



# City of Madison

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

## Meeting Minutes - Approved PLAN COMMISSION

*Consider: Who benefits? Who is burdened?  
Who does not have a voice at the table?  
How can policymakers mitigate unintended consequences?*

*This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse Channel 99 or at [www.madisoncitychannel.tv](http://www.madisoncitychannel.tv).*

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Monday, June 26, 2023

5:30 PM

**\*\*Virtual Meeting\*\***

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### CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:30 p.m.

**Present:** 8 - Yannette Figueroa Cole; John W. Duncan; Ledell Zellers; Maurice C. Sheppard; Arnold (Gabe) Mendez; Nicole A. Solheim; Patrick W. Heck and Christopher T. McCahill

**Excused:** 2 - Derek Field and Kathleen L. Spencer

Zellers was chair for the meeting.

Staff Present: Heather Stouder and Tim Parks, Planning Division; Tom Lynch, Dept. of Transportation; Matt Tucker, Building Inspection Division.

Also Present: Ald. Kristen Slack, Dist. 19.

### PUBLIC COMMENT

1. [60306](#) Plan Commission Public Comment Period

### COMMUNICATIONS, DISCLOSURES AND RECUSALS

There were no communications, disclosures or recusals by members of the Plan Commission.

### MINUTES OF THE JUNE 12, 2023 REGULAR MEETING

**A motion was made by Solheim, seconded by Duncan, to Approve the Minutes.  
The motion passed by voice vote/other.**

### SCHEDULE OF MEETINGS

Regular Meetings:

- Monday, July 10, 24 and August 7, 28, 2023 at 5:30 p.m. (Virtual Meetings)

### AGENDA NOTE:

Note: Hearing items may be called at any time after the beginning of the meeting. Those wishing to speak on an item must register with the Secretary. The Plan Commission uses a consent agenda, which means that the Commission can consider any item where there are no registrants wishing to speak in opposition regardless of its placement on the agenda.

**SPECIAL ITEMS OF BUSINESS**

- 2. [78498](#) Election of Plan Commission Chair  
  
**A motion was made by Solheim, seconded by Heck, to Approve Ledell Zellers as Chair of the Plan Commission. The motion passed by voice vote/other.**
  
- 3. [78499](#) Election of Plan Commission Vice Chair  
  
**A motion was made by Heck, seconded by Mendez, to Approve Nicole Solheim as Vice Chair of the Plan Commission. The motion passed by voice vote/other.**
  
- 4. [78501](#) Plan Commission Appointment to the Joint Campus Area Committee  
  
**A motion was made by Mendez, seconded by Heck, to Approve Gabe Mendez as the Plan Commission representative on the Joint Campus Area Committee. The motion passed by voice vote/other.**
  
- 5. [78502](#) Plan Commission Appointment to the Transportation Commission  
  
**A motion was made by Heck, seconded by Figueroa Cole, to Approve Chris McCahill as the Plan Commission's representative on the Transportation Commission. The motion passed by voice vote/other.**
  
- 6. [78520](#) Approving an amendment to the *Plan Commission Policies and Procedures Manual* to modify the timing of when the election of the chair and vice chair shall occur  
  
On a motion by Ald. Figueroa Cole, seconded by Ald. Duncan, the Plan Commission amended its Policies and Procedures Manual as follows:  
  
  - Amend the timing of the election of Chair and Vice Chair of the Commission as noted in the attachment;
  - Revise the Manual to adopt gender-neutral language;
  - Revise references to the now defunct Transportation Policy and Planning Board (TPPB) to the Transportation Commission; and
  - Revise references to "aldermanic" to "alder" to be more inclusive.

The motion to adopt the above-referenced amendments passed by voice vote/ other.

**A motion was made by Figueroa Cole, seconded by Duncan, to Approve amendments to the Plan Commission's Policies and Procedures Manual as noted. The motion passed by voice vote/other.**

**PUBLIC HEARINGS**

**Tax Incremental Finance Districts**

- 7. [78303](#) Approving the Creation of the Project Plan and Boundary and use of the Half Mile Rule for Tax Incremental District (TID) #52 (East Washington & Stoughton Rd), City of Madison.

On a motion by Solheim, seconded by Ald. Figueroa Cole, the Plan Commission recommended approval of the proposed Tax Incremental District. The motion to recommend approval passed by voice vote/other.

