



City of Madison

Meeting Minutes - Final

HOUSING COMMITTEE

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

Wednesday, January 4, 2006

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room 260 (Madison Municipal Building)

1. CALL TO ORDER

The meeting was called to order at 5:07 p.m.

2. ROLL CALL

Present: Florence Zmudzinski, Philip P. Ejercito, Thomas E. Hirsch, Victor E. Villacrez, Richard B. Arnesen, Jr., Judith M. Wilcox, Rose M. LeTourneau, Julia S. Kerr, David R. Sparer and Ald. Austin W. King

Absent: Ald. Michael E. Verveer, Howard Mandeville, John L. Merrill and Curtis V. Brink

Excused: Detria D. Hassel

*Also Present: George Hank, Inspection Unit Director
Hickory Hurie, CDBG Director
Steve Brist, Asst. City Attorney
Pat Kreitzman, Recording Secretary*

3. APPROVAL OF MINUTES

King moved approval of the minutes, second by Ejercito. Wilcox asked that she be recorded as excused instead of absent as she was attending a mandatory HUD training and she didn't call ahead. Villacrez would like corrected: page 3, 4th paragraph, first line, delete the word "not" so it would read "Villacrez noted he would support the repeal . . .", and also the second line "effecting" should be changed to "affecting". King noted a change on page 5, paragraph 2, first line, "it's" should be noted at "its". The minutes were unanimously approved as amended.

4. PUBLIC COMMENT

Hirsch noted he spoke to Steve Brist about committee procedures and voting. The chair will vote only when it makes a difference. The operating rules of the committees are left to the committees. If the Housing Committee would like to write their own rules he would be willing to put something together over the next few months and codify some of the procedures both at the full committee and subcommittees. King stated the CCOC has discussed in the past to create some uniform standards for committees. He will talk to the Council president about putting this on the next CCOC agenda.

5. UNFINISHED BUSINESS ITEMS

Amending Sections 28.08(4)(c)4., 28.08(9)(c)6., and 28.08(11)(c)4. to allow tax-exempt lodging houses as conditional uses in the R3, R4, R4L and R4A Districts.

Hirsch noted this was referred to both subcommittees. The Affordable Housing

Subcommittee voted 4-0 to recommend to the Housing Committee approval of the ordinance. Ejercito noted the Landlord & Tenant Issues Subcommittee recommended to the full committee that it be adopted.

A motion was made by Ald. King, seconded by Ejercito, to Return to Lead with the Recommendation for Approval to the PLAN COMMISSION recommend approval of ordinance amendment to full Common Council. The motion passed by the following vote:

Absent: Verveer, Mandeville, Merrill and Brink

Excused: Hassel

Aye: Zmudzinski, Ejercito, Villacrez, Arnesen, Jr., Wilcox, LeTourneau, Kerr and King

Abstain: Sparer

Non Voting: Hirsch

Creating Section 27.05(2)(h)13. of the Madison General Ordinances permitting a condominium association, under certain circumstances, to be exempt from the requirement to install positive locking devices on certain doors.

A motion was made by Ald. King, seconded by Ejercito, to RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER. NOTES: King stated this is one of those loopholes that we don't need. It sets up some segregated classes of citizens so that renters who live in mixed or occupied rental housing have fewer rights than those who do not. This is not enforceable. The staff memo was very persuasive. Ejercito noted at the Landlord & Tenant Issues Subcommittee there was a general feeling that the Common Council would reject this. They would rather work with individuals on a phase-in implementation that would address the problems a little more effectively than trying to apply a broad ordinance across the City. Hirsch noted this is a special circumstance. He is appreciative of the condominium association putting forward a strong argument that they "don't need this". It is very difficult from a public policy point of view to carve out this kind of exemption. He has encouraged the condominium association to contact the CDBG office and try to work, on behalf of the lower income occupants, to see whether the condominium association couldn't get some assistance and mitigate the impact which is a concern.

The motion passed by the following vote:

Absent: Verveer, Mandeville, Merrill and Brink

Excused: Hassel

Aye: Zmudzinski, Ejercito, Villacrez, Arnesen, Jr., Wilcox, LeTourneau, Kerr, Sparer and King

Non Voting: Hirsch

Present: Ald. Michael E. Verveer, Florence Zmudzinski, Philip P. Ejercito, Thomas E. Hirsch, Victor E. Villacrez, Richard B. Arnesen, Jr., Judith M. Wilcox, Rose M. LeTourneau, Julia S. Kerr, David R. Sparer and Ald. Austin W. King

Absent: Howard Mandeville, John L. Merrill and Curtis V. Brink

Excused: Detria D. Hassel

Present: Ald. Michael E. Verveer, Florence Zmudzinski, Howard Mandeville, Philip P. Ejercito, Thomas E. Hirsch, Victor E. Villacrez, Richard B. Arnesen, Jr., Judith M. Wilcox, Rose M. LeTourneau, Julia S. Kerr, David R. Sparer and Ald. Austin W. King

Absent: John L. Merrill and Curtis V. Brink

Excused: Detria D. Hassel

Amending Section 28.04(25) of the Madison General Ordinances to change the equity distribution at sale, add a new kind of occupancy, and add exemptions to the inclusionary zoning ordinance.

