



Participating in the Development Process

DRAFT
March 4, 2005

*A Best Practices Guide
for Developers, Neighborhoods
& Policymakers*

Spring 2005

This Guide was prepared by:

The City of Madison Planning and Development Department
with help from local developers, planners, policymakers & neighborhoods

Participating in the Development Process

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I. Background Information

A. Introduction

Many new developments in the City of Madison require approvals by City boards and commissions. These developments may consist of subdivisions of land, construction of new houses, apartment and condominium buildings, commercial, office and industrial buildings, retail centers, schools, churches and other types of structures. These projects can vary greatly in type and size, and each relates to its surroundings in a unique way.

New development proposals fall into one of two general categories:

The first category consists of proposals for uses that are permitted under the Zoning Ordinance. These permitted uses don't require any type of public review. These proposals require the property owner, developer or builder to submit plans to the City that comply with all applicable codes and ordinances. If they comply, building permits are issued, and construction can begin.

The second category consists of proposals that require some level of public review before at least one of the City's Commissions (i.e. Plan Commission, Urban Design Commission, Landmarks Commission) and/or the Common Council. Development proposals of this nature generally require a full review by several City departments, a public hearing, and involve neighborhood input.

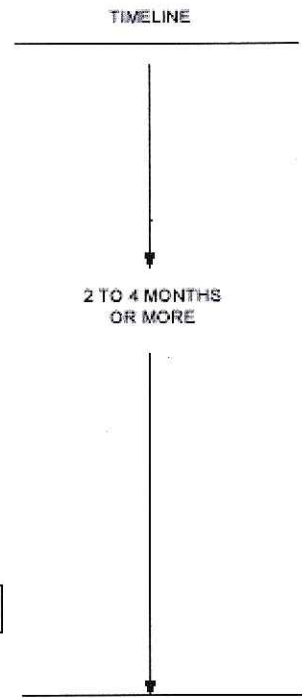
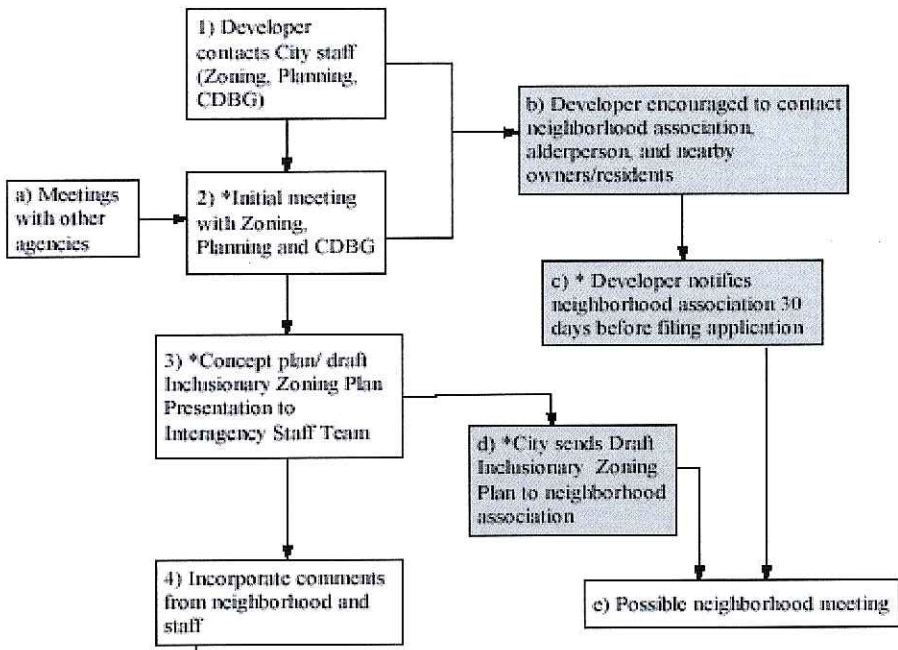
This guide focuses on the second category of development. The following two flow charts illustrate a general guide map to this development review process. Madison has set a high standard for development in the community. For development proposals to be successfully approved, neighborhood involvement is usually very important. Both developers and neighborhoods have worthwhile interests in participating in the development review process. The developer takes a significant financial risk on a project, while neighborhood residents must live with the final outcome on a daily basis. The more familiar developers, builders, neighborhood residents and other stakeholders are with the review process, the more likely it is that a project will be successful. Many development proposals that go to the Plan Commission and Common Council are not controversial and neighborhood participation is straightforward and positive. However, from time to time, there are proposals that generate a high level of interest and require the Plan Commission and Common Council to evaluate conflicting and complex opinions on the suitability of the proposal.

The Mayor and Common Council encourage productive communication among residents, developers, staff and other stakeholders during the development review process. This guide is intended to provide information about the review process that will help developers and neighborhood residents to foster a higher level of communication. The City's Department of Planning and Development's Planning Unit has prepared this guide based on input from neighborhood representatives, members of the development community, City policymakers, and other interested parties. The primary forums for this input included a working session at the Monona Terrace Community and Convention Center on June 26, 2004, and the City of Madison's Neighborhood Roundtable, held on November 20, 2004. The City would like to thank all those who have contributed to the creation of this document.

B. Process Flow Charts

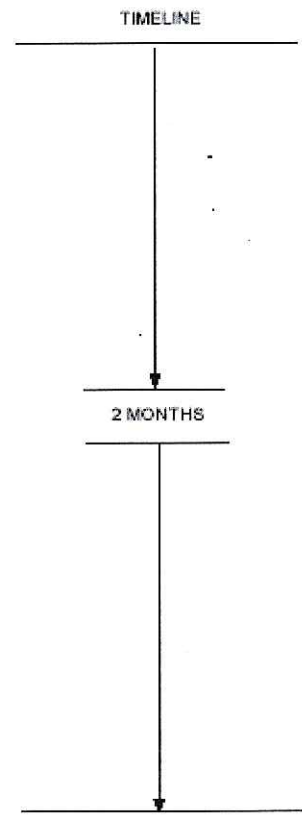
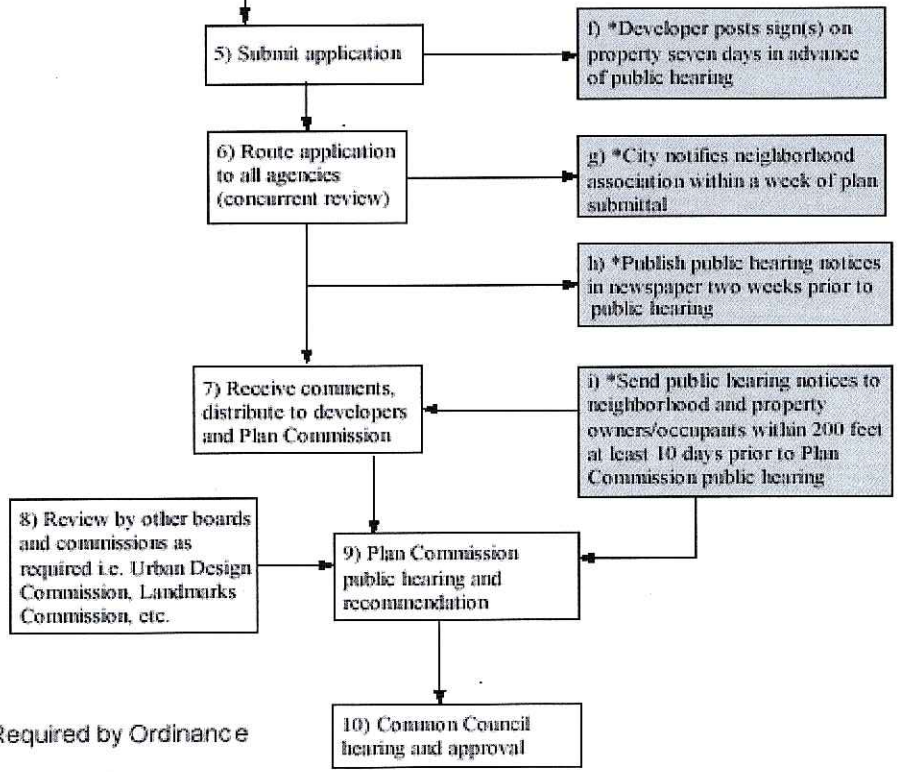
B1. Generalized Development Review Process Flow Charts

Preapplication Process



Formal Application Process

(From Application Submittal to Common Council Approval)

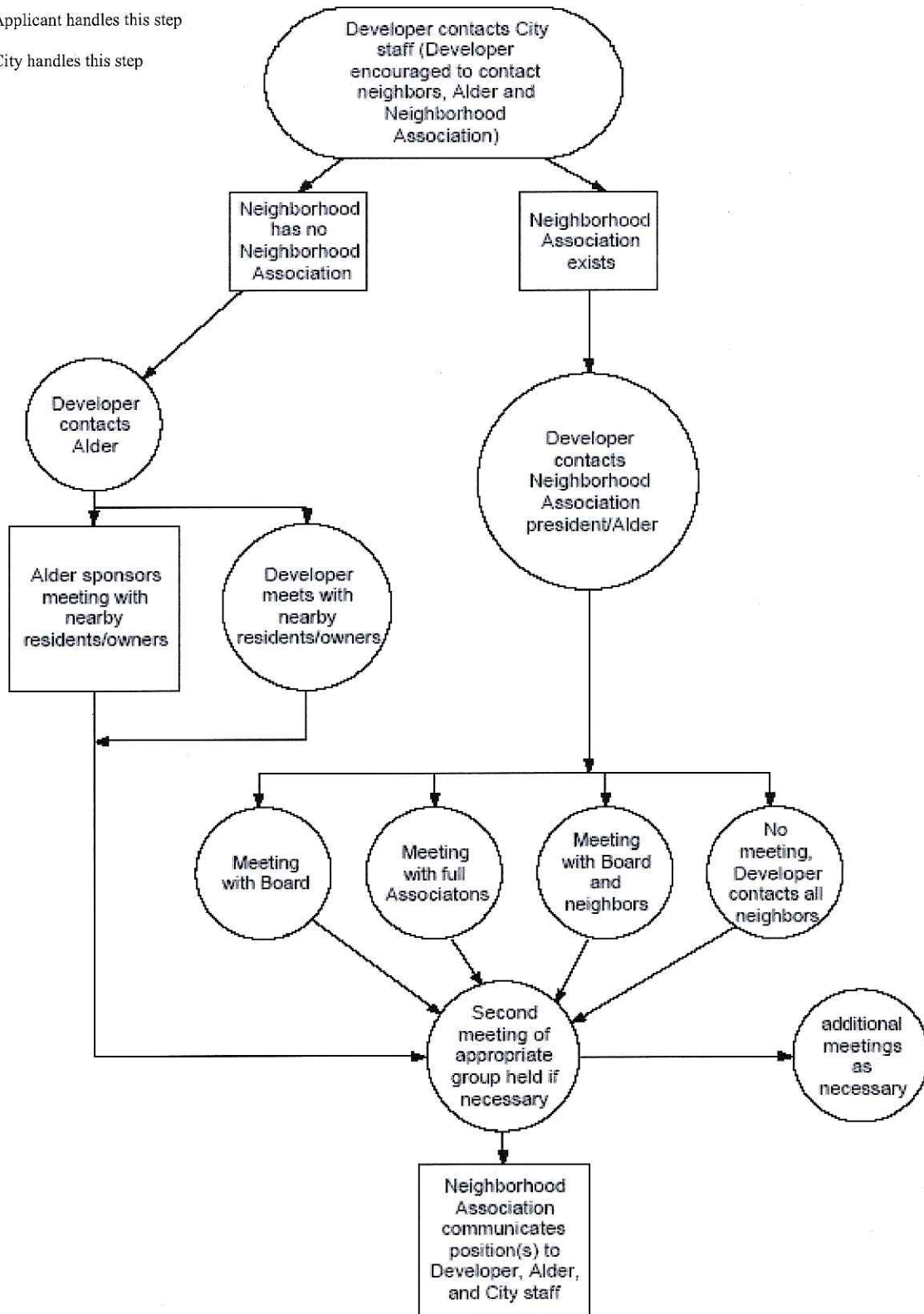


*Required by Ordinance

B. Process Flow Charts

B2. Informal Neighborhood Review Process Flow Chart

- Applicant handles this step
- City handles this step



C. City Plans and Current Zoning Information

City planning documents relating to land use issues are available and should be consulted by anyone interested in exploring the recommendations for a particular site. Planning and Development staff will make interested parties aware of the relevant city plans for a site early in the development process. The most important sources of land use information are the Zoning Ordinance, Comprehensive Plan, Neighborhood Plan(s), Neighborhood Development Plans and any Special District Plan(s).

