



Department of Planning & Community & Economic Development
Planning Division

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TO: Madison Plan Commission

FROM: Bradley J. Murphy, Planning Division Director

DATE: November 17, 2010

SUBJECT: Comments on the October 6, 2010 Meeting of the Economic Development Committee:
Presentation on the Development Review Process and October 18, 2010 Initial Draft
Report

At the meeting of October 18, 2010 Plan Commission members provided some comments on the presentation of draft options presented to the Economic Development Committee on October 6. Some additional comments on the October 18, 2010 Initial Draft Report was provided at the Commission meeting of November 8, 2010. Those additional comments are located at the end of this memorandum. All the others that follow are from the meeting of October 18.

COMMENTS FROM THE MEETING OF OCTOBER 18, 2010

Lauren Cnare comments:

- Slide 32. Include economic feasibility in neighborhood plans. Questioned how the recommendation could be accomplished. Brad Murphy suggested that it is difficult to assess the economic feasibility of all the recommendations contained in a 10-year neighborhood plan but much easier to do it on a project-by-project basis. Some plans include market studies and have addressed the question to a greater extent than other plans.
- Slide 32. Asked what level of resources would be required to keep neighborhood plans up to date every 10 years and to prepare neighborhood plans for those that currently do not have plans. Murphy responded by indicating that there aren't resources available to meet this goal at the present time.
- Slide 23. Recommended that orientation and training be provided to not only commission and committee members, but also to Council members.
- Slide 14. Agrees with the first point of contact being department staff rather than neighborhoods and Alderpersons.
- Slide 14. Regarding the standardization of applicant notification and neighborhood review, there needs to be some flexibility in the process. Rather than these meetings happening in a linear fashion, some of these meetings can occur together. Recommend that the first bullet be changed to "meet with Alder and neighborhood association and business association" rather than the association president or designee. In some cases, the association president may be too busy to get

the word out in a timely fashion. There needs to be some flexibility to meet the needs of neighborhoods that do not have well organized associations or where the association is a homeowner's association, condominium association, or a combination of all three. Condo associations, homeowner's associations should both be officially listed on the City's website so that they receive notices as any neighborhood association would.

Tim Gruber comments:

- Slide 27. Supports the use of consent agendas but does not agree that items must be pulled 48 hours in advance because it is difficult to predict whether there will be people showing up in support or opposition and wanting to speak at a public hearing in advance of the meeting, and there are often last minute items provided at the Plan Commission meeting which might change a commission member's decision on whether or not to pull an item from the consent agenda. Commission members often are not able to review all of the materials 48 hours in advance of the meeting.
- Questioned the ability of staff to provide all reports one week in advance of the meeting.
- Slide 22. Assigning project coordinators to complex projects sounds like a good idea.
- Slide 30. Questioned the desirability of having all development review departments attend all commission meetings and indicated that the current process of having relevant staff attend meetings when needed was a better approach.

Michael Basford comments:

- Slide 22. Isn't there an existing review of uses to see whether they are permitted or conditional or not allowed already occurring at the Zoning desk? Murphy responded that this review is indeed already happening and that the Zoning Administrator is ultimately responsible for determining whether or not a use is permitted or not within a given district and his decision can be appealed to the Zoning Board of Appeals. Murphy indicated that there may not be an ability to provide greater discretion than already exists. He did indicate that there may be greater ability to change the ordinance related to whether a use is permitted, conditional or not allowed.
- Slide 24. Questioned whether eliminating super majority votes involved all decisions by all commissions or just some. Murphy responded that he believed it was a broad recommendation to eliminate all super majority votes. He also stated that some may be provided for under state law and those would not be possible to change by City action. He also stated that it will be up to the policy bodies to decide which, if any, super majority vote items they want to change.
- Slide 13. Asked if the Landmarks Commission review was the only type of project where an application fee is not charged? Murphy responded that there are several other types of projects which come before the Urban Design Commission and Plan Commission where fees are not charged, including annexations, review of public buildings, etc.
- Asked for additional information on the amount of money that is budgeted for Common Council members to send out mailings to constituents on development review projects. Ald. Cnare indicated that there are a couple of accounts that are used but that there are limitations on the money that is available and that there are probably several ways that information should be provided, including the use of email.