**A motion was made by Solheim, seconded by Figueroa Cole, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.**

- 8. [78312](#) Approving the Project Plan and Boundary and use of the Half Mile Rule for Tax Incremental District (TID) #53 (East Wilson), City of Madison.

On a motion by Solheim, seconded by Ald. Figueroa Cole, the Plan Commission recommended approval of the proposed Tax Incremental District. The motion to recommend approval passed by voice vote/other.

**A motion was made by Solheim, seconded by Figueroa Cole, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.**

- 9. [78314](#) Approving the Creation of the Project Plan and Boundary and use of the Half Mile Rule for Tax Incremental District (TID) #54 (Pennsylvania Ave), City of Madison.

On a motion by Solheim, seconded by Ald. Figueroa Cole, the Plan Commission recommended approval of the proposed Tax Incremental District. The motion to recommend approval passed by voice vote/other.

**A motion was made by Solheim, seconded by Figueroa Cole, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.**

**Zoning Text Amendment**

- 10. [78146](#) Amending Sections 9.29 and 28.151 of the Madison General Ordinances to update regulations for Tourist Rooming Houses.

On a motion by Solheim, seconded by Mendez, the Plan Commission found the standards met and recommended approval of the ordinance amendments by voice vote/ other.

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

**Development-Related Requests**

Note: Items 11-13 are related and were considered as one public hearing.

- 11. [69791](#) 428, 434 and 444 State Street; 2nd Ald. Dist.: Consideration of a demolition permit to allow demolition of three mixed-use buildings.

On a motion by Heck, seconded by Sheppard, the Plan Commission found that the standards for approval were not met and placed the demolition permit on file without prejudice.

In placing the demolition permit on file, the Plan Commission specifically found that standard #7 was not met: *"The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison."* In finding that the standard was not met, members cited the statement of purpose in Section 28.185 regarding implementation of approved plans, specifically noting that Recommendation 75 in the Downtown Plan recommends "...the preservation, rehabilitation and adaptive reuse of sound older buildings that contribute to the district's character".

The motion to place the demolition permit on file without prejudice passed by voice vote/ other.

**A motion was made by Heck, seconded by Sheppard, to Place On File Without Prejudice. The motion passed by voice vote/other.**

- 12. [69792](#) 428-444 State Street; 2nd Ald. Dist.: Consideration of a conditional use in the Downtown Core (DC) District for a new building; and consideration of a conditional use for nonresidential development immediately adjacent to the boundary of a City-owned public park, to allow construction of a six-story tall mixed-use building containing up to 6,445 square feet of commercial space and 26 apartments adjacent to Lisa Link Peace Park.

On a motion by Heck, seconded by Mendez, the Plan Commission referred the conditional use request to a future meeting (no date specified) by voice vote/ other.

**A motion was made by Heck, seconded by Mendez, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.**

- 13. [69800](#) Approving a Certified Survey Map of property owned by JD McCormick, LLC located at 428-444 State Street; 2nd Ald. Dist.

On a motion by Mendez, seconded by Solheim, the Plan Commission found that the standards were met and recommended approval of the Certified Survey Map subject to the comments and conditions contained in the Plan Commission materials. The motion to recommend approval passed by voice vote/other.

**A motion was made by Mendez, seconded by Solheim, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.**

Note: Items 14 and 15 are related and were considered as one public hearing.

- 14. [77932](#) 4687 Verona Road; 10th Ald. Dist.: Consideration of a demolition permit to demolish a restaurant

On a motion by Ald. Figueroa Cole, seconded by Solheim, the Plan Commission found that the standards were met and approved the demolition permit subject to comments and conditions contained in the Plan Commission materials. This item passed by voice vote/other.

**A motion was made by Figueroa Cole, seconded by Solheim, to Approve. The motion passed by voice vote/other.**

- 15. [77933](#) 4687 Verona Road; 10th Ald. Dist.: Consideration of a conditional use in the Commercial Center (CC) District for a vehicle access sales and service window to allow construction of a new one-story restaurant with a vehicle access sales and service window

On a motion by Ald. Figueroa Cole, seconded by Ald. Duncan, the Plan Commission found that the standards were met and approved the conditional use request subject to comments and conditions contained in the Plan Commission materials. This item passed by voice vote/other.