- The **Zoning Ordinance** details current land use requirements for every property, such as permitted uses, and building height and setback requirements. It also contains requirements for open space, landscaping, and parking, among others.
- The **Comprehensive Plan** is the City of Madison's overall policy toward long-term land use and physical development. It provides recommendations for the use of land and for the provision of infrastructure, facilities and services that support land uses.
- **Neighborhood Plans** typically include recommendations regarding new development, redevelopment and preservation. Neighborhood Plans are usually adopted by the Common Council. A Special District Plan is similar to a Neighborhood Plan, but is usually more detailed and typically covers a smaller area. Unlike a Zoning Ordinance, which is legal code, Neighborhood and Special District Plans are advisory. They are meant to convey a vision for the future of a neighborhood and make specific land use and design recommendations for the improvement of the neighborhood.
- **Neighborhood Development Plans** are adopted by the City to guide the development of new neighborhoods on the periphery of the community. These plans detail the locations of streets and land uses, among other recommendations. They often contain recommendations on desired attributes for new development.

It is highly recommended that any persons or groups interested in participating in the development review process familiarize themselves with these land use documents in order to be a more effective in the process.

Resource Guide & Other Reference Materials

The *Zoning Ordinance* regulates the nature and extent of land uses and sets standards for structures in the City of Madison.

<http://www.cityofmadison.com/BI/zoning.html#ordinance>

The City of Madison's *Comprehensive Plan* establishes an urban development strategy and policies to guide the future growth and development of the community over the next several decades. The Plan serves as a basis for making many decisions regarding land use and the location of development, the extension of services and the placement of community facilities. Materials are available online at:

<http://www.madisonplan.org>

The City of Madison's *Neighborhoods website* contains:

- Information on starting and operating a neighborhood association
- Contact information for neighborhood associations
- Links to Neighborhood Plans, Special District Plans and Neighborhood Development Plans.

<http://www.cityofmadison.com/neighborhoods/index.htm>

The City of Madison's *Development Guide* offers detailed information about land use and construction approval processes. The document describes specific review criteria that may be evaluated as conditions of approval.

<http://www.cityofmadison.com/planning/2004devbook3.pdf>

II. Understanding Participant Roles in the Development Process

A. Defining Participant Roles

In order to provide readers with a better understanding of the role of each participant group in the development process, two case studies of Madison development proposals are offered in this section.

Example #1: Klinke Cleaners on Park Street

Klinke Cleaners on South Park Street represents the kind of straightforward review process that is typical of most development proposals in Madison.

This project involved replacing a former oil change facility with a new, three-tenant commercial building. The proposed use of this building was in conformance with existing City zoning regulations, although Klinke's desire to include a drive-up window on the site necessitated that the project be reviewed as a *conditional use* (see glossary for a definition of italicized terms).

The development proposal conformed to the zoning code, represented an improvement to the built environment, and increased economic activity in the neighborhood. This project did not face a lengthy or complicated review process.

Example #2: 800 Block of East Washington Avenue

The redevelopment proposal for the 800 Block of East Washington Avenue went through a more extensive review process than many development applications, due to its size, complexity, and requested a zoning change.

The developer proposed to redevelop this block by demolishing the used car dealership structures on the site, and constructing six residential and three *mixed use* buildings. The proposal also incorporated a new private street and an underground parking structure. Because this development proposal called for such a large change to the land use of the site, a longer review process was necessary.

Madison Development Examples:

Example #1: Klinke Cleaners on Park Street



Park Street Facade

Example #2: 800 Block of East Washington Avenue



*View looking toward downtown
Madison*



Development Site Plan

B. Developer Role

A development project begins with an idea. A developer with an interest in a property does a preliminary identification of the types of uses and structures that would work on the site. At this point the developer should consult the adopted City plans and development ordinances to determine what type of project is legally possible on the site. A developer who is unfamiliar with the development process in Madison should also reference the City of Madison's *Development Guide* to familiarize him or herself with the steps in the approval process.

It is also important to understand that there are a wide variety of development operations, from large, experienced corporations to small, independent builders and individual property owners. There is no standard developer mindset. Each approaches a project with a viewpoint shaped by their own philosophies and experiences.

People interested in development should understand the perspective from which a developer approaches a potential project. A potential profitable business opportunity is a significant reason for developers to undertake projects. In some cases, developers are significantly influenced by the idea of "highest and best use"; a real estate concept that is based on identifying the most valuable use of a property from a market perspective, irrespective of City and neighborhood plans and regulation. But while profit is a necessity from a business standpoint, a developer also seeks to build worthwhile projects that will benefit the community. The developer plays a major role in citizen's quality of life experiences through their impact on the community's built environment. While a developer is likely to approach a project from a city-wide or even regional outlook, knowing the neighborhood's history, current issues, and future plans, will make for a better development concept.

Madison Development Examples:

Developer Role:

Klinke Cleaners on Park Street

The Klinke Cleaners project was initiated by Klinke Enterprises of Madison, through the services of TJK Design & Construction Co., Inc. Klinke Enterprises sought to purchase the site, demolish the existing building and construct a new, three-tenant commercial structure.

The developer was able to gain the support of the neighborhood and the alderperson through a series of meetings on the proposal. The developer then submitted the formal application to City staff and presented the proposal to the Urban Design and Plan Commissions, ultimately securing approval to proceed with the demolition of the old structure and construction of the current building.

Developer Role:

800 Block of East Washington Avenue

Gorman and Company's proposal to redevelop the 800 Block of East Washington Avenue was timed to follow a period where the revitalization of the East Washington corridor has been particularly emphasized by City policymakers and adopted plans.

The developer also realized that a project of this size was likely to generate significant interest in the community, and responded by contacting the neighborhood association and the alderperson early to hear their ideas. This early contact was very much appreciated by the neighborhood association, and set the tone for a series of positive, productive meetings. The developer emerged from these meetings with a project that was widely supported, and had little trouble achieving City approval.

C. Policymaker Role

The decision to approve or reject a development application ultimately rests with the City's policymakers. The Mayor and the 20 elected Alderpersons on the Common Council set and guide City policy. Members of City commissions also play an important role in shaping proposals before they reach the Common Council. Members of these bodies are citizens appointed by the Mayor and confirmed by the Common Council.

A development project is most likely to fall under the authority of one or more of the following commissions: the Plan Commission, Urban Design Commission and Landmarks Commission.

The Plan Commission is responsible for reviewing and making recommendations on rezoning requests, annexations of land and subdivision plats, Zoning Ordinance text amendments, and to approve building demolitions, and conditional use permits.

The Urban Design Commission seeks to ensure the high quality design of public and private projects in the City. *Planned Unit Developments, Planned Commercial Developments*, projects in Urban Design Districts, public projects, and some large commercial development projects are all subject to Urban Design Commission review.

The Landmarks Commission reviews proposals for exterior work on landmark properties and buildings in historic districts to ensure that proposals are compatible with the historic character of the building or district.

For a more detailed overview of these commissions, and a determination of which projects may be reviewed by each, interested parties should consult the City of Madison's *Development Guide* and the Committee Information page on the City of Madison website:

www.cityofmadison.com.

Policymakers must balance legislative and quasi-judicial functions in the development review process. They may pass legislation that changes the legal use of a parcel of land but other times must approve or reject a project application based on the proposal's conformance with the appropriate land use criteria for the applicable zoning district. Adopted plans, the Zoning Ordinance and other ordinances, policies, and public input are used to review applications. Policymakers must consider long and short-term effects when deciding on the merits of an application.

Madison Development Examples:

Policymaker Role: Klinke Cleaners on Park Street

The primary role of the policymakers in development review is near the end of the process, in the formal review of the development application. Policymakers seek to determine if appropriate public review has taken place on an application, whether the application conforms with requirements, and whether the proposal may be improved by attaching conditions to approval of the application. In this case, the Urban Design Commission and the Plan Commission held public hearings on the proposal before approving the developer's application.

Policymaker Role: 800 Block of East Washington Avenue

City policymakers were involved with this proposal in numerous ways. Their first role was to make the revitalization of East Washington Avenue a major City land use goal, through the adoption of plans, and funding of new infrastructure for the corridor.



A developer makes a presentation to the Plan Commission.

Policymakers also gave feedback to developers early in the process at informational presentations to City commissions. By making these informational presentations, the developer was able to find out commissioners' concerns about the project, and address them before submitting a formal application. This process helps to streamline later reviews, and assist developers in determining expectations early in the process.

D. The Role of the Alderperson

The City of Madison Common Council is the City's primary policy making and review body and is comprised of 20 Alderpersons elected to two-year terms. In the case of development review, the Council is the body that grants final approval for zoning map amendments (including *Planned Unit Developments*) and subdivision plats, and serves as an appeal body for decisions made by the Plan Commission regarding conditional use and demolition permits.

Alderpersons serve part-time, and many have full-time jobs outside of their service to the City. Two full-time staff persons coordinate the daily functions of the Common Council.

Alderpersons may play several roles throughout the development review process. It is always encouraged that applicants for development projects consult with the district Alderperson early on to gauge his or her support for the project and to gain an understanding of concerns the surrounding neighborhood(s) may have if the project proceeds.

As a project unfolds, each Alderperson will participate differently in the process depending on the nature of the project and their familiarity with the development process as it relates to a particular project. The experience of Alderpersons in dealing with development may vary based on the amount of development in the district and the length of their tenure in office. Alderpersons also often differ in their approach to development projects, with some involving themselves more in discussions with City staff, neighbors and applicants than others.

In considering a particular development project, an individual Alderperson and the Common Council will weigh the benefits of the project to the entire City and the surrounding area versus any concerns expressed about a particular issue. The Council also ultimately determines if the project advances the goals and implementation of the City's Comprehensive Plan and other plans that pertain to the area of the proposed development.

Madison Development Examples:

Alderperson Role:

Klinke Cleaners on Park Street

The Alderperson worked closely with the developer on this project by helping the developer set up meetings with the neighborhood.

The Alderperson also requested that the applicant work with City Engineering to ensure that the site would have adequate drainage, which is especially important given the amount of impervious paving required for a drive-up window and proximity of the site to Lake Monona.

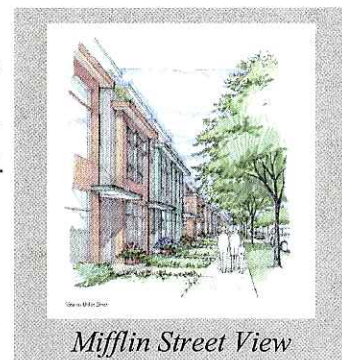


Site plan for Klinke Cleaners

Alderperson Role:

800 Block of East Washington Avenue

The Tenney Lapham Neighborhood has an active Neighborhood Association. The Alderperson met with developers early in the process and ensured that the neighborhood would be involved in the evolution of the design and development of this large parcel.



