



City of Madison
Minutes - Approved
Economic Development Committee
Subcommittee on Downtown Plan

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

January 18, 2012

5:00 pm

Madison Municipal Building
215 Martin Luther King Jr. Blvd.
Room LL110

CALL TO ORDER/ROLL CALL

The meeting was called to order by Chairperson Zimmerman at 5:07 PM.

Present: Alfred Zimmerman, Julia Stone, Ed Clarke, Alder Mark Clear

Excused: Sandra Torkildson

Also attending: Steve Cover, Director of Department of Planning & Community & Economic Development (DPCED); Aaron Olver, Director of Economic Development Division (EDD); Brad Murphy, Director of Planning Division; Peggy Yessa, Matthew Mikolajewski, Office of Business Resources; Bill Fruhling, Planning Division; Alder Scott Resnick, Matt Younkle, members of the Economic Development Committee. (Six (6) members of the Economic Development Committee were at this meeting, but a quorum was not present.)

PUBLIC COMMENT

Registered speaker, Larry Lichte, has been a Downtown property owner and businessman for 48 years. Mr. Lichte and his son and partner, Paul, wrote a 4 page handout with their specific comments on the Downtown Plan. Mr. Lichte supports Capitol view preservation and says setbacks and stepbacks are not necessary. The plan needs flexibility.

Registered Speaker, Gary Peterson, distributed his handout. He said Keys 8 & 9 need more detail. He spoke about his idea for grand boulevards on West Washington Avenue and Wisconsin Avenue. He also said the bike trails should be thought of as a place to move people not just bikes.

Registered speaker, Mary Carbine, Business Improvement District (BID) Executive Director, said there are not enough proposed future residents in the Downtown to support all of the retail that the Plan calls for. She supports SmartGrowth's proposed recommendations. Retail development follows the residential development. Replace the prescriptive language in the plan. A retail store in the 7,000 square foot range is considered small. Many of the current downtown retailers are micro-sized, under 2,000 square feet. This leaves them no space for storage of inventory. A few larger, well known retailers help draw customers to the independent retailers. The Downtown retailers depend on visitors, students and resident/workers for their customers. We need to grow the resident/worker segment. Downtown Madison has the lowest average income of our peer cities.

Registered speaker, Carole Schaeffer, representing SmartGrowth Greater Madison, said the Plan needs to be flexible with PDD's (Planned Development Districts), setbacks, stepbacks and Historic Districts. Prescriptive is too restrictive. The PDD language takes away the ability to exceed height limits. The Plan language should say desired outcomes and not be prescriptive. Potential Landmarks and existing Landmarks are treated the same way in the Plan. Ms. Schaeffer said approximately 2/3 of the Downtown Plan area cannot be developed because of conservation districts, historic districts, and government owned properties.

Registered speaker, Susan Schmitz, President of Downtown Madison, Inc., (DMI), referred to her handout packet which includes DMI's proposed height map and their Mifflin area design alternative. Their Mifflin area plan calls for neighborhood services retail. not a retail cluster. DMI's Mifflin vision is of a larger, vital neighborhood with a critical mass of people to connect the UW and the Downtown.

Registered speaker, Tom Bergamini, said the UW has a billion dollar annual impact and does a poor job of connecting ideas to businesses. The Mifflin area is the hole in the doughnut. This is

where ideas from the UW could come to life in a mixed use environment with job centers, housing and work/live situations. The Downtown is the engine of the City and region.

APPROVAL OF MINUTES

A motion was made by Mr. Clarke, seconded by Alder Clear, to approve the minutes of the January 10, 2012 meeting.

The motion passed by unanimous voice vote.

DISCLOSURES AND RECUSALS

Mr. Clarke said he is DMI Board President and has worked in DMI for 2 or 3 years on the Downtown Plan. He has no financial interest in the Downtown.

DISCUSSION ITEM

2. **#24468- A Resolution Adopting the Downtown Plan as a Supplement to the City of Madison Comprehensive Plan**

Chairperson Zimmerman asked if an area in the Downtown should be designated for buildings with extraordinary heights?

Alder Clear said PDDs are not a safety valve and cannot be used to exceed the height limits. He suggested using the Conditional Use (CU) process to do this.

Alder Clear made a motion, seconded by Mr. Clarke, to propose new conditional use standards in all Downtown Zoning districts to exceed building height limits for proposals of exceptional design and merit.

Mr. Murphy said he would not support the elimination of setbacks and stepbacks. The County Courthouse is an example of a building that did not follow stepbacks. At that time views were not a critical issue in development.

Mr. Fruhling said stepbacks are called for in areas where 12-story building heights are allowed.

Alder Clear asked how to address stepbacks and setbacks on the triangle corners?

Mr. Murphy said the 1980 Downtown Design Guidelines call for the tall part of the flat iron buildings to be at the opposite end of the point of the building. The buildings on the Capitol Square that are on square blocks have a setback that matches the triangle block building setbacks.

