to a meeting on July 24, 2008 to discuss the plans for the Mineral Point Road-Junction Road/ CTH M intersection.

Ms. Fey also noted upcoming board and committee training sessions being held by the City on August 11 & 13, 2008 and that additional information would be forwarded to the Commission shortly.

SECRETARY'S REPORT

Brad Murphy summarized upcoming matters for the Commission.

Upcoming Matters - August 4, 2008

- (Tentative) - Approval of Inclusionary Dwelling Unit Plan for 1000 Oaks subdivision
- 515 South Midvale Boulevard - PUD-SIP for Sequoya Commons, Phase II (referred from July 7, 2008)
- 2604 Waunona Way - Conditional use for a major alteration for the expansion of single-family house on lakefront lot
- 344 South Yellowstone Drive - Demolish office building to construct a dental office building
- 5100 Spring Court - Demolish vacant cottage and re-divide two existing residential lots
- 2502-2514 Fish Hatchery Road - Demolish former gas station/garage to create additional parking for Vita Plus
- 822-844 John Nolen Drive - Conditional use to construct a hotel & restaurant over 40,000 sq. ft w/outdoor eating area
- 750 University Avenue - Conditional use to construct an addition to Chazen Museum of Art

Upcoming Matters - August 18, 2008

- Public hearing on proposed TID # 39 (Stoughton Road)
- 4409-4441 Bellgrove Lane - R4 to R2 & a preliminary & final plat replatting five multi-family lots into seven single-family lots

ANNOUNCEMENTS

None

ADJOURNMENT

A motion was made by Boll, seconded by Bowser, to Adjourn at 8:00 p.m. The motion passed by voice vote/other.