Mifflin Street View

E. City Staff Role

Several City agencies are involved in the development review process on various levels. The City's Planning Unit coordinates the City's agency review of development proposals to ensure that they meet prescribed standards.

City Planning Unit: Planning Unit staff provides technical support to the Plan Commission, Common Council, developers, neighbors and other interested parties. Planners seek to insure that community objectives, as articulated in a variety of plans and policies, are met by all project proposals. As coordinator of the review process, Planning Unit staff provides technical review of plans, balances the perspectives of developers, neighborhoods and policymakers, and communicates important information about the proposal to policymakers.

Zoning Administration: Zoning Staff receives most development applications, and assesses whether the proposal conforms with the regulations and permitted uses for the Zoning District.

City Engineer: Engineering staff reviews applications to determine compliance with stormwater management ordinances for infiltration and detention. Engineering conducts survey reviews, and maintains the official map of the City. Engineering is also responsible for overseeing public improvements related to new development.

Traffic Engineering: The primary role of Traffic Engineering is to assess the impact development proposals will have on the existing and future street network. Staff reviews pedestrian and bicycle access, parking lot and delivery access plans. If required, they also reviews applicant's Traffic Impact Analysis and Transportation Demand Management studies.

Fire Department: The Fire Department reviews development applications for conformance with City and State fire codes.

Parks Department: The Parks Department determines the amount of park land that a developer is required to provide and calculates park development fees based on City ordinances.

Community Development Block Grant (CDBG): The CDBG staff reviews larger residential development applications to evaluate conformance with the policies of Madison's Inclusionary Zoning ordinance.

Building Inspection: Building Inspection staff works with the developer after the application has been approved. Building Inspection staff issues permits related to various aspects of building codes and demolition.

City Staff contact information is listed on page 18 of this guide.

Madison Development Examples:

City Staff Role: Klinke Cleaners on Park Street

City staff's major contribution to this type of development application is to determine the proposal's conformance with City approval standards and organize the development review process through the City Commissions.

City staff was also involved in laying the groundwork for the redevelopment of Park Street, by assisting in the creation of a set of Design Guidelines for the entire Park Street corridor. Through discussions with local business and neighborhoods, this planning document sets the tone for redevelopment along the corridor. While this application was submitted before the Park Street Design Guidelines were finalized, City staff worked with the developer to try and address the Guidelines to insure a great start to future redevelopment along the Park Street corridor.

City Staff Role: 800 Block of East Washington Avenue

In addition to City staff's usual role of determining compliance and organizing development review, staff was also involved in this application in a number of ways.

Because of the complexity of this redevelopment project, City staff maintained close contact with both the developer and neighborhood and attended meetings held by the alderperson to serve as a resource for interested participants.

Because the proposal involved a significant increase in residential traffic, as well as a new private street, Traffic Engineering worked closely with the developer to ensure compliance. City Parks also played an important role, working with the developer to ensure that views of the Capitol were preserved from the vantage points from adjacent Breese-Stevens Field.

F. Neighborhood Role

The development review process includes an important role for surrounding residents, property owners and neighborhood associations. It is important to recognize that neighborhood interests may be articulated by several different groups of neighbors. Members of the neighborhood association and other nearby property owners, who may be outside the neighborhood boundaries or those within the boundaries but not affiliated with the neighborhood association, may all have a valid interest in a development project. City staff and the Alderperson can help a developer identify people outside the neighborhood association that need to be involved in the process. *For purposes of brevity, when referring to all of these residents together, they will be called 'neighbors' or 'the neighborhood' from this point forward.*

Neighborhoods bring a local and historical context to a project, as well as an understanding of issues related to a specific site. Neighborhood involvement may improve a proposed project, especially if residents are able to articulate a coherent vision for the physical development of the neighborhood. Early neighborhood involvement in a project may also help reduce problems later in the review process.

Because neighborhood associations are organized groups and have usually given consideration to land use and development issues, they are likely to be the strongest community voice on a project within the neighborhood. A neighborhood association that meets regularly, has an articulated structure and processes, is truly representative of the neighborhood, and has planned for the neighborhood will likely be better prepared to weigh in on the merits of a proposed project.

Just as there is no standard developer mindset, the organizational capacity and attitudes towards development differ among neighborhood associations. Regardless of whether or not a neighborhood association is well organized, developers should understand that neighborhood associations are made up of volunteers, and operate on a different timeline than businesses. Neighborhood associations also have varied levels of experience in dealing with development review.

There are a number of ways for neighborhood associations to prepare themselves to effectively participate in the development review process: First, the neighborhood association should be active and accessible to all neighborhood residents. A neighborhood association that is open and representative of neighbors' concerns will be more influential than a group that is seen as exclusive. Being representative means allowing individuals to air their opinions before the group comes to a decision on the position that best satisfies the majority of residents. The neighborhood association should also acknowledge minority opinions when they exist, especially in cases where the adjacent neighbors have a different opinion on a proposal than the rest of the neighborhood. Additionally, some Neighborhood Associations require dues to participate in activities. These groups should be clear that their views are representative of their membership and not necessarily the whole neighborhood.

Second, the neighborhood association should have a clearly defined process for choosing a course of action. A neighborhood association with democratic principles will have enhanced credibility in submitting its comments.

Third, it is important for neighbors to know the zoning designations and standards used in development review. Having an understanding of these concepts will enable residents to respond to a development proposal with clearer, more constructive feedback.

Lastly, it is recommended that each neighborhood association know what adopted City and neighborhood plans recommend for their neighborhood. In some areas, the City-wide land use plans may be sufficient to detail the use recommendations for an area. In other areas, a neighborhood plan may be a useful supplementary document. A neighborhood plan lays out a vision for the neighborhood that reflects resident's common interests and experiences. The undertaking of a planning process also builds leadership capacity and an understanding of planning and development concepts among neighborhood residents. For further information on neighborhood plans, please consult ***Building Blocks: Neighborhood Improvement Guide***, or access the City of Madison's Neighborhood website.

Madison Development Examples:

**Example #1 Neighborhood Role:
Klinke Cleaners on Park Street**

The Bay Creek neighborhood was an important contributor to the review of this application. Because the neighborhood was concurrently involved in a multi-neighborhood planning process to lay out a vision for the redevelopment of South Park Street, the neighborhood was well prepared to discuss the proposal with the developer. During the developer meetings, the neighborhood actively gave feedback; specifically focusing on the way the proposal would fit into the existing physical environment, and the neighborhood's evolving vision for South Park Street. In this example, neighborhood involvement helped ensure the location of the building up to the sidewalk, and placement of a high fence and landscaping at the back of the property to separate the building's parking lot from the residential side of the block.

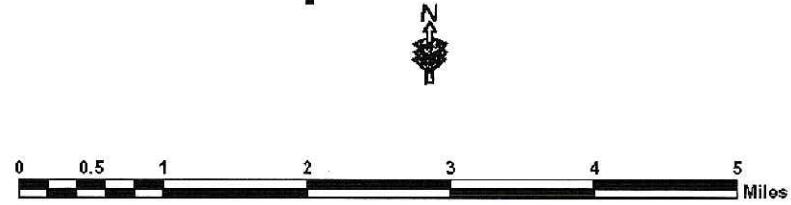
Neighborhood Role: 800 Block of East Washington Avenue

The Tenney-Lapham Neighborhood Association worked closely with the developer and alderperson on this project. The neighborhood association designated delegates to meet with the developer and alderperson. These delegates then presented their findings to the Neighborhood Association Board, which approved the findings as official recommendations to the developer.

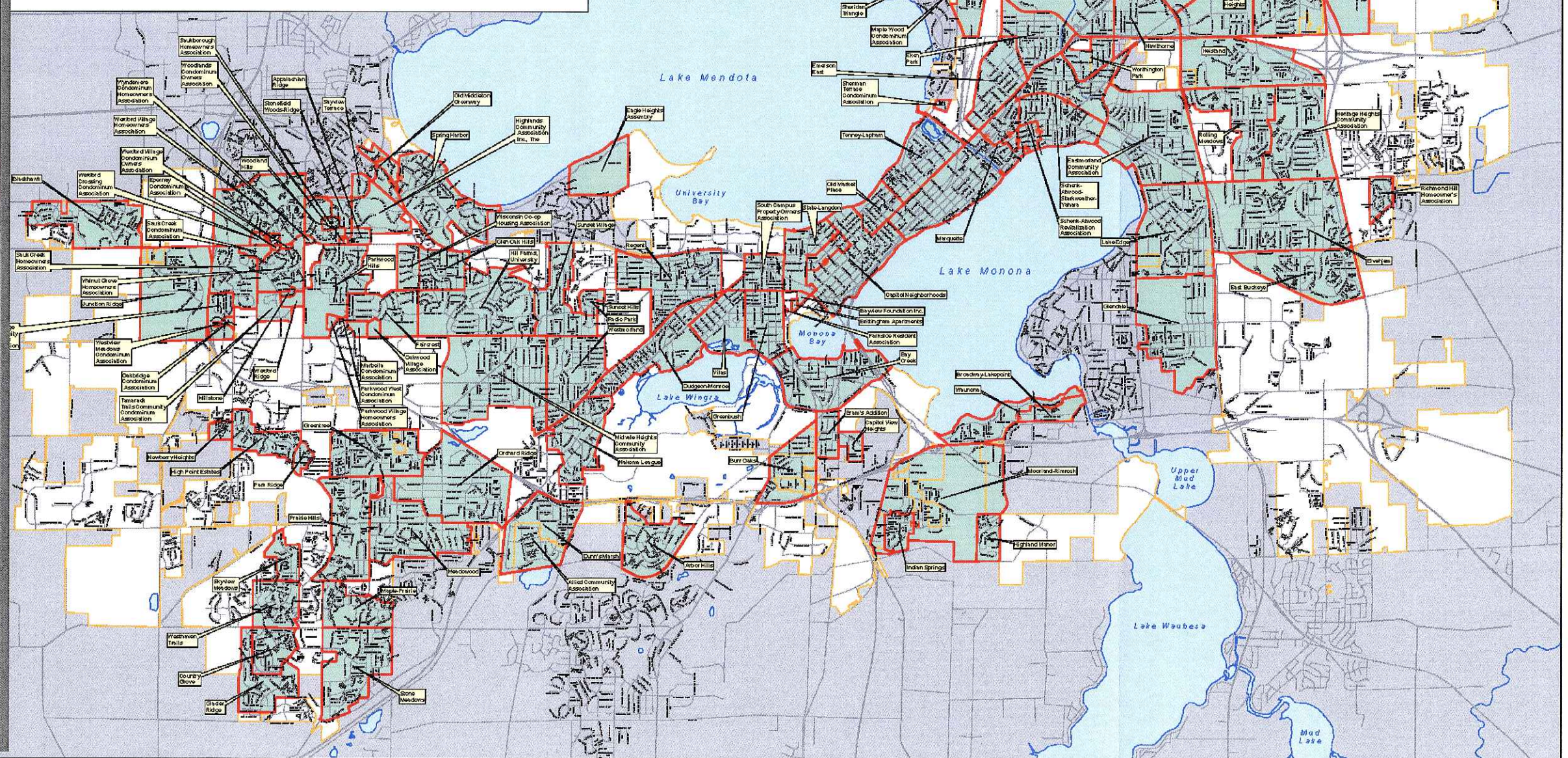
Interested neighbors gave feedback to the developer through several means including a survey, and an activity where neighbors indicated their vision for the site by placing dots next to their preferred option.

The neighborhood also recognized that combating urban sprawl, and making East Washington a more visually attractive, vibrant corridor are important goals for the City of Madison. They felt that this project was an opportunity to address these goals. As one neighborhood resident remarked at the Plan Commission, "we are happy to play our part."

