
Regarding: **Recommendations for Development Review and Approval Process
(Legistar #19096)**

Date: August 4, 2010
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DRAFT

Below is a draft of a partial response to the “DMI Recommended Changes To The City Of Madison Property Development Approval Process: June 15, 2010.” It is based in the Commission’s discussion at the July 26, 2010 meeting and was prepared at the request of the Commission.

- 1. Project a Customer Engaging Attitude**
 - a. The Commission noted its high approval rate and that should be promoted.
 - b. The Landmarks Commission meets two times per month to facilitate prompt review of projects.
 - c. The Landmarks Commission requires no fee for the approvals process.
- 2. Appoint a Project Liaison for Important Projects**
 - a. Preservation Staff already serves as the liaison for historic projects.
- 3. Consider a Different Approval Process for Smaller Projects**
 - a. Regarding recommendation 3.b.i: The Landmarks Commission has already adopted a well-utilized series of procedures and criteria for administrative approvals of projects. This has resulted in having only complicated, controversial, or larger projects necessitating a review by the Landmarks Commission. (Approximately 200 staff approvals and only 48 Commission cases in 2009.)
- 4. Other Efficiency Improvements**
 - a. Regarding recommendation 4.b.i: The only current notification required by the Landmarks Ordinance is for public hearings which include demolitions, variances, additions over 100 square feet in the University Heights District, and landmark and historic district designations.
 - b. Regarding recommendation 4.b.iii: The Landmarks Commission is highly specialized in its knowledge of historic preservation. Its work would be difficult to administer by other commissions (Plan Commission, Zoning Board of Appeals, or Urban Design Commission).
- 5. Improve the Functionality of Committees and Commissions**
 - a. The Landmarks Commission regularly allows presenters to have extra time to present projects at meetings.
 - b. The Commission agreed that there should be an established procedure for projects that have to get approvals by more than one commission. This could include:
 - i. Requiring the Landmarks Commission to see projects before UDC and provide some flexibility in their Certificate of Appropriateness to allow staff to review any changes required by UDC that do not greatly affect the appropriateness of a project.
 - ii. A sub-committee of UDC and Landmarks Commission members could meet on some larger projects to avoid trips to multiple commissions.

6. Decision Making Authority Should be Retained by the Council

- a. The Landmarks Commission reaffirmed their interest in retaining the super-majority vote for appeals of Landmarks Commission decisions, considering the overwhelming approval rate of projects. The Commissioners also noted that the appeals process should be for the exception and not the rule. A super-majority vote assures the community that a higher bar is set for those special cases in which an appeal is merited.

7. City Staff

- a. The Commission took exception to the implication that staff is not qualified.
- b. The Commission agreed that staff should be encouraged to attend and be given financial support to attend training, educational seminars and conferences.

8. Committee Members

- a. The Commission agreed that Commissioners should be given training/ provided educational opportunities for open meetings, ethics, and procedural training as well as specialty training for land use/ design historic preservation etc.

9. Neighborhood Plans

10. Neighborhood Associations

- a. Commissioners said that it would be difficult to absolutely determine the validity of the neighborhood associations, and that they rely on the Alders' facilitation of neighborhood input.
- b. The Commission added that neighborhood association input/recommendations are valuable, but are not determinative.

11. Further Research