



# City of Madison Meeting Minutes PLAN COMMISSION

City of Madison  
Madison, WI 53703  
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Monday, August 1, 2005

5:30 PM

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

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## ROLL CALL

*Bowser was Chair for this meeting.*

**Present:** Brenda K. Konkel, Lauren Cnare, Brian W. Ohm, Sarah Davis, James C. Boll, Judy Bowser, Albert Lanier and Michael Forster Rothbart

**Excused:** Kenneth Golden, Nan Fey, Kelly A. Thompson-Frater and Ruth Ethington

*Staff present: Brad Murphy and Bill Roberts, Planning Unit; and Joe Gromacki and Mark Olinger.*

## MINUTES OF THE JULY 18, 2005 MEETING

*One minor change was made to the minutes. Michael Forster Rothbart was present for Item Number 24.*

**A motion was made by Bowser, seconded by Ald. Konkel, to Approve the Minutes. The motion passed by acclamation.**

## SCHEDULE OF MEETINGS

Regular Meetings: August 22; September 19, 2005.

Scheduling of Work Sessions: Comprehensive Plan revisions. August 8, 15, & 25 (all in Room 300 MMB); September 1 (Room TBA), September 8 (Parks Conf Room), & September 12 (Room 300 MMB)

## APPOINTMENTS

**On a motion by Ald. Konkel, seconded by Boll, the Plan Commission made the following appointments:**

- Ped-Bike-Motor Vehicle Commission - Michael Forster Rothbart
- State Street Oversight Committee - None at this time
- Long-Range Transportation Planning Commission (3 needed) - Judy Bowser, Ald. Brenda Konkel, Ald. Ken Golden
- Joint Southeast Campus Area Committee - Judy Bowser
- Joint West Campus Area Committee - Nan Fey

## SPECIAL ITEM OF BUSINESS

Presentation by Madison Fire Department on future facility and service needs.

*Fire Department staff reviewed and presented information on response times, including alarm processing, turn out time and travel time and compared Madison's Fire Department to national standards. Staff outlined the "critical tasks" on the site of a fire. A map was presented that highlighted areas of the City that current response time was in excess of five minutes.*

*Planning Unit and Fire Department staff answered Commission questions by indicating that the Fire Department will be providing more information on their needs with new annexation and neighborhood development proposals. Staff noted that there is an element of the Comprehensive Plan now under review that addresses future fire station needs in the Community Facility section of the Plan.*

*Charles Thimmesch registered and spoke reinforcing the points made by Fire Department Staff to provide additional fire stations in a timely fashion as development occurs on the edge of the City.*

## ROUTINE BUSINESS

1. [01562](#) Determining a Public Purpose and necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for planned public storm sewer improvements associated with City of Madison Engineering Division Corry Street Reconstruction project, City of Madison, Dane County, Wisconsin and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of necessary land interests. (6th AD)  
**A motion was made by Ald. Konkol, seconded by Forster Rothbart, to Return to Lead with the Recommendation for Approval to the Public Works. The motion passed by acclamation.**

## UNFINISHED BUSINESS

2. [01551](#) Accepting the Report of the Board of Estimates Subcommittee on Tax Incremental Finance (TIF).  
**A motion was made by Ald. Konkol, seconded by Davis, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**  
*The Plan Commission reviewed a series of questions prepared by Ald. Konkol concerning the Subcommittee report. The Commission also reviewed a matrix of TIF process and policy recommendations prepared by Joe Gromacki, TIF Coordinator. Following the discussion and suggestions by individual Plan Commission members, several Plan Commission members summarized those areas where there appeared to be a general consensus. These include:*
  - The TIF process and land use approval process should be linked. The Commission discussed the preparation of flowcharts for the various types of projects that would clearly show these linkages.
  - Establish an annual deadline to create new TIDs to provide TIF assistance.
  - Develop an annual vetting process to prioritize projects in existing TIDs.

- Present potential TIDs to the Board of Estimates prior to starting the TID creation process. There seemed to be consensus around Commission member Boll's recommendation to include the Plan Commission in the early presentations and to obtain public input at this stage in the process rather than waiting until the formal required public hearing at the end of the process.
- The Commission discussed the role of the Board of Estimates and Plan Commission in reviewing the inclusionary zoning waiver requests. Commissioners discussed establishing a possible joint role for both the Plan Commission and Board of Estimates for certain inclusionary zoning waiver requests. There was no resolution of this issue.
- Require developers seeking TIF to identify their request in their land use applications and simultaneously apply for TIF. Staff noted that the Planned Unit Development-Specific Implementation Plan application process requires the submittal of financial feasibility information as part of the application.
- Council actions that make significant exceptions to TIF policy must include a statement that demonstrates the public purpose for making the exception.
- The Commission felt that the TIF policies should be rewritten to include the general guidelines for creating TIF districts as described by the TIF Coordinator and clearly spell out the role of the Plan Commission, Board of Estimates and Common Council.