**City of Madison
Neighborhood Associations
April 2004**



Prepared by City of Madison Department of Planning and Development, Planning Unit



G. Role Checklist

G. Development Role Checklist:

To Be Added...

III. Pre-Application

A. Project Initiation/Concept Development

After a developer begins thinking about a potential project, the next step is usually to examine the legal, political and market considerations. This practice of determining the feasibility of a project is known as due diligence, and precedes the first steps of the Pre-Application Process.

To determine what types of projects current zoning will legally allow the developer should consult all adopted City plans. The developer will also typically choose to informally contact City staff for clarification on zoning, or for advice on the viability of their idea. At this point City staff may be able to give the developer a better idea of the type of proposal that would be likely to gain support. City staff always encourages the developer to have an informal conversation with the Alderperson and a representative of the neighborhood association. These discussions may inform the developer of the type and ranges of uses the neighborhood has in mind for the site, and may also bring up issues that the developer should keep in mind in going forward with the project.

As the developer proceeds with his or her due diligence, they determine the financial and environmental feasibility of the project and begin to formulate their plans through preliminary surveying, land planning and architectural concepts.



During the conceptual design phase, members of a development team will often meet with City staff to discuss the project and the development review process to determine the standards of review that will be required for a proposal.

Helpful Information

The Composition of a Development Team

Although referred to as the 'developer' for convenience, a developer often works with partners, sometimes in the form of a limited liability partnership or corporation. Landscape architects, architects, engineers, lawyers, financial advisors and other consultants are often hired as part of the development/design team. Participants in the process should be aware that increased specialization on the development team may add an element of complexity to communications between the development team and the neighborhood.

Value of Due Diligence

Early efforts to study solutions to potential sticking points of a proposal may pay off for the developer in the form of a more expedient, predictable process, as the developer and their team members will be able to work with City staff more productively to satisfy standards for and conditions of approval.

Suggestions: Project Initiation/Concept Development

Project Context

Before the developer creates a concept for the project, they should have a solid understanding of the important characteristics of the site and the area around the site. Zoning documents and plans should be studied for a better understanding of the appropriate land uses for the site. The Urban Design and Historic District maps should be consulted to determine if the site is within a regulated area. The developer should determine what services are currently available at the site, such as sewer and water capacity and access limitations. The developer should also have a feel for the neighborhood, especially the area around the site. Informally contacting City staff, the Alderperson and the neighborhood can give a developer background information about potential issues with the site that they should consider when formulating a design concept. These discussions are preliminary and will give the developer insight into the context of the application, which will likely result in a stronger initial proposal.

For information on where to find zoning documents and City plans, please consult the City Plans and Current Zoning Information page in Section II. Urban Design and Landmark district maps can be accessed at: www. and www., or by contacting Planning Unit Staff.

Seek Neighborhood Ideas on the Project Concept

Neighborhood input may be useful to the process of conceptualizing the project. Neighbors may have ideas on potential uses for the site, as well as issues and concerns. This feedback can help produce a stronger project concept.

Don't Look at a Project with Blinders On

It is important for participants in development to be aware of trends relating to the development process within the City, and to a lesser extent, regionally and nationally. Understanding community values and goals will make for a more focused process. Familiarity with the major development issues in the City, the political climate, and the kinds of projects being encouraged will also help participants hone in on the important issues related to the application. Signing up for *e-mail listserves* and regularly checking the City's website, www.cityofmadison.com, are good ways to get updates on development issues in Madison. For those who are not familiar with the Madison area, the Comprehensive Plan is an excellent place to gain a better understanding of the community and related land use issues. Documents pertaining to the Comprehensive Plan are available online at www.madisonplan.org.

Ongoing Involvement in Legislative Process

Those interested in the development process should not limit their involvement to projects they have an interest in. Their experiences and perspectives are also useful in the process of developing ordinances that impact the City's development climate. Some examples of legislative issues in Madison, where input from interested parties has been particularly important, are the Inclusionary Zoning Ordinance, and the Large Retail Ordinance.

B. Developer Formally Contacts City Staff

Once the developer has developed their idea for a proposed development, the next step is to contact the City Department of Planning and Development. The developer and City staff from Zoning, Planning, and the Community Development Block Grant (CDBG) office may schedule a meeting to discuss the proposal.

At the initial meeting, City staff discusses the proposal and provides a developer feedback and information about project conformance with city plans and policies. City staff will attempt to answer all of developer's questions at the meeting.

This meeting gives staff the opportunity to make the developer aware of potential issues and complications that should be considered before the project moves along. City staff discusses the appropriate approvals needed and outline a course of action for the developer to follow. Because other City agencies will have information critical to preparations of a successful proposal, developers are encouraged to contact these agencies early in the process.

Before the meeting adjourns, staff will encourage the developer to contact the neighborhood, adjoining property owners, residents, businesses, and the Alderperson to discuss the proposal.

The initial meeting is especially important for applicants who are less familiar with development in Madison. Talking with City staff will give the applicant a better sense of the process and the importance of working with all interested parties, saving time in the long run.

Criteria for City Staff Review

The following are important considerations for City Staff when discussing proposals with developers:

- Is the application consistent with City and neighborhood plans?
- Does the development proposal meet the zoning requirements for the site?
- Is the appearance of the proposed building compatible with its surroundings?
- What City agencies will review the project?
- How will the proposed development affect the surrounding neighborhood?
- What issues are likely to be brought up by policymakers and residents regarding this proposal, and how can the developer modify the proposal to improve its chances of approval?
- Does the proposal represent a desirable change and does it further City goals?

Main City Agencies that Participate in the Development Review Process

Planning Unit

Suite LL 100, Municipal Building. (608) 266-4635.

Zoning

Suite LL 100, Municipal Building. (608) 266-4551.

Community Development Block Grant (CDBG)

Room 280, Municipal Building. (608) 267-0740.

Engineering

Room 115, City-County Building. (608) 266-4751.

Fire

Fire Department Administration Building. 325 W. Johnson Street. (608) 266-4484.

Parks

Suite 120, Municipal Building. (608) 266-4711.

Traffic Engineering

Room 100, Municipal Building. (608) 266-4761.

Building Inspection

Suite LL 100, Municipal Building. (608) 266-4551.

Interdepartmental Staff Meeting

The Interdepartmental Staff Meeting is an opportunity for developers to meet with representatives from several city agencies that review development proposals. This is a mandatory step for residential projects that are required to conform to the Inclusionary Zoning Ordinance. Any developer may use this opportunity to discuss projects and receive early feedback and initial concerns from city staff.



Suggestions: Developer Formally Contacts City Staff

Early Steps Toward the Final Project Form

The developer may involve members of the design team, such as an engineer, architect, or landscape architect in the early meetings with City staff to better understand what is possible on the project from a design and financial standpoint. The expertise of these individuals may help facilitate a more productive meeting and is likely to give the developer a clearer image of the final proposal.

Contextual Information for Meeting with City Staff

City staff will give the developer better feedback if they have the correct contextual information about the proposed site. Topographic maps, site and aerial photos of the property and surroundings, as well as any other pertinent information are helpful to insure good communication between City staff and the development team.

More Than One Project Idea

It is helpful for the developer to come to the meeting with City staff early and with several development concepts. Developers should be ready to discuss these alternatives and should not be locked in to one concept. City staff will advise the developer of potential issues with the project and give them a better idea of which concept(s) has the best chance of gaining community support.

Be Upfront with Staff about Desired Project Results

City staff will be able to offer better guidance and insight into the proposal if the developer clearly lays out the results they would like to see from the final form of the project. Developers should also expect a longer and more difficult application process for proposals that aren't consistent with zoning, City plans and other development regulations.

Invite Alderperson

The developer may want to invite the Alderperson to a meeting with City staff to get additional input on the issues that are likely to be important in the application process. The Alderperson will also be better informed about the project if called upon later to serve as a liaison between the developer and the neighborhood.

Other City Agencies

In addition to the meeting with City Planning staff, the developer may also want to have an early meeting with other agencies that will review the proposal later in the process. This can help the developer avoid delays associated with reconfiguring the project later in the process. City Planning staff can help the developer identify the agencies that will review the proposal.

Early Information

Large-scale projects or proposals that deviate from adopted plans and regulations

For large-scale, complex projects or proposals that don't conform with adopted plans and regulations, the developer should schedule an early informational presentation before the Plan Commission and/or Urban Design Commission. After a short presentation, commissioners will give the developer feedback on the proposal. City policymakers encourage the developer to schedule an early meeting because it makes for a more expedient and predictable process for all parties.

C. Developer Contacts the Neighborhood and Alderperson

Before the developer submits a proposal for formal approval, they must first formally notify the neighborhood association and the Alderperson in the district at least 30 days before filing the application. While 30 days is the minimum legal notification the neighborhood association and Alderperson must be given before the application is submitted, developers are encouraged to contact both parties sooner.

Information on aldermanic and neighborhood association districts can be found on the City's website:

www.cityofmadison.com

If necessary, City staff will help the developer determine the appropriate Alderperson and contact person for the neighborhood association(s). If the developer has not already contacted either of these parties, at this point they should discuss potential issues with the project with City staff and try to get a better idea of what kind of meeting(s) might be appropriate to communicate the proposal and receive feedback. If no neighborhood association exists for the area of the proposed development the Alderperson can assist the developer in identifying the affected residents who should be notified.



Kennedy Place, a four story mixed-use development on Atwood Avenue.

Case Study: Kennedy Place

The Kennedy Place project in the Schenk-Atwood Neighborhood provides an excellent example of a case where the alderperson and the neighborhood worked with a developer to make a proposed project a reality. Through meetings with the district alderperson, representatives from The United Way of Dane County, the owner of the adjacent building, and the Schenk-Atwood Resident's Association, Krupp General Contractors of Madison was able to develop a proposal that met their goals and was widely supported by other involved parties.

The alderperson was especially instrumental in making Kennedy Place a reality. Initially, Krupp General Contractors faced a size constraint on the parcel of land on which they were attempting to build. In working with the developer and The United Way, the alderperson found a solution to the problem by brokering a land swap agreement between the developer and The United Way, which allowed the developer to add land to the building site.

City staff from the Community and Economic Development Unit in the Department of Planning and Development helped to craft a satisfactory agreement. The neighborhood was involved in pre-application discussions through several meetings that were facilitated by the Alderperson. In the end, by working with the Alderperson and the neighborhood, the developer was able to build a good project that was broadly supported by the community.



Suggestions: Developer Contacts the Neighborhood and Alderperson

Early Neighborhood Information

Either before or after the developer contacts the neighborhood, they may want to submit an introductory letter or information brief about the proposal for the neighborhood newsletter. This is a good way to introduce the proposal and build a communicative relationship with the neighborhood. The developer can reference the City's Neighborhoods website to learn more about a specific neighborhood association and to determine if they publish a newsletter. The website will also list a neighborhood contact person, who can facilitate communication with the neighborhood. Developers should be aware that many neighborhood association newsletters are only published on a quarterly basis.

Involvement of Alderperson and the Neighborhood in the Application Process

The level of interest of the Alderperson and the neighborhood in the application process will vary greatly from proposal to proposal. The level of interest is often related to the magnitude of the proposal and the perceived positive or negative effects the proposal will have on the neighborhood. The developer should use this level of interest as a guide for setting up a meeting with the neighborhood. For proposals that generate a high level of interest, the developer should be prepared to put greater efforts into outreach and plan on having more meetings to hear feedback and respond to neighborhood concerns. The Alderperson will also be useful in determining what type(s) of meeting(s), if any, is appropriate.