Mr. Clarke asked if the CU process allows a universal opportunity to reconsider building heights? Would using a CU gain flexibility?

Mr. Murphy said CUs have their own set of standards for uses such as drive-up windows and lakefront development. CUs could be used for this. It is a policy decision to determine which districts it would apply to.

Chairperson Zimmerman agrees with CU as it relates to stepbacks but would like to add a greater than 12-story height to allow greater density.

Alder Clear withdrew his motion. Mr. Clarke agreed.

Alder Clear sees three issues:

- Conditional uses
- Stepbacks
- Building height map modifications

Alder Clear made a motion, seconded by Mr. Clarke, to add to recommendation # 44 "maximum building heights may be exceeded through the Conditional Use process."

Ms. Stone sees this as a logical step for exceptions however wonders how this would work out.

Alder Clear said it establishes a safety valve with a higher threshold; it is not a given.

The motion passed by unanimous voice vote.

Alder Clear would like to get rid of stepbacks and setbacks.

Mr. Murphy said the PDD process can be used to exceed stepbacks and setbacks.

Mr. Fruhling said stepbacks are called for only on the four diagonal streets coming off the Square, on the streets which allow 12 story buildings that are between University Avenue and State Street and W. Washington Avenue area. This is coming before the Zoning Advisory Board next Tuesday.

Chairperson Zimmerman asked if a building similar to the John Hancock Building on Boston could be built in Madison?

Mr. Murphy said yes, through the PDD process. The PDD process is a zoning map amendment and requires Council approval.

Alder Clear reiterated that the PDD process is an acceptable safety valve for stepbacks and setbacks.

Mr. Cover noted the Plan Commission makes the approval for CUs not the Council.

Alder Clear noted there is also an appeal process in place for these rulings.

Mr. Cover asked Chairperson Zimmerman to explain his special district idea.

Chairperson Zimmerman said it would be an area that encourages the development of large corporate offices to allow a large employer to locate Downtown.

Alder Clear said an area south of W. Washington Avenue and west of Bedford Street would have the least impact on Capitol views.

Mr. Murphy said this is in the one mile limit of the State's Capitol View Shed height limits.

Ms. Stone asked how big Alliant Energy was when it moved out of the Downtown?

Mr. Olver said a rule of thumb is 250 square feet per employee so a 20,000 square foot floorplate would support 80 employees. The Alliant building was 190,000 square feet at that time and using this rule it could support approximately 750 employees.

Chairperson Zimmerman said the goal is to create a downtown that attracts people to it.

Mr. Cover said this is not really a height issue, rather it is to establish an area that is attractive to a large corporation.

Chairperson Zimmerman said corporations want to have lower costs and fast approval.

Mr. Olver suggested, first, to see if the State Legislature would amend the height restriction statute and, if so, then select an area which would allow the higher building heights.

Ms. Stone does not want to change the State Statues.

Chairperson Zimmerman made a motion, seconded by Alder Clear, to designate an area in the Downtown to allow unrestricted building height and to approach the State to ask to exceed the building height limits to allow for greater corporate buildings in the Downtown.

Chairperson Zimmerman said there is only one city center and it needs to be in the Downtown. A center with density needs to be built for people to locate Downtown.

Ms. Stone questioned if urban density means building height?

Mr. Olver said Epic started in 1979 with one employee and now has over 5,000 employees.

The motion passed by the following vote:

Aye: Alder Clear, Mr. Clarke, Chairperson Zimmerman

Nay: Ms. Stone

Mr. Clarke made a motion, seconded by Alder Clear, to ask Planning Staff to review DMI's building height map and report back to this subcommittee at the next meeting on January 23rd.

Mr. Murphy suggested comparing the map on page 42 with DMI's map.

Ms. Stone said the CU and PDD process are in place and discussed. It is her inclination to go with the existing building height map in the plan.

The motion failed because of a tie vote:

Nay: Chairperson Zimmerman, Ms. Stone

Aye: Alder Clear, Mr. Clarke

Mr. Murphy clarified that existing buildings could be replaced by buildings of the same height even if they are in an area calling for lower building heights than currently built.

Alder Clear said the Mifflin area has huge potential, is underutilized and he is not ready to recommend either of the Mifflin area plans.

Chairperson Zimmerman suggested leaving Keys 4, 5 & 6 for next week and asked for written comments from those who will not be in attendance next week.

Mr. Clarke thinks the historic focus in Key 7 has a throttle hold on this entire plan.

Recess at 7:38 pm.

Roll call at 7:51 pm.

Present: Alfred Zimmerman, Julia Stone, Ed Clarke, Alder Mark Clear

Excused: Sandra Torkildson

Mr. Clarke said the problem is this section says "should" instead of "encourage". Recommendation # 160 says "establish" instead of "consider." It refers to a 20-year-old plan for the creation of historic districts.

