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Sent: Friday, July 7, 2023 3:27 PM

To: Mayor <Mayor@cityofmadison.com>; All Alders <allalders@cityofmadison.com>

Cc: Parks, Timothy <TParks@cityofmadison.com>; Lynch, Thomas <TLynch@cityofmadison.com>

Subject: Smart Growth's Comments on Proposed New Subdivision Ordinance

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Mayor Rhodes-Conway and Alders:

Smart Growth Greater Madison has the following questions and concerns about the proposed new subdivision ordinance, version 2, which is item 14 on your agenda for your meeting on July 11 (Legistar 78130).

1. According to the new ordinance, the final width of pavement and alley rights-of-way shall be only approved following a recommendation by the City Engineer and Fire Marshal. Smart Growth urges city staff and officials to recognize that it is critical to the development of new subdivisions to obtain final approval of the width of pavement and alley rights-of-way as early as possible in the staff's process of reviewing a proposed plat.

2. Allowing parking only on one side of the street decreases the desirability of homesites. This can be lessened for homes with front-loaded garages that have deep enough driveways to accommodate two additional vehicles for owners or guests. It is a much larger problem for homes with garages that are loaded from an alley, which usually do not have a deep enough driveway to accommodate additional vehicles.

New houses with alley-loaded garages tend to be less expensive than new houses with garages loaded from the street, because houses with alley-loaded garages can fit on smaller parcels. Families that include trades people who often need to park work trucks at home are likely customers for houses with alley-loaded garages. They cannot park their work trucks in their garages and there is no room to park them on the short driveways between the alley and their garages. They need to be able to park their work trucks on the street.

This example demonstrates why Smart Growth recommends that the street design selected from the Complete Green Streets guide for new subdivisions enable parking on both sides of the street wherever garages are loaded from alleys. In the alternative, please let the people who know most about what makes a successful subdivision—experienced subdivision developers—decide where streets with parking on only one side are or are not appropriate. City staff and the members of the Transportation Commission lack the expertise to make a better decision on this issue than an experienced subdivision developer.

3. The new ordinance requires a phasing plan to be submitted with the preliminary plat. That requirement is reasonable. However, city staff and officials should recognize that a phasing plan is a plan which is based on assumptions about the market, and if the market behaves differently than those assumptions, the subdivision developer must be able to adjust the phasing plan.

4. When will we all see the final map of which kinds of streets from the new Complete Green Streets guide will be selected for various locations within the city and on land that is likely to be annexed/attached into the city? Will the map be based on current neighborhood plans or will it not be released until many, most, or all of the new area plans are adopted? Many new neighborhoods in the periphery of the city are years away from being covered by a new area plan.

5. Smart Growth believes that the new subdivision ordinance should have added language to clarify that the text in section 16.23(1)(e) of the new ordinance about airport noise does NOT apply to a certified survey map (CSM) that is combining smaller parcels to create a larger redevelopment site. The lack of such clarifying language invites needless controversy.

The Task Force on Environmental Justice extensively studied the issue of airport noise and residential development. This task force recommended to the Common Council that the city government should NOT attempt to prevent residential development relatively near the airport in response to concerns about noise from the F-35 fighter jets. Instead, the task force recommended that whenever a developer receives financial assistance from the city government for development or redevelopment relatively near the airport, the city government should require that the developer to use noise-mitigation construction techniques and materials. The Common Council followed this recommendation with the Raemisch farm subdivision (which the Plan Commission recommended approval of three times but the Common Council voted down twice before approving) and the affordable housing redevelopment project on the site of the former Gardner/Bimbo bakery at the intersection of N Fair Oaks Ave and E Washington Ave.

More recently, the Plan Commission recommended and the Common Council approved the Hawthorne-Truax Neighborhood Plan, which indicates the city would welcome redevelopment projects featuring greater residential density along E Washington Ave, despite the area's proximity to noise from the F-35 fighter jets. Please see the illustrations on page 17 of the plan, a link to which is provided below.

<https://www.cityofmadison.com/dpced/planning/hawthorne-truax-neighborhood-plan/3759/>

Smart Growth urges you to make sure that the new subdivision ordinance does NOT include provisions that would thwart redevelopment projects consistent with the recently adopted Hawthorne-Truax Neighborhood Plan.

Smart Growth recommends that the Common Council (a) decide whether the new subdivision ordinance should or should not include a provision that would limit or prohibit approval of a CSM combining parcels along E Washington Ave into a redevelopment site based on concerns about noise from the F-35 fighter jets and (b) direct the City Attorney's Office to draft language consistent with the Common Council's decision for the Common Council to review at its next meeting (or refer the ordinance back to the Plan Commission with instructions about this issue). Smart Growth urges the Common Council not to enact the new subdivision ordinance until this issue is resolved.

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