Setting Up the Initial Meeting

The Alderperson can help with the communication between the developer and the neighborhood. Their input is likely to be useful in handling the logistics of setting up a meeting. In some cases, the Alderperson may decide to take the lead in setting the meeting up. The meeting place should be conveniently located, handicapped accessible, equipped to handle any necessary technology and should be agreeable to all parties. Possible sites to use for a meeting include: community centers, schools, places of worship, empty storefronts, etc.

Developer Responsibilities

The developer should contact the neighborhood before the plans are finalized and when there is ample opportunity to respond to neighborhood input. The developer should meet with the neighborhood as early as possible. In order to have meaningful meetings, developers need to present clear plans, which put the project within the context of the neighborhood. Contextual drawings, perspective drawings, models, air photos and street elevations can help to put the project in context.

Multiple Neighborhoods

In some cases more than one neighborhood may be affected by a proposed project. It is also common for projects to occur on commercial streets that form borders of neighborhood association boundaries. The City can help developers determine the affected neighborhoods and give contact information for those areas. The developer should also contact the *Neighborhood Planning Council*, if one exists in the area, which serves as an umbrella organization for neighborhood associations within geographic boundaries. The Planning Council may also be able to assist in distributing information about the proposal and meetings through their communication channels, and in some cases helping with meeting logistics and facilitation.

D. Other Interested Parties

D. Other Interested Parties

In addition to the legal requirement of contacting the neighborhood association and the Alderperson, it may also be prudent for the developer to identify and contact other groups who are likely to have an interest in the development project. For example, if the project is near a park that has an associated non-profit or "friends of" group, the developer may lessen the potential for delays in the review process by talking with the group at this stage of the process (or earlier), rather than having the group find out later and oppose the proposal because they were unable to give their input.

Some examples of other interested parties to contact include:

- Non-profit Issue Groups
- Community or "Friends of" Groups representing a nearby community asset
- Business Association(s)

City staff and the Alderperson will also help the developer identify other interested parties.

Madison Business Association Information

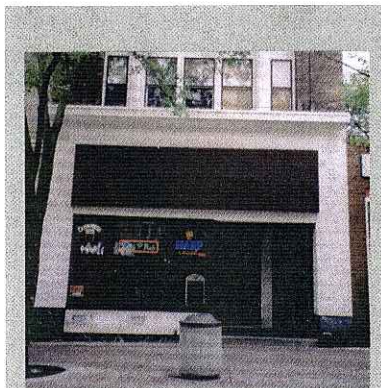
- East Capitol Neighborhood Association
- East Johnson Business Association
- Far Eastside Business Association
- Greater Williamson Area Business Association
- Monroe Street Merchants Association
- Northside Business Association
- SouthEast Business Association
- South Metropolitan Business Association
- Greater State Street Business Association
- Monona Chamber of Commerce
- Hilldale Merchants Association

For more information on Madison Business Associations, including an electronic version of the map on the following page, please see:

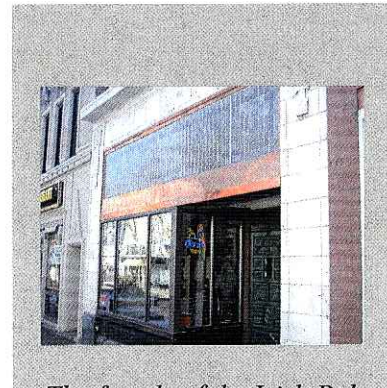
<http://www.businessmadison.com/businessassist.html>

Case Study: Irish Pub

The renovation of the Irish Pub on State Street is a great example of another 'interested party' contributing to the improvement of a development application. In this case, the Pub's owners were interested in updating their facade through the City of Madison's facade grant program. The original facade had been covered years ago with a stucco and panel system. While the owners were doing exploratory removal of the panel facade, a member of Madison Trust for Historic Preservation approached the owners about the historic prism glass that was hidden behind the paneling. They suggested that the owners look into restoring the prism glass as a part of the facade restoration process and offered the owner information about companies that could do this particular type of restoration work. In the end the owners agreed that the prism glass facade should be restored, and through some financial assistance from the City of Madison, made the project a reality.



The facade of the Irish Pub prior to the exterior renovation



The facade of the Irish Pub after the exterior renovation, with the historically significant prism glass exposed.

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D. Other Interested Parties

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Suggestions: Other Interested Parties

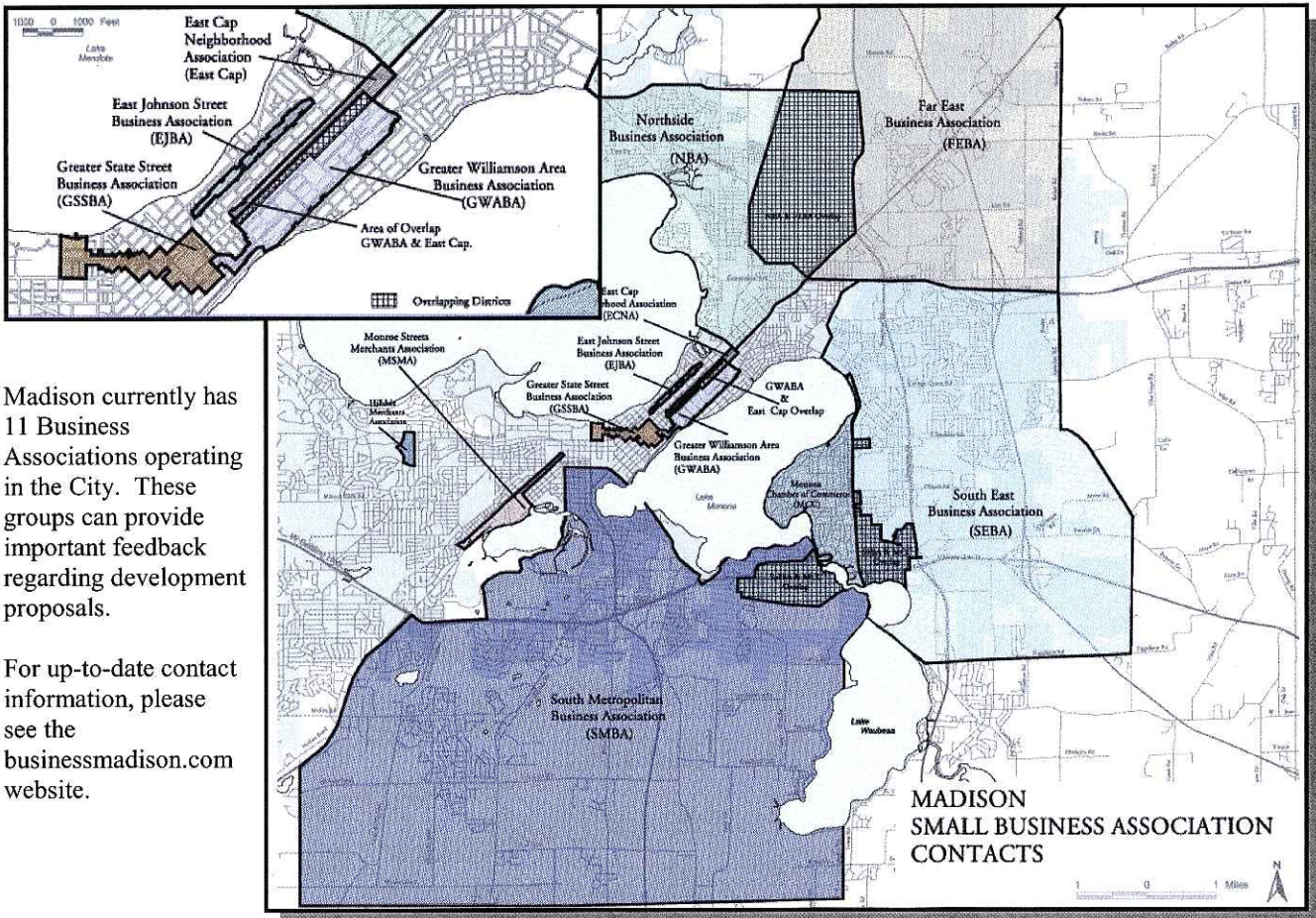
Other Interested Groups

An important step for developers is to determine and contact other parties with an interest in the application. This is especially critical for developers seeking to build a base of support for a large project. Determining the interested groups starts by recognizing the important issues with the project. The developer should seek assistance from the Alderperson, City staff and the neighborhood association in early meetings to identify possible groups to contact.

Other Units of Government

Depending on the scale, complexity and location, the proposal may require approval from state or federal agencies. For example: projects near state highways require the approval of the Wisconsin Department of Transportation; projects near navigable waterways may require the approval of the Wisconsin Department of Natural Resources and the Army Corps of Engineers; projects near airports or schools in the city may also require additional approvals. It is also common for development proposals to be on the edge of the city adjacent to other cities, villages, or townships. Efforts should also be made to reach out to other units of government and residents in these communities.

Map of Madison Business Associations



Madison currently has 11 Business Associations operating in the City. These groups can provide important feedback regarding development proposals.

For up-to-date contact information, please see the businessmadison.com website.

E. Design Development

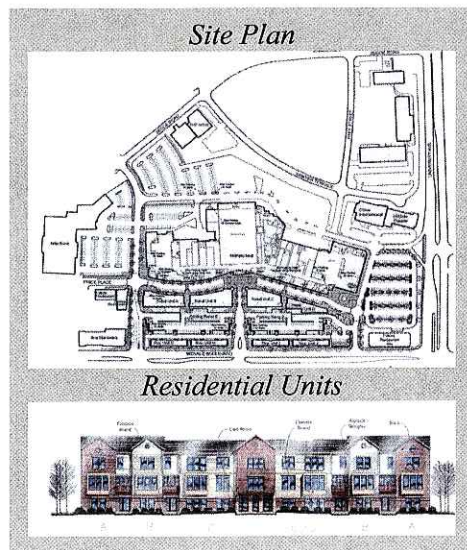
After meeting with the City, neighborhood, and Alderperson, the developer may begin to more fully develop the design of the project, keeping in mind the relevant issues. Now possessing a more refined understanding of the project the developer will, if necessary, begin to modify their plans based on the initial feedback. After the project has been modified the developer should contact City staff to discuss the evolution of the original concept. This process may repeat itself as the developer explores different forms for the project. The developer should also maintain regular contact with the neighborhood about the conceptual changes that are made before the application is filed.

Case Study: Hilldale

Design proposals can be improved when interested parties offer constructive feedback and listen to each others' interests.

The redevelopment of the Hilldale Mall represents a good example of a development idea that evolved as a developer listened to other participants and gained insight into the important issues surrounding the proposal. In this case, the developer contacted the alderperson several months before they had even acquired the property. Through this contact, the developer learned about the site and built a working relationship with the alderperson that was helpful in setting up meetings with the two nearby neighborhood associations. Because the Hilldale Mall is an important community asset, the alderperson also worked to bring in other interested parties from the larger area to give their feedback. In the end, all of these participants also contributed to an improved design concept. In particular, the feedback given to the developer led to:

- *Aesthetics:* Improved architectural details, graphics and signage package for the site.
- *Community Events:* Participants communicated their interest in seeing community events such as the Farmers' Market and the Bratfest continue to occur at Hilldale. The developer thus modified subsequent site plans to make room for the festivals/events.
- *Future Phases:* Due to a loss of some existing tenants, increased development across the street in Shorewood, and other potential redevelopment sites nearby, neighbors knew that change in the area was inevitable. The Developers' neighborhood meetings provided an opportunity to take comments made in the early phases of this project to shape the redevelopment and set a tone for future expansion.



Perspective illustrations, like these, help neighborhoods visualize development proposals more easily than other more technical drawings.

Suggestions: Design Development

Proceeding with Design of the Project

Applicants are encouraged to contact City staff after early meetings with any additional questions. The developer should not go forward with completing a design proposal until their questions have been answered sufficiently. In some cases, projects are submitted when there are still significant issues that have not been adequately reviewed and addressed by city agencies. Failure to address these issues early is likely to result in a longer and less predictable review and approval process.