**A motion was made by Figueroa Cole, seconded by Duncan, to Approve. The motion passed by voice vote/other.**

- 16. [77934](#) 4953 Hoepker Road; 17th Ald. Dist.: Consideration of a demolition permit to demolish a single-family residence

On a motion by Solheim, seconded by Mendez, the Plan Commission found that the standards were met and approved the demolition permit subject to comments and conditions contained in the Plan Commission materials. This item passed by voice vote/other.

**A motion was made by Solheim, seconded by Mendez, to Approve. The motion passed by voice vote/other.**

- 17. [77935](#) 5106 Spring Court; District 19: Consideration of a conditional use to construct an accessory building on a lakefront parcel

On a motion by Solheim, seconded by Mendez, the Plan Commission referred the conditional use request to July 10, 2023 at the request of the applicant. This item passed by voice vote/other.

**A motion was made by Solheim, seconded by Mendez, to Refer to the PLAN COMMISSION and should be returned by 7/10/2023. The motion passed by voice vote/other.**

- 18. [77939](#) 4711 Eastpark Boulevard; 17th Ald. Dist.: Consideration of a conditional use in the Suburban Employment Center (SEC) District for a hotel to allow construction of a four-story, 124-room hotel on future Lot 57 of *The American Center Eastpark Sixth Addition* subdivision

On a motion by Solheim, seconded by Mendez, the Plan Commission found that the standards were met and approved the conditional use request subject to comments and conditions contained in the Plan Commission materials. This item passed by voice vote/other.

**A motion was made by Solheim, seconded by Mendez, to Approve. The motion passed by voice vote/other.**

**Subdivision Regulations Update**

- 19. [78130](#) Repealing and Recreating Section 16.23 of the Madison General Ordinances to Update Land Subdivision Regulations.

On a motion by Ald. Figueroa Cole, seconded by Solheim the Plan Commission recommended approval of the amendments to the Subdivision Regulations.

On a motion by Solheim, seconded by Mendez, the motion to recommend approval of the ordinance was amended to include Ledell Zellers' comments and revisions to the proposed ordinance text dated June 22, 2023 except Items 4 and 5. The motion to amend the main motion passed by voice vote/ other.

The revisions to the ordinance recommended by the Plan Commission with the amended main motion are included for reference herein (page references are to the 'Ordinance Comparison' attachment; "I" references refer to Ledell Zellers):

1. p.1 (1)(b) and in other places, appears the word should be “ensure” (as in (1) (e)) rather than “insure”. I recommend that this be figured out and corrected in places needed.
2. Land combinations. There is scant mention of land combinations. (I only saw it in two places...) While I think the ordinance might benefit from a bit more clarity throughout when provisions apply to land combinations as well as divisions, certainly a change in the definition of “Certified Survey Map” (p. 2), as suggested by Tim to help make things clearer would help. The definition would then read: A drawing meeting all the requirements of Sec. 236.34 Wis. Stats. Which is a map or plan of record of a land division including the combination of parcels for building development. I recommend we make this change to assist with clarity.
3. Top of p. 9 “between an adopted plan or the Street Type Map regarding the specific requirements for a street or highway, the recommendations of the most recently adopted plan, guide, or map should abide.” Recommend “abide” be changed to “apply” for clarity.
6. On p. 20...under 1. It says “anticipated automobile traffic”. I think we should use a term that would clearly include trucks. Staff suggests “Motor vehicle”. I recommend we make this change.
7. On p. 34, I recommend that we add the same language to Collector streets (“to facilitate a

healthy tree canopy;”) as is added for Local Streets (shown on p. 35).

8. P. 36 the new paragraph right before b., I recommend we add the word “be” as follows: “the buffer strip may be located in an outlot to be maintained by a private association.”
9. P. 37 under 5. This sentence does not read well: “Buffering From Arterial Streets And Highways. Whenever the proposed subdivision or land division contains or is adjacent to an arterial street or highway, adequate protection of residential properties shall be provided with a buffer that includes screening and/or landscape planting contained in a non-access reservation along the property line adjacent to such arterial street or highway.” I recommend we add the word “with” as shown.
10. P. 43 - 44 I recommend we encourage that above ground electric facilities be a sensible distance (to be defined by [the Traffic Engineering Division]) from corners to avoid impeding the vision of motorists.
11. P. 48 2. The last sentence seems incomplete: “Where such dedication or other provision is not required, the developer may be required to reserve such area for a period not to exceed five (5) years after which the City, County or to.” Staff indicates he believes we are missing “wn” to make the word “town” at the end of that section. I recommend we make that edit.