Commission member Ohm suggested that the guidelines should include a summary of the provisions within State law for creating TIF districts.

The Commission discussed, but did not resolve, how to provide additional public input within the process.

Commission member Konkel suggested additional public involvement in annual TIF goal setting.

The Commission also discussed the creation of a small cap TIF program for projects that achieve desirable City objectives. Mark Olinger, Commission Secretary, described the usefulness of such a tool. Commission member Konkel expressed some concerns about the misuse of such a program and suggested that it should be broader than just residential development. This program will be further discussed.

Commission members requested a copy of the affordable housing set aside policy, the existing TIF policy, the draft proposed policy, and excerpts from State law regarding the creation of TIF districts.

Finally, the Commission requested that this item be scheduled for continued discussion at its next meeting, and that staff be prepared to discuss the definition of blight and additional public oversight for TIF districts.

Registered and speaking neither in support nor opposition were Vicky Selkove, 2218 Winnebago St., representing Progressive Dane Economic Issues Task Force; and Delora Newton, 2810 Crossroads Dr. #1900L, representing Smart Growth Madison.

## NEW BUSINESS

3. [01509](#) Establishing a setback along the Broom Street corridor and directing staff to prepare the necessary documents to officially map the corridor.  
A motion by Forster-Rothbart, seconded by Ald. Konkel recommended adoption with the following amendments:
  1. To recommend adoption of the resolution with a 13-foot setback only; and

2. To add a **BE IT FINALLY RESOLVED** clause "that the Common Council request that the Alexander Company seek a variance for exception from the Building Code Fire Code Licensing Appeals Board that will allow the townhouses to be shifted back 2 feet from a 13-foot setback without changing the building design or requiring additional modification to the parking structure.

On a motion by Boll, seconded by Davis, the Commission separated the amendments and then voted against inclusion of the second amendment on the following vote: voting for the motion to include the amendment Konkel, Ohm, Lanier; voting against the motion to include the amendment Boll, Foster-Rothbart, Cnare and Davis. Present but not voting Bowser.

The final recommendation of the Plan Commission was for adoption of the resolution with a 13-foot setback only.

**A motion was made by Forster Rothbart, seconded by Ald. Konkel, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**

Registered and speaking in support was Thomas Miller, 29 E. Wilson St., representing The Alexander Co.; Stefanie Moritz, 530 W. Doty St. #104, representing the Bassett Neighborhood District of Capitol Neighborhoods, Inc.; Natalie Boch, 145 E. Badger Rd., representing The Alexander Co.; Jonathan Cooper, 200 S. Henry St., representing the Bassett District of Capitol Neighborhoods; Rosemary Lee, 111 W. Wilson St. #108; Bill White, 2708 Lakeland Ave., representing The Alexander Co.; Mark Shahan, 607 Piper Dr., and Ald. Michael Verveer, 614 W. Doty St. #407, representing the 4th Ald. Dist. Registered in support but not wishing to speak was Ledell Zellers, 510 N. Carroll St.

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

### Subdivisions

4. [01681](#) Approving a certified survey map located at 6810 Cross Country Road (County Address), within the City of Madison's extraterritorial plat review jurisdiction.

A motion was made to reject this certified survey map because the applicant did not demonstrate, to the Plan Commission's satisfaction, that the land division criteria contained in the subdivision regulations, dealing with non-agricultural land division had been satisfied. Specifically, criteria 2.d.1 that the proposed subdivision or land division did not represent infilling of vacant land. Infilling is defined as a subdivision or land division which will accommodate the development of vacant land located such that surrounding existing land uses render the land impractical for any but similar uses.

**A motion was made by Forster Rothbart, seconded by Ald. Konkel, to Deny. The motion passed by the following vote:**

**Excused:** 3 - Golden, Fey, Thompson-Frater and Ethington

**Aye:** 6 - Konkel, Cnare, Davis, Boll, Lanier and Forster Rothbart

**No:** 1 - Ohm

**Non Voting:** 1 - Bowser

Registered and speaking in support was Greg Thompson, 4610 Milwaukee Street.