Project Evolution

Developers should document the evolution of the project and the reasons why changes were made along the way. They should also make note of suggested changes that they do not incorporate into the proposal and the reason the changes were not made. This information is useful to include in presentations to commissions and neighborhood associations, as it gives policymakers an understanding of how the project has changed in response to City and neighborhood input.

Case Study: Renaissance Development

The Renaissance mixed-use development on the 800 block of Williamson Street is an example of the importance of a developer understanding the issues and concerns of the interested parties and incorporating them into his or her project design. In this case, a high-density proposal for a single building had previously been made at the site to the objection of the neighborhood. After the first proposal was withdrawn, Cameron Management Incorporated (CMI) took over the site and began working with the neighborhood and the Alderperson to create a design that would be satisfactory to all parties. The Alderperson helped to organize an extensive public participation process that included the formation of a neighborhood subcommittee to give feedback on the development proposal.



The Renaissance mixed-use buildings on the 800 block of Williamson Street also incorporated a historic structure in their Redevelopment Proposal.

Through meetings with the Alderperson and the subcommittee, the developer came to understand the neighborhood's concerns, and ultimately developed a proposal that was supported by the neighborhood. The developer in this example did a good job of understanding the important issues related to the site.

The neighborhood was particularly concerned with not having a high-density building on the site, wanted the project to offer affordable units, and to preserve the Historical Schlitz Building on the corner of the site. The developer's final proposal was for two three-story buildings that included affordable condominium units. Because the developer took the time to address the public concerns in the design development phase, the proposal faced little opposition during the review of the *Planned Unit Development (PUD)*.

F. What the Neighborhood Can Do to Ensure They Are Ready to Participate

Neighborhood Associations

Developers are required to notify neighborhood associations 30 days prior to submission of proposals that require a map or text amendment or *conditional use* (with some exceptions). This is an opportunity for the neighborhood association to solicit input from residents, to work with the various stakeholders to bring forth information about the proposal, and to formulate a position, if desired.

Neighborhood associations are strongly encouraged to adopt standing processes for considering development proposals so they are ready to work with a developer early on. After the neighborhood association receives information about a development proposal there are several steps that they can take in determining their response. The neighborhood association contact person should make an effort to gather the information that may influence a neighborhood review of a project. Possible information to compile includes: site location, land use plan classification, current zoning, proposed zoning, a description of the project, proposed density, developer contact information, and the project timeline. The contact person should also notify the neighborhood board of the development proposal and discuss a course of action by neighborhood association board and/or subcommittee. It is also a good idea for the neighborhood leadership to contact the Alderperson and City staff for assistance with the review.

After the neighborhood association has a clearer idea of the proposal, they should determine the best method(s) to pass the information along to adjacent property owners, neighborhood association members, and to residents at large. It is important to distribute information quickly to ensure that neighborhood residents have the ability to provide input to the neighborhood association board. It is the discretion of the neighborhood association and district Alderperson to determine if such a meeting is appropriate.

Each neighborhood association has a different outlook on development within their boundaries and different processes to respond to proposals. It is important for neighborhood associations to develop mechanisms that will work best for their unique situation. The level of response to development proposals tends to vary depending on the organizational structure, frequency of development, and the degree of compatibility (i.e. height, mass and scale) of proposed development to the neighborhood character.



Neighborhood association meetings are a good time to discuss development proposals within the neighborhood boundaries.



This photo will be replaced by a photo from a South Madison Plan Neighborhood Meeting

Suggestions: What the Neighborhood Can Do to Ensure They are Ready to Participate

Neighborhood Association Structure

The developer should understand that each neighborhood association has a different structure. For proposals that call for a meeting with the neighborhood, the neighborhood association structure will play a role in determining the review process and the participants in meetings. The developer can get information from the neighborhood contact about the neighborhood association structure.

Ongoing Readiness to Review Development Proposals

It will be useful to have neighborhood leaders who are familiar with the development process and know (or can quickly determine) how a site is zoned and what plans exist that are relevant to the project. These leaders should serve as a resource for other interested neighbors and can help the neighborhood be better prepared to participate in the development process. Neighborhood leaders can also use the City staff as a resource to answer questions and explain the contents of the plans. Neighborhood leaders may also want to identify residents with expertise in areas related to development and solicit their help in formulating a response to the proposal.

Keep Information Sources Updated

A newsletter, website, listserv, and a neighborhood association profile on file with the City (on the Neighborhoods website) are useful means of keeping neighborhood residents and others informed. The neighborhood should make an effort to keep these information sources updated. Information about new project proposals and meetings should be disseminated to the neighborhood through these information sources, as well as others, such as a listserv, bulletin board, fliers, and neighborhood block captains.

Neighborhood Discussion

The neighborhood may want to get together before or after meeting with the developer to discuss the group's priority goals for the neighborhood as they pertain to a particular project and to develop a more unified voice on the important issues of the proposal. Coming to an agreement on the positive and negative aspects of the proposal will give the developer a clearer sense of the important issues and will limit the number of contradictory statements that are made at meetings. The process of determining the issues to raise with the developer may take more than one meeting. It should also be noted that in some cases, the diverse perspectives and interests within the neighborhood will not be reconcilable.

Establish Standards for Review of New Proposals

A good way for neighbors to prepare for development is to develop guidelines for neighborhood processes to respond to development proposals. Processes can be established based on proposal criteria such as size of the projects, consistency with plans, etc. Having standing procedures for certain types of projects will limit the time it takes for a neighborhood to respond to the developer's proposal.

Understanding Review Standards

It is important for the neighborhood to know the standards that will be used by City staff and policymakers in reviewing a project, and if staff can support the project as currently conceived by the developer. The neighborhood can maximize their ability to influence a project by knowing where the City is on a project before committing to support or oppose a project. Development review standards may be found at:

<http://www.cityofmadison.com/planning/standards.htm>

G. Pre-Meetings

Before the developer formally submits the application to the City they typically meet with the Neighborhood Association, and nearby residents/owners. When meeting times have been agreed upon, the developer and neighbors advertise the meeting(s) so all affected parties can give their input.

Because each development proposal is different, there is no prescribed standard for the number or type of meetings that should be held between the developer and neighbors. The developer, the Alderperson, City staff and neighborhoods should determine a method of communication that best suits the particular application to be considered. For a more detailed discussion on selecting an appropriate manner of neighborhood review, please consult the *suggestions* on the following page.

The developer decides when they wish to start the formal application process. For any project with a potential for conflict, it may be advantageous for the developer to involve the neighbors and other interested parties early in the process, preferably before deciding on a final mix of uses and a detailed design. Early contact is likely to result in better collaboration and understanding among all parties. Neighbors and other interested parties are also likely to “get on board” with a project if they have a chance to learn more about it and to influence the project and its design before the proposal is finalized. Having neighborhood support going into the formal application process will potentially save the developer time and money by avoiding larger-scale disputes at the later stages in the process when before the Plan Commission and Common Council public hearings.

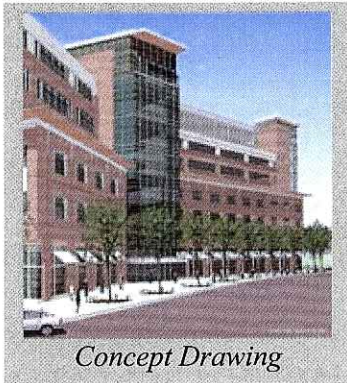
Case Study: Brayton Lot

A neighborhood can be an effective participant in the development process by understanding the development potential of building sites throughout the neighborhood.

The First Settlement Neighborhood’s Brayton Lot study provides an excellent example of a neighborhood addressing a likely site for a future development proposal. The Brayton Lot is a surface parking lot between East Washington Avenue, and East Doty Street near to the State’s GEF Buildings.

The neighborhood formed a subcommittee to study the site and held a series of public meetings to explore preferred development ideas. A multi-voting process was used to allow individuals to rank their major interests in the site. The neighborhood also used a participant friendly scale model to inform neighborhood and developers of a conceptual design for the site.

In the end, the neighborhood published a study of the site with a number of recommendations for future development proposals to ensure that the neighborhood has a strong voice.



Concept Drawing

Case Study: St. Marys Hospital

Project on the border of three neighborhood associations

In some cases, the developer may have to be creative in designing processes that will bring all the interested parties together to participate in the development review. The St. Marys development team faced this issue when soliciting public feedback on their major expansion project..

The hospital development team brought together representatives from three neighborhood associations in the area to meet and discuss the development proposal. Through diligent organization by the district Alderperson, these meetings helped to work out a number of issues in advance of submitting the application. At the Plan Commission’s public hearing on the application, many neighborhood residents attended and voiced their support for the project.

Suggestions: Pre-Meetings

Developer Familiarity with the Neighborhood

The developer should know the neighborhood and should be familiar with important sites and issues. Reading the neighborhood plan, talking with the Alderperson and neighborhood residents, and touring the areas around the project site are all good ways to get a feel for the neighborhood. Going into the meetings with a solid understanding of the neighborhood and/or an openness to ask for help in understanding neighborhood issues will make meetings more productive and give the developer greater credibility with the neighborhood.

Neighborhood Familiarity with the Proposal

The neighborhood should enter into the meetings with the developer ready to discuss the important aspects of the project. The neighborhood can ready themselves by having an understanding of the land use requirements for the site, knowing the relevant details of the neighborhood plan, and meeting as a group to find areas of agreement on the proposal.

Project Scale & Context

The scale of the proposed project, and its surroundings, will in part determine the appropriate level of involvement of the neighborhood and Alderperson. Larger, more complex projects often require a wider outreach effort and more opportunities for feedback on the proposal.

Open Lines of Communication

Developers, the Alderperson and the neighborhood leaders should use a variety of methods to give notice of meetings, project updates and other relevant information. Flyers, newsletter articles, websites, *email listserves* and other communication tools are useful in disseminating information to all parties. Keeping all parties thoroughly informed not only avoids unnecessary conflict due to misinformation and rumor, but also helps keep the process moving.

Agree to a Meeting Format

Meeting participants should agree on an agenda and ground rules before the meeting. The ground rules are meant to keep the meetings on-topic, productive and civil. An example of some ground rules that can be used include: adopting a round-robin process of speaking, where each person has an opportunity to speak for a set amount of time. Once a person's time is up, the next person is given their opportunity.

Neighborhood Planning Councils

Neighborhood Planning Councils can give neighborhoods suggestions on how to get organized for a meeting, and may be able to assist in meeting facilitation in special cases. Madison currently has three planning Councils; their contact information can be found on page 32 of this guide.

Involvement of the Alderperson

Depending on the organization of the neighborhood, it may be desirable for the Alderperson to determine if a neighborhood meeting is necessary for a project proposal. The Alderperson may wish to facilitate the meeting with the applicant to describe the project and answer questions.

H. Conducting Productive Meetings

Early meetings between developers and neighbors should be focused on communicating interests and identifying areas of common ground. Meetings should follow an agenda and clearly defined process rules. It is important that developers, neighbors and other interested parties focus on mutually committing to a cooperative process where all parties state their point of view as objectively as possible. The developer should listen to the other parties' concerns and address them if possible. If not possible, the developer should clearly communicate the rationale for decisions made during the design development phase of the project.

Developers, neighborhood residents and other interested parties will likely have some varying priorities for a particular project. For example, although a developer may emphasize the economic benefits of redeveloping a site that doesn't mean that they don't recognize the importance of historic preservation. Along the same lines, neighborhoods may be especially conscious of congestion caused by a new development, but also recognize that building projects bring additional residents, businesses and economic growth to the city. The key then, is identifying shared priorities and working to build on those through discussion. Through these shared priorities both sides will better develop a common vision for the project that will lead to more productive, less adversarial discussions.