- Indicated that there were many good recommendations especially related to the use of technology. Including web-based project registration, project notification, updating project information, providing additional information which can be accessed using the property look up feature on the current website.
- Provided several comments on Slide 16 involving inclusive, fair and uniform neighborhood input into development projects, including: difficulties in getting a mix of property owners, residents and businesses all together at the same time to participate, and to get them together into one organization and to have them speak with one voice. He indicated that these different groups can many times have different agendas and different objectives and hence, their opinion of any particular development project may be different. These differences of opinions are fine, but how these differences of opinion get communicated can be a challenge. How each group communicates its interest can be different from group to group. He also indicated that within a given neighborhood there may be a neighborhood association, a homeowner's association, and business associations. He indicated that while it is an interesting goal, the recommendations probably will not result in solving whatever problem it is that is intended to be addressed.
- Slide 23. Supports the recommendation to have commissions conduct a semi-annual or annual review of projects and to conduct a self-critique.
- Agreed with Ald. Cnare's suggestion that commission members and Council members undertake a test to determine their understanding of the processes that they administer and the standards for the review of projects.
- Asked about the two quotes on Slides 9 and 10 and how they related to the development processes and what the context was for these quotes. For example, what does the Journal of Housing Research consider to be a long period of time from application to approval? Mr. Basford clarified that it would be interesting to see how the City's development processes stacked up against comparable cities in terms of the timeline for review and approval of applications.

Judy Bowser comments:

- Slide 11. Recommended that if we are going to use a slide that indicates that over 55% of the City is exempt from property taxes that we also indicate how many properties make a payment in lieu of taxes. Murphy also suggested that it be clarified to indicate that this 55% includes City street right-of-way and parkland owned by the City. Chair Fey suggested that the map and percentage include only lands which are considered developable. In other words, how much developed and developable land is tax exempt?
- Slide 24. Does not agree with the recommendation to combine the Urban Design Commission and Landmarks Commission or to make these commissions subcommittees of the Plan Commission. The Landmarks Commission and Urban Design Commission require different skill sets with different types of expertise.
- Asked for clarification of the recommendation to publish development fee information on Slide 18. Murphy indicated that this recommendation was trying to get at not only application fees but also fees related to stormwater management, sanitary sewer connection charges, park development fees and the like.

- Asked how adding additional district designations would work with the City's property look-up feature. Also recommended that the customers need to be able to access information from several different locations depending on where they enter the City's website.
- Slide 19. Recommended that a 3-day goal to turn around simple projects may be overly ambitious.
- Slide 28. Recommends that signage within Urban Design Districts should be approved by the Urban Design Commission.
- Slide 35. Supports renovation of the Council chambers and other conference rooms that are not yet provided with projectors and computer connections.

Eric Sunquist comments.

- Agrees with much of what has already been said by other commission members.
- Asked for clarification on proposed amendments to the Landmarks Ordinance to make it easier to interpret without diminishing its effectiveness. Murphy explained that the Landmarks Commission was in the process of reviewing the Landmarks ordinance based on its experience with the Edgewater project.
- Noted that the zoning rewrite process will result in many form-based standards being included in the new Zoning Code, which should help add to the predictability of the process and make some of the Urban Design Commission considerations more straightforward.
- Indicated that the Urban Design Commission's review of projects on multiple occasions can make projects better, and for complex projects multiple reviews can be helpful.
- Slide 18. Supported the use of additional technology and improvements on the City's webpage and access to development information.
- Reiterated the use of technology to provide more customer friendly methods to access information on the City's development review process, development requirements, the contents of neighborhood plans, the comprehensive plan and the zoning code. Ideally, customers should be able to find out, not only what their property is zoned, but quickly find out what is allowed within that zoning district, the permitted uses, the setbacks, etc. and relevant adopted neighborhood plans which relate to the area that they are interested in.

Anna Andrzejewski comments.

- The recommendations for the use of technology all seem good. Supported many of the recommendations made by other commission members.
- Providing more and better information to the public utilizing the City's web-based technology are good recommendations.
- Slide 27. Supported the idea of joint presentations before multiple commissions for complex projects which may result in streamlined processes.
- Slide 24. Asked for additional information on the options. Asked what the recommendations were intended to accomplish. Wanted additional detail on the logic and reasoning behind the options.

Nan Fey comments.

- Commented that she does not believe that the Plan Commission has ordinance authority to refer items to the Landmarks Commission or in some cases, the Urban Design Commission or other commissions. This would be a good addition to Slide 25.

COMMENTS FROM THE MEETING OF NOVEMBER 8, 2010

- Commission member Bowser questioned whether further clarification was needed regarding the mission and authority of the Landmarks Commission on Page 13. Murphy noted that this was a direct quote from the ordinance statement of purpose and it could be reviewed to ensure that it encompasses all of the duties and responsibilities of the Commission.
- Ald. Kerr questioned why the “50 Reasons Not to Change” graphic was included in the report. She indicated that she felt it was rude and insulting and implies that people involved in this process are not will to make changes and are looking for excuses. She recommended the graphic be removed from the report. She also indicated that she does not recall members of the Economic Development Committee having attended Plan Commission meetings to observe the work of the Commission. She suggested this would be a good idea since much of the report pertains to the work of the Commission. Finally she suggested the report include information on the role of Common Council members in the development review process because their role is critical to the process. Additional training would be a good recommendation.

cc. Tim Cooley, Economic Development Division Director
Mario Mendoza, Assistant to the Mayor