5. [01682](#) Approving Certified Survey Map of the property located at 45 Nob Hill Road,

within the City of Madison's extraterritorial plat review jurisdiction.

**A motion was made by Bowser, seconded by Lanier, to Approve. The motion passed by acclamation.**

*Registered as available to answer questions was Francis Thousand, 1111 Deming Way, representing Findorff.*

### Conditional Uses/Demolition Permits

6. [01684](#) Consideration of a conditional use located at 2322 Atwood Avenue for a wall mural on an existing building. 6th Ald. Dist  
*Approval granted subject to the comments and conditions contained in the Plan Commission materials.*  
**A motion was made by Forster Rothbart, seconded by Bowser, to Approve. The motion passed by acclamation.**  
*Registered in support and available to answer questions was Jennifer Pressman, 1133 Rutledge St., representing Absolutely Art and Dale Leibowitz; and Ald. Judy Olson, 518 Clemons, representing the 6th Ald. Dist.*
7. [01685](#) Consideration of a conditional use/demolition permit located at 2720 Waunona Way to demolish five small cottage dwellings on a single lot and build a new single-family dwelling on this lake shore site. 14th Ald. Dist.  
*Approval granted subject to the comments and conditions contained in the Plan Commission materials.*  
**A motion was made by Ald. Cnare, seconded by Ohm, to Approve. The motion passed by acclamation.**  
*Registered in support but not wishing to speak was Marian Mylea, 2706 Waunona Way. Registered in support and available to answer questions was H.J. Willmore, 2724 Waunona Way.*
8. [01686](#) Consideration of a demolition permit located at 809 Watson Avenue to demolish a commercial building and build a new commercial building on the site. 14th Ald. Dist.  
*Approval granted subject to the comments and conditions contained in the Plan Commission materials.*  
**A motion was made by Bowser, seconded by Davis, to Approve. The motion passed by acclamation.**  
*Registered in support and available to answer questions was Colin Godding, 107 N. Hamilton St., representing Jim Downing/Badgerland Survey; and Jim Downing, 4826 Batz Rd., Waunakee.*
9. [01687](#) Consideration of a conditional use/demolition permit located at 2844 Commercial Avenue to demolish a fire damaged house and build a new four-unit dwelling on the site. 15th Ald. Dist.  
*Approval granted subject to the comments and conditions contained in the Plan Commission materials.*  
**A motion was made by Bowser, seconded by Ald. Konkel, to Approve. The motion passed by acclamation.**

*Registered and speaking in support was Jim Glueck, 116 N. Few St.; Greg Dixon, 2934 Commercial Ave.; and Art Hackett, 522 McCormick Ave. Registered in support but not wishing to speak was Olivia Parry, 2917 Commercial Ave. #7. Registered in support and available to answer questions was Erich Haak, P.O. Box 773, Sun Prairie.*

10. [01688](#) Consideration of a demolition permit located at 401 North Third Street to demolish an existing commercial building in advance of an application for a zoning map amendment for a PUD-GDP-SIP for a convenience store with gasoline sales to be considered at the next Plan Commission meeting. 12th Ald. Dist.
- A motion was made by Davis, seconded by Bowser, to Refer to the PLAN COMMISSION. The motion passed by acclamation.**

### Zoning Text Amendments

11. [01359](#) Creating Section 28.10(6) of the Madison General Ordinances to establish a Research and Development Center District.
- A motion was made by Davis, seconded by Bowser, to Refer to the PLAN COMMISSION. The motion passed by acclamation.**

### BUSINESS BY MEMBERS

*None.*

### COMMUNICATIONS

*None.*

### SECRETARY'S REPORT

Draft of a zoning text amendment on building demolitions.

*A copy of the draft was included in the Plan Commission materials.*

Update on Zoning Text Staff Team activities.

### Upcoming Matters: August 22, 2005 Meeting

- 2198 West Badger Road - "Fritz Mill, LLC" preliminary plat
- 6654 Milwaukee Street - "Second Addition to Meadowlands"
- 401 North Third Street - PUD-new convenience store with gasoline sales
- 5434 Commercial Avenue - Agriculture to C1
- 1524 Williamson Street - outdoor eating area for existing restaurant/bar
- 110 North Gammon Road - expand church

- 4104-4109 Maple Grove Drive - two multi-unit buildings

- 610 John Nolen Drive - office building near park

## **ANNOUNCEMENTS**

*None.*

## **ADJOURNMENT**

**The meeting was adjourned at 10:05 p.m.**