It is important that the lines of communication be open throughout the meeting process. Developers should clearly explain their proposal and its key components. Neighbors should give the developer constructive, usable feedback. Minutes should be taken at meetings to keep those who are unable to attend meetings informed. Developers should also keep neighborhoods and other interested parties informed as changes are made to the proposal. It is important that meetings remain focused on the facts and all parties should seek to minimize misinformation that may unnecessarily complicate the discussions. When possible, the district Alderperson should be present at these meetings to help facilitate. It may also be desirable to have City agencies on hand to clarify the regulations contained in City codes and ordinances and to offer suggestions on how the proposal might better address the recommendations contained in adopted City plans.

Common Formats for Meetings

Charrette: A public design workshop that brings together interested participants to work toward achieving an acceptable project design.

Visually-oriented process: Using renderings or images of existing projects to work toward achieving consensus on a project design among participants.

Nominal Group Process: A technique for achieving consensus that is based on having participants brainstorm, present and rank ideas or solutions.

Using Steering Committees: Creating a group to more carefully study a problem or issue to be addressed. The Steering Committee then presents their findings to the larger group.

Advice from some Meeting Experts

Bert Stitt, a local community facilitator, believes that starting from the assumption that there will be conflict and problems in developer-neighborhood meetings is unproductive. He advises all interested parties to start by sharing their "hopes and wishes" for a project, which helps participants uncover the important aspects of a proposal that need to be discussed further. Stitt believes that participants should communicate their "interests," rather than their "position." Lastly, he says respect and consideration of others are essential to productive meetings.

Rebecca Krantz, of The East Isthmus Neighborhoods Planning Council, believes that neighborhoods may be able to use a development process to strengthen their Neighborhood Association by reaching out to more people within the area. The process of surveys and participatory planning may uncover underlying ideas or concerns, and lead to a better overall awareness of community issues.

Also, many neighborhoods struggle with the trade-offs between inclusively and efficiency. Often subcommittees in a Neighborhood Association may be more efficient but will involve fewer neighborhood participants.

Drew Howick, a local community facilitator, ...
More to come...

Suggestions: Conducting Productive Meetings

Attitude

Participants should not go into meetings on the defensive. Participants should commit themselves to try to build consensus on the project. The neighborhood and other interested parties should discuss both what they like about a project, as well as concerns and dislikes. These groups should focus on making constructive comments that will help to shape the proposal in a positive manner. On the other hand, developers should remember that some participants may have strong emotional reactions or attachments, and should try to listen respectfully. Developers should be curious about the person's story.

Communicating Project Priorities

Developers and the community can further their understanding of each other's perspectives by clearly listing their priority goals for the project. This is especially helpful for the developer in situations where they receive a wide variety of feedback and may have difficulty ranking the responses. This could take the form of a 'memorandum of understanding,' which is a statement of project goals from all sides that can be used as a guide to moving the discussions along.

Visual Aids

Use maps, aerial photos, models, computer design simulation, and other visual aids to help explain the project and give interested parties a sense of the design and how it will fit into the area. The development process flowchart may also be used to give participants a clearer understanding of where the proposal is along the process timeline. A group visit to the proposed site is another good way to give participants a chance to visualize a design in the real world context. A visit allows a developer to explain how the building will fit on the site and clear up possible confusion or misconceptions about the proposal.

Keep the Playing Field Level

When meeting with interested parties to discuss a project, developers should try not to give more weight to the concerns and input of one party above others. Distracting rivalries and hurt feelings can be avoided if all parties feel they are playing an equal part in the discussion of the project.

Bring in a Mediator or Facilitator When Necessary

A third party mediator or facilitator may be useful when there are a large number of parties involved in meetings, when the discussions are contentious, when there is a tight timeline, or when issues of the project are particularly complex. Having a mediator manage the process can keep the discussions focused on the details of the proposal and can help participants build reciprocal trust. Professional facilitators may be able to introduce communication methods or meeting processes that help participants open up and work toward consensus.

Wrapping Up Meetings and Preparing to Move Forward with the Application

Meetings should not conclude without all parties having a clear understanding of areas of agreement, the next steps to be taken, and the upcoming agenda and timeline. Participants may want to clear up any confusion by producing a signed 'items of agreement' document.

Documenting Project Changes

Meeting participants should agree on one person to take minutes. The minutes should be approved by attendees and made part of the project log. Both developers and neighborhoods should also take note of the changes that are proposed in meetings, whether or not they are incorporated, and if they are not, the reason they are rejected. This information will be useful at the public hearing stage to give policymakers an idea of how the proposal has changed.

I. Communicating Interests

Throughout the pre-application meetings there should be clear points of contact between the neighbors and the developer so that issues can be communicated quickly and effectively.

Neighborhood associations should have leadership positions built into their organizational structure. These leaders will help the developer keep neighborhood association members apprised of any changes or updates regarding the proposal. The neighborhood association leaders will in turn communicate the group's position on the development proposal. These interests should be uncovered through a representative process that allows for the participation of all members. If a neighborhood association cannot reach a consensus on a proposal than that should be communicated to the developer.

Neighborhood Planning Councils:

East Isthmus Neighborhoods Planning Council:

1321 E. Mifflin St., Ste 201
Madison, WI 53703
Phone: (608) 204-0834
Email: einpc@tds.net

South Metropolitan Planning Council:

2300 S. Park Street, Ste 1
Madison, WI 53713
Phone: (608) 260-8098
E-mail: smpevc@terracon.net

Northside Planning Council:

2702 International Lane, Ste 203
Madison, WI 53704
Phone: (608) 661-0060
E-mail: npc@msn.fullfeed.com

Case Study Example: Union Corners

The Union Corners proposal provides an interesting example of neighborhood residents communicating their interests to a developer. Although the neighborhood-developer meeting process on this proposal was unusually complex, finding an effective means for communicating interests to a developer applies to development proposals of any size. Because this proposal was particularly large and complicated, a studio process was developed as a means for the neighborhood to give the developer comprehensive feedback.

McGrath Associates of Madison initiated the Union Corners development proposal. The developer sought to turn the former Rayovac battery-manufacturing site into a mixed-use infill development site. The site is bordered by three neighborhood associations, which were able to coordinate their discussion through the *East Isthmus Neighborhood Planning Council*, the district Alderperson, City Staff, and a design development team.



A Charette Studio Process



The process ensured adaptive reuse of existing important structures



The Conceptual Plan

In the end, neighborhood residents gave the developer excellent feedback on how to best fit the conceptual design of the site within the existing built environment. The developer responded to the neighborhood's interest in making the project feel more urban, specifically modifying the design to bring the buildings closer to the street and incorporate less surface parking into the site. The design concept was able to include affordable housing, preservation of the existing historic battery building, open spaces, as well as promoting space for neighborhood-oriented business.

After the process was complete, the studio participants then held a neighborhood-wide meeting to discuss the process and the details of the final proposal.

A studio is deliberative process that helps to build consensus around a unique design problem. Unlike, surveys and other common meeting techniques, a studio forces the participants to find a solution despite potentially competing ideas. Through good facilitation, ideas & opportunities may be shared, conceptualized and refined through the graphic skills of design professionals. Often a consensus can be built around ideas incorporated from the developer, neighbors, City staff and design professionals.

Suggestions: Communicating Interests

Formal Statement vs. Internal Discussions

The neighborhood should be careful to distinguish between the comments made during a meeting and the neighborhood association's position. Things that are said at neighborhood meetings are part of the internal discussion process and are not the same as recommendations included in a formal neighborhood association statement.

Criteria for a Neighborhood Response

Providing an orderly and timely response to a proposal is an expectation and responsibility and will be appreciated by the developer. Giving timely feedback may also increase the likelihood that neighborhood comments will be incorporated into the final proposal, especially since the developer may have a small window of time to modify the proposal before submitting the formal application. Both the neighborhood and the developer should be aware of the criteria that City policymakers will use for reviewing the proposal. Both groups can refer to the Development Guide on the City website for the most frequently reviewed projects and the standards used to review projects.

Communicating the Neighborhood Association Position

When taking a position on a development application, the neighborhood association should produce a written letter or memorandum for City staff and policymakers well in advance of the application hearing, and should cite adopted plans and standards in describing their concerns. It is important for the neighborhood to share its comments and describe the steps taken to reach its position.

Agree to Disagree

City policies require that the developer and the neighbors meet prior to the Commissions' hearing of the case, but the ordinances and policies don't require that all parties agree. It is always best for parties to come together and provide positive input on a project, but in those instances when they can't agree on a project, the parties involved should focus on presenting relevant arguments to the reviewing boards, commissions and governing body to aid them in making the official decisions in the land use matter.

Avoiding NIMBYism:

NIMBYism or "Not in my Backyard" is, unfortunately, an all too common reaction to change. In reviewing and discussing a proposal, all participants must realize that in addition to a personal or neighborhood perspective, citywide perspectives must also be considered. Commissions and the Council must weigh all of these perspectives, costs and benefits, when it reviews a particular proposal at all levels.

Developer's Interests: Holding Costs

The time between a developer's purchase of land, and the conversion of that land to a usable or more productive form, is called a holding period. The development review process necessarily falls within the holding period, as approvals are needed before any demolition and/or construction can take place on a site. As previously noted, the length of the development review process depends on the scope and complexity of the proposal put forth by the developer. During this period, the developer may incur significant costs related to the holding of land. In order to give participants in the development review process a better understanding of a developer's perspective on the review process, the following hypothetical example has been developed to illustrate the concept of holding costs.

Add hypothetical example & table calculations for holding cost...

IV. Formal Application Process

A. City Processes

After the developer feels they have a project proposal with a good chance of approval, they are ready to enter the formal city review process. This is the point where early efforts to find consensus among neighborhood(s), policy makers and City staff are likely to pay off in the form of a more predictable review process. By engaging and working alongside these groups, the developer may be able to put together an application that is more broadly supported, which makes for a straightforward review process.

After the application is submitted and certified as complete, City staff will inform the developer of the schedule of public hearings on their application. In general, most applications will be reviewed by the Plan Commission and possibly by the Common Council. Some applications will need to be approved by additional commissions, depending on the size, location and community impacts of the project. Smaller, more routine applications may require a less extensive review process. For more complete information on approval processes, consult the *Development Guide*.

Upon receiving the application, City staff distributes the application to the appropriate City agencies to review for consistency with adopted plans and the City's development standards. Staff may also recommend modifications that would increase their level of support for the application. Comments from each of the City agencies are accumulated by the Planning Unit staff and distributed to the developer and the Plan Commission.

As the project is being reviewed, staff also publishes legal notices in the newspaper and mails public hearing notices to surrounding property owners and residents. In many cases, the developer is also required to post a public hearing notice sign on the property.

At the public hearing stage, the developer often gives a presentation explaining the important elements of the development proposal. The developer may also wish to have members of the development team present at this time. After the presentation, the developer answers questions from the policymakers. Following the presentation by the developer, registered members of the public alternate speaking in support or opposition of the application. Deliberations then follow, until the final decision is made by the policymakers.

Development Review Schedule

Below is a listing of typical approvals that are considered by the following policymaking bodies:

Common Council:

The Council has final authority on rezoning; including Planned Unit Development, PUD's; annexation; and subdivision requests.

The Plan Commission:

The Plan Commission has final authority on conditional use and demolition requests, and is advisory to the Common Council on rezoning, annexation and subdivision requests.

The Urban Design Commission:

The UDC has final authority on requests in Urban Design Districts and is advisory to the Plan Commission on PUDs, Projects in the C4 downtown zoning district and Planned Commercial Districts (PCD).