Recommendation # 163 calls for the creation of conservation districts. This should be done by the neighborhood.

Mr. Fruhling clarified recommendation # 163 calls to nominate the 65 buildings on the list. This starts the process and would determine if they are landmarks or not.

Mr. Clarke asked if Recommendation #160 is necessary?

Mr. Fruhling said it is also in the neighborhoods section.

Mr. Clarke said from an economic development viewpoint unless there is an extraordinary district this could slow down development. He is staggered by the amount of land Downtown that is in these districts.

Ms. Stone said the plan gives clarity to these areas so they are not in limbo.

Alder Resnick suggested putting a timeframe for nominating these potential landmarks.

Chairperson Zimmerman would like distinctions made between landmarks and districts. He suggested allowing development in the style of the landmarks that are distressed buildings.

Mr. Fruhling said the 1998 plan identified the potential landmarks. There are still 65 of these that have not become landmarks. Langdon Street is a National Register District, not a local historic district, and the City has no regulatory control of it.

Mr. Olver suggested staff or a committee sort through the potential landmarks and nominate them to determine their status.

Mr. Mikolajewski asked for the justification of why these properties were placed on the list? He suggested working through the list to eliminate it.

Ms. Stone would like to put a time limit on how long the potential landmarks list could continue.

Alder Resnick said many of these potential landmarks in poor condition.

Mr. Clarke recommended the Council make a definite time to eliminate these potential landmarks.

A motion was made by Chairperson Zimmerman, to add Objective 7.4, to clear the potential landmarks list within 90 days. There was no second to this motion.

Mr. Clarke asked if this is an alternative recommendation to # 163?

Alder Resnick asked to make the time longer.

Alder Clear wants to:

- Strengthen the value of preservation by clarifying what is historic.
- Ensure the Landmark process cannot be used as a delaying tactic for development.

Mr. Fruhling said the lack of resources is one reason the potential landmarks have not gone through the nomination process. Another way to clear the list is to recommend hiring someone to prepare the nominations.

Mr. Clarke made a motion, seconded by Chairperson Zimmerman, to recommend the elimination of recommendation # 163 and encourage the Council to review acceptance of the potential landmarks list.

Alder Clear explained Mr. Fruhling's statement that each potential landmark on the list has to be nominated.

Mr. Clarke said the list has been around for 14 years and it is time to get rid of it.

The motion failed because of a tie vote:

Aye: Mr. Clarke, Chairperson Zimmerman

Nay: Alder Clear, Ms. Stone

Alder Clear made a motion, seconded by Chairperson Zimmerman to add a new Objective 7.4, To strengthen historic preservation efforts by clarifying which buildings and districts qualify as landmarks and historic districts, and which do not.

Mr. Clarke asked how is this different from recommendations #173 & #174?

Alder Clear said this is an objective.

Upon further discussion, Alder Clear amended his motion, and Mr. Zimmerman seconded the amendment, to add the following recommendations to the new objective 7.4:

- 1. Provide resources to DPCED to review the Potential Landmarks list, and nominate those buildings which are eligible.**
- 2. Clarify that Landmarks Ordinance cannot be used to stall a development through frivolous nominations.**
- 3. Eliminate Recommendation # 163.**

Mr. Fruhling clarified that Recommendation #163 calls for 65 properties on the Potential Landmarks list to be nominated.

Ms. Stone suggested a friendly amendment of adding a three(3) year time limit to complete the nominations of potential Landmarks.

Alder Clear and Chairperson Zimmerman accepted the friendly amendment.

Mr. Fruhling reminded the Subcommittee that the Downtown Plan would superseded existing plans.

Ms. Stone suggested a friendly amendment to separate the motion language referencing stalling development through frivolous nominations.

Alder Clear and Chairperson Zimmerman accepted the friendly amendment.

The amended motion passed by unanimous voice vote.

(to add a new Objective 7.4: To strengthen historic preservation efforts by clarifying which buildings and districts qualify as landmarks and historic districts, and which do not, including the following recommendations:

1. Provide resources to DPCED to review the Potential Landmarks list, and nominate those buildings which are eligible, with a three(3) year time limit to complete the nominations of potential Landmarks.
2. Eliminate Recommendation # 163.)

Alder Clear made a motion, seconded by Chairperson Zimmerman, to recommend amending the Landmarks Ordinance to reduce the likelihood of frivolous Landmarks nominations being used to stall development.

The motion passed by the following vote:

Aye: Adler Clear, Mr. Clarke, Chairperson Zimmerman

Nay: Ms. Stone.

ADJOURNMENT

Alder Clear made a motion, seconded by Ms. Stone to adjourn the meeting.

The motion passed by voice vote.

Meeting adjourned at 7:21 PM.