The main motion to recommend approval subject to the amended language above passed by voice vote/ other.

**A motion was made by Figueroa Cole, seconded by Solheim, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.**

## BUSINESS BY MEMBERS

There was no business by members.

## SECRETARY'S REPORT

Heather Stouder summarized recent Common Council actions and upcoming matters for the Plan Commission.

### - Recent Common Council Actions

- 437-445 W Johnson Street, 430-440 W Dayton Street & 215-221 N Bassett Street - Rezoning from PD and DR2 to UMX and CSM for 12-story apartment building - Motion to approve zoning map amendment failed on 6-13 vote at June 20, 2023 meeting (Plan Commission recommended approval); the CSM was approved
- 1115 S High Point Road - Assigning SR-V2 Zoning for an addition to an adult family home with 19 apartments, daycare center, and outdoor recreation (pool) - Approved on June 20, 2023 subject to Plan Commission recommendation

### - Upcoming Matters – July 10, 2023

- Adjacent to 2550 Woods Road - Annexation of City-owned parcel from the Town of Verona
- Zoning Text Amendment - Amending Section 28.104(7)(c) to add an exception to height and story minimum requirements in the Transit-Oriented Development (TOD) Overlay District
- 702-750 University Row - PD to Amended PD(GDP-SIP) and Certified Survey Map Referral - Amend University Crossing General Development Plan and approve Specific Implementation Plan to construct four-story, 180,000 sq. ft. addition to existing medical clinic and 830-stall parking garage and re-divide 3 lots into 2 by CSM
- Rezone various properties from CC-T and CC to RMX consistent with recommendations in Greater East Towne Area Plan (Areas 2 and 3)
- 610 Junction Road - PD(SIP) Alteration and Conditional Use to allow restaurant-nightclub tenant in mixed-use building with outdoor eating area
- 4711 Eastpark Boulevard - Preliminary Plat and Final Plat of The American Center Eastpark Sixth Addition, creating two lots in SEC zoning

- 233 Langdon Street - Conditional Use to convert apartment building into lodging house
- 2810 Waunona Way - Demolition Permit and Conditional Use - Demolish single-family residence and construct new residence on lakefront parcel

**- Upcoming Matters – July 24, 2023**

- 2986 & 2987 Femrite Drive, 3087 Luds Lane, et al - Annexation of Dane County-owned land from the Town of Cottage Grove (Effective October 1, 2023)
- 18-30 N Carroll Street - Demolition Permit, Conditional Use, and Certified Survey Map Referral - Demolish two commercial buildings and a museum to construct a new five-story museum (Wisconsin History Center) on one lot
- 3913 Lien Road - Conditional Use - Construct car wash in Urban Design Dist. 5
- 102 Dempsey Road - Conditional Use - Construct generator at Madison Water Utility Well 11
- 5132 Voges Road - Conditional Use - Construct additional building for Dane County Humane Society (animal shelter)
- 314 Junction Road - PD(SIP) Alteration to allow animal daycare in a tenant space in a mixed-use building
- 526 Pinney Street - Conditional Use - Construct four-story mixed-use building with 2,215 square feet of commercial space and 138 apartments
- (Tentative) 7021 Cottage Grove Road - Certified Survey Map Referral to create three lots in Agricultural District zoning

**ANNOUNCEMENTS**

There were no announcements.

**ADJOURNMENT**

**A motion was made by Solheim, seconded by Sheppard, to Adjourn at 8:45 p.m. The motion passed by voice vote/other.**

**REGISTRATIONS**

A final, complete list of persons registered for items on the Plan Commission agenda will be attached to the below-listed file following adjournment of the meeting. The final list of registrations for a particular meeting will include the meeting date in the title of the file. Registrants will no longer be entered on the minutes after each item. An agenda item with no registrants will not appear on the table of registrants attached for that meeting; however, that item will still have been considered as noted in the proceedings for that meeting.

[75227](#)

Registrants for 2023 Plan Commission Meetings