The Landmarks Commission: The Landmarks Commission has final authority on certificates of appropriateness for projects within local historic districts and on projects involving a property with landmark designation.

Other Commissions that occasionally review development proposals:

Board of Estimates:

If a development is seeking city assistance through Tax Incremental Financing (TIF), other funding, or infrastructure projects, they will have to appear before the City's Board of Estimates. This body determines impacts of financing decisions on the City's Budget.

Zoning Board of Appeals:

This Board is charged with hearing requests for variances or relief from specific requirements of the Zoning Ordinance. The Board also serves as an appeals body for decisions made by the Zoning Administrator during the enforcement of the ordinance. Many requests before the Board involve improvements to individual properties that require discussion with adjacent neighbors and occasionally, with a neighborhood association.

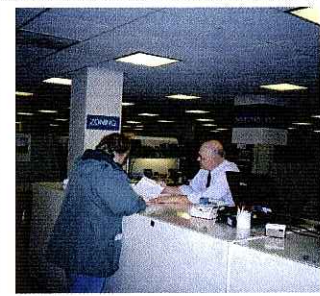
Suggestions: City Processes

Effective Neighborhood Input at Public Hearings

The neighborhood may wish to select only a few representatives to speak at the hearing. Those spokespersons can describe the neighborhood's position, and others attending the hearing can then follow by registering themselves as 'in support' or 'not in support' of the spokesperson's statements. This is a good way to save time, and avoid having speakers repeat the same message over and over. The Commissioners and Council members also appreciate this method and it demonstrates the fact that the neighborhood is well prepared and has done its homework.

Supporting Materials at the Public Hearing

Policymakers will have copies of the application in front of them at public hearings. If the developer wishes to submit any supporting information that is not included in the application, they should do so as early as possible, so policymakers have a chance to read the materials before the hearing. Likewise, if written public comments can be submitted to the Planning and Development Department at least one week in advance, that can be included in the commissioners information packets



The Zoning Counter in the Department of Planning and Development

Submitting an Application

When a developer is ready to submit an application, they should go to the Zoning Counter in the Department of Planning and Development in the basement level of the Madison Municipal Building. Zoning staff will look over the application to ensure that all the necessary requirements have been fulfilled. If all the requirements have been met, the application will circulate among City agencies responsible for review, publication, mailing, and posting of required notices. A public hearing will be scheduled if necessary, as not all appearances before City commissions are Public hearings.



A Planning Commission Meeting

Effective Public Testimony

Public testimony that is focused on the merits of the application is more useful for policymakers than unconstructive criticism. *The City of Madison Standards for Review* document is available at public hearings and contains excerpts from the Zoning Ordinance with the criteria policy makers consider when reviewing different types of proposals. The website address for the *Review Standards* is: <http://www.ci.madison.wi.us/planning/standards.htm>

Effective Testimony is succinct, but thorough, and should be coordinated among presenters to make thoughtful points without repetition. Developers, neighborhoods and other interested parties are much more likely to impart their knowledge and opinions on commissioners when they are thoughtful and direct about the merits or concerns of a proposal.

B. Post Approval

After the developer has obtained the appropriate approvals, final plans are submitted to the City before building permits are issued. Individual agencies review the plans to ensure that they reflect all of the conditions of approval and all City requirements. Once all required signoffs have been obtained, a building permit can then be obtained and construction can commence.

It is common for projects to have some changes after approval has been granted. Interested observers and neighbors may notice slight changes that are different from the final approvals. These changes often come about during the construction process.



Main Gate Senior Housing in the Bassett Neighborhood post construction



The new student oriented private residential building on West Gorham Street during construction



Townhouses in Grandview Commons during construction

Post Approval Alterations / Adjustments

Minor Alterations:

Often after development plans are approved, and during the creation of construction drawings, minor changes are needed due to site constraints or code compliance issues. If there are not significant changes to the plans, staff may approve minor adjustments when the developers seeks construction / building permits. If there are more significant changes that don't appreciatively change the development from what was approved by a commission or the council, the Director of the Planning Unit and the Alderperson may approve a minor alteration. In some cases these minor alterations may be forwarded to Urban Design Commission for advisory reviews and recommendations.

Sometimes the need for these changes may present themselves after construction, even years after, but the process for minor alterations remains the same.

Major Alterations:

Alterations that more dramatically impact the use, function and design of a project may require a major alteration. Major alterations require a project to return to the formal application process. While many of the pre-application processes will not be necessary, a developer *should* go back and communicate with the neighborhood. Formal meetings may not be necessary, and the process may be truncated to a certain extent dependant on the significance of the changes.

Suggestions: Post Approval and Post Construction

Changes in plans

The developer should be mindful of the need to communicate changes in plans made during or after the approval process to City staff. If changes are significant, communication with the neighborhood is highly recommended.

Keeping the Neighborhood Informed

After approval it is often a good idea for the developer to give periodic project updates to the neighborhood on construction, changes in the project, leasing agreements and any other relevant developments. The developer could also host an open house or a community event once construction is finished. These kinds of activities will be beneficial for the developer's reputation and will also help build support for the use of the building once it is completed.

Recent construction in Madison

100 West Wisconsin Avenue



Fourth Ward Lofts



Yahara Place



Grandview Commons Townhouses



Glossary

Conditional use:

Conditional uses are not permitted outright by zoning ordinance, but may be allowed if certain standards and conditions are met and approved by the Plan Commission.

Comprehensive Plan:

The City of Madison Comprehensive Plan will be an officially adopted public document that establishes an urban development strategy and policies to guide the future growth and development of the community over the next several decades. The Plan will be the basis for making many decisions regarding land use and the location of development, the extension of services and the placement of community facilities. As such, the Comprehensive Plan will be one of the primary tools used by the Madison Plan Commission, the Common Council, and the City administration in making decisions that affect the future of the community.

Developer:

An individual, corporation, partnership, or entity that seeks to construct buildings or structures on a parcel of land.

Infill development:

The development of vacant or underutilized lots that are surrounded by areas that are either partially or fully development. It is an effective means for preventing urban sprawl, promoting the efficient use and provision of urban services and redeveloping blighted or struggling areas.

Mixed-use development:

A building or structure with two or more uses. Such uses could include: residential, office, manufacturing, retail, public or entertainment uses.

Neighborhood Association:

Recognized group of residents, property owners or other persons with fixed interests within a defined boundary, organized to discuss issues related to their community.

Neighborhood:

An area with distinguishable characteristics, defined boundaries, and a common identity.

Neighborhood Planning Councils:

Madison's three Neighborhood Planning Councils are non-profit agencies that provide resources to member Neighborhood Associations, business coalitions, and at-large community members in to organize and encourage citizen participation in civic activities.

Other Interested Parties:

Individuals or groups outside of one of the primary channels of the development review process. Often these parties are interested in particular development cases, rather than all cases within a certain area.

Permitted use:

When a development application conforms with the use(s) allowed by the Zoning Ordinance. A permitted use usually does not require additional review other than the zoning review for issuance of a building permit.

Glossary

Planned Unit Development (PUD) and Planned Commercial Developments (PCD):

A zoning district that overlays the current zoning ordinance. A PUD or PCD may allow relief from use, building height, density, and setback normally required under conventional zoning in exchange for a superior design and aesthetic.

Policymaker:

A member of one of the City boards or commissions, including the Common Council

Variance:

Permission to depart from the specified conditions placed on a property by the Zoning Ordinance. Variances are granted only in cases where the existing zoning requirements place an undue hardship or practical difficulty on the property owner.

Zoning Board of Appeals:

Holds public hearings and makes the final decision on variance applications. Property owners interested in obtaining a variance should speak with City Zoning staff first before putting an application together.

Zoning district:

A designated area within the city within which specific zoning regulations governing the area, height, use, or other regulations related to development apply.

Appendix

Appendix: Resolution

CITY OF MADISON, WISCONSIN

A SUBSTITUTE RESOLUTION

That the Plan Commission should develop a "best practices" guide for developers and neighborhoods for the development process.

Drafted by: Ald. Brenda Konkel

Date: January 14, 2004

Fiscal Note: The material can be prepared with the reallocation of budgeted Planning and Development staff resources. No appropriation required.

SPONSORS: Mayor Dave Cieslewicz, Ald. Brenda Konkel, Ald. Mike Verveer, Ald. Robbie Webber, Ald. Judy Olson

PRESENTED January 20, 2004
REFERRED Plan Commission,
Comptroller (for fiscal note)
REREFERRED

REPORTED BACK

ADOPTED POF
RULES SUSPENDED
PUBLIC HEARING

APPROVAL OF FISCAL NOTE IS NEEDED BY THE COMPTROLLER'S OFFICE
Approved By
Comptroller's Office

SUBSTITUTE RESOLUTION NUMBER
ID NUMBER 35379

WHEREAS, the City of Madison values its citizen and neighborhood input on all issues, including development issues; and

WHEREAS, neighborhoods and involved citizens play an important role in forming strong, stable neighborhoods; and

WHEREAS, the city strives to create economically and racially diverse neighborhoods; and

WHEREAS, productive communication between developers and residents neighborhoods is an essential element in the creation of appropriate housing, commercial and industrial resources; and

WHEREAS, the City of Madison has a diverse array of neighborhood associations with varying processes, memberships, interests and capacity to participate in the development process; and

WHEREAS, in addition to neighborhood associations, the City of Madison has a multitude of local citizen's groups with a stake in the development process, and the interests and capacity to participate therein; and

WHEREAS, developers, city agencies and neighborhoods are interested in having an easily understood transparent, well-structured and timely comment and review process for development; and

WHEREAS, neighborhoods, residents, property owners and other stakeholders are interested in having sufficient notice of development plans so that they can contribute informed and well-thought input.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission should develop a "best practices" guide for interaction between developers, neighbors and other stakeholders during the development process, incorporating changes that may be necessary due to passage of an inclusionary zoning ordinance. Best practices should include:

1. Recommendations regarding proper notice and discussion with neighborhoods and other stakeholders during the development process;
2. Processes to follow for resident input in lieu of viable functioning neighborhood associations;
3. What a the developer should communicate to the neighborhood associations and community groups at different phases of a the project;
4. How to meet with neighborhood associations and community groups on a timely and appropriate basis;
5. Recommendation of procedures useful in taking a position on a development project and ensuring that the process is clear to all stakeholders;
6. Urging neighborhoods to clarify organizational issues such as by-laws, membership eligibility and association boundaries; and
7. **Recommendation of a system for local community non-profit organizations to register with the City their interest in participating in the development process.**
8. ~~7.~~ Other such topics deemed useful for mutually rewarding interactions between neighborhoods, **other stakeholders** and developers during the development process.

BE IT FURTHER RESOLVED that the Plan Commission should hold a public hearing to gather **resident neighborhood** and developer input and concerns about **community neighborhood-developer** interaction during the development process that will be useful in preparing a "best practices" document.

BE IT FURTHER RESOLVED that the Plan Commission should recommend changes to or create ordinances to address committee notice processes to assure that appropriate notification of neighborhood **associations and community** organizations occurs. The committees for which there will be a review of the notification process of neighborhood organizations will include but not be limited to the Plan Commission, Common Council, Landmarks Commission and the Urban Design Commission.

BE IT FURTHER RESOLVED that the Plan Commission should review provisions in the zoning codes that require neighborhood notice and make recommendations regarding changes to those ordinances.

BE IT FURTHER RESOLVED that the Plan Commission will seek ways to meet or exceed the notification process in order to elicit meaningful **community neighborhood** input and **allow** time for neighborhood **associations and community organizations** to meet in advance of **public hearings**.

BE IT FINALLY RESOLVED that the Plan Commission should report its findings, recommendations and suggested ordinance revisions to the Common Council by **December 7 July 4, 2004**.