Hirsch noted the Affordable Housing Subcommittee at its meeting of December 22 voted 4-0 to recommend Housing Committee approval of the percentage shared equity approach in this proposed ordinance. The subcommittee noted that it had previously recommended the date of the certificate of occupancy as a key event in the determination of the marketing and bump-up periods for the IZ units for both sale and for rental. The subcommittee endorsed the idea that the last 30 days of the initial marketing period occur after the certificate of occupancy and that it occur no less than 30 days after the certificate of occupancy and then the second marketing period would kick-in whenever the first one ended. This is not reflected in the box chart in the packet.

The Housing Committee discussed the proposed ordinance in three different segments.

(A) Equity - King noted there was movement at the last Housing Affordable Subcommittee which is the recommendation that the pro-rata second mortgage be the City's share based on the IZ value of the home as a proportion of its fair market value. That percentage would grow or shrink with the market in the future, and the owner would be able to appreciate said proportion of the accrued equity. King moved this recommendation be adopted, second by Wilcox.

Vote: 9-1 (Arnesen)

(B) Incentives - Hirsch noted the Housing Affordable Subcommittee recommended that an incentive be added that would permit developers to change a plat or neighborhood plan to allow for greater residential use in an area previously zoned for commercial. King stated that he believes a vote had been taken on a very specific recommended change to the density section that would move the bonus from the midpoint to highpoint in the neighborhood plan, change C2 and C3 to the same density as R6 instead of R4 and it dealt with Design Zones II, III and IV downtown. Hirsch and Arnesen noted this was done in the subcommittee but not re-affirmed with the full Housing Committee. These items are found on page 6 of the ordinance. King moved the changes as follows with a second by Kerr:

h. One additional story for development in Downtown Design Zones [strike the "s" in Zones and add "l" so it reads 'Downtown Design Zone l'].

5. C1, C2, C3, C4 - 38 units/acre - Take C2, C3 and C4 out and make them their own area and have the base be 72.60 units/acre which is the same as R6.

Strike the "midpoint" from all of the neighborhood density plan ranges and replace with "highpoint".

There have been complaints that sometimes the density bonus isn't real. These are 3

very simple and very supportable changes that can be made to make the bonus that much more real. This helps codify that and takes it an extra step in response to some of those complaints. It was noted that "Planned Unit Development" and all items under the title "Existing Density" should be flush left under "Conservancy".

Vote: 9-1 (Villacrez)

(C) Dispersion - Permit closer spacing of IZ which allows the twinning of units in certain circumstances to allow 2 units to be in an otherwise single family plat. The second is to allow certain percentage of the floor area to be excluded to create some extra value in those units.

King moved that the Housing Committee re-affirm the remaining policy issue recommendations that are in draft ordinance as recommended by the Housing Affordable Subcommittee. Second by Verveer. Kerr asked where the subcommittee ended up with their conversation on stacking of units? Hirsch noted there seems to be consensus that the committee wants to address the issue of stacking to be permitted, and not address the issue of dispersion on a horizontal basis for a floor plan. Wilcox noted we need to give the sense of the committee's opinion on dispersion to the Plan Commission. It was suggested that Hirsch do a summary memo to the Plan Commission on issues that the Housing Committee felt strong about but weren't addressed in the ordinance.

(D) Waiver Option - Add rehab of an existing off-site unit to the waiver option.

(E) Marketing - Strengthen marketing plan as part of Plan Commission Review.

Involve more non-profits and helper agencies in recruitment and marketing to target populations.

Link marketing of IZ units with other affordable units and with buyer assistance programs.

Create two trigger events: For sale housing, marketing period must include 30 days after initial building permit, with bump-up to second target population no sooner than 30 days after permit. For rental, use certificate of occupancy date. The Subcommittee noted that it had previously recommended the use of the certificate of occupancy as a key event in the determination of the marketing and bump-up period for the marketing of IZ units for sale and for rental. The Subcommittee endorsed the idea that the last 30 days of the initial 120 day marketing period start no sooner than the date of the certificate of occupancy. This was the recommendation made clear from the Affordable Housing Subcommittee from their December 22 meeting.

Exempt student housing from the IZ ordinance.

Exempt all housing that creates such affordable units.

King withdrew his original motion.

A motion was made by Ald. King, seconded by Ald. Verveer, to Return to Lead with the Recommendation for Approval to the PLAN COMMISSION to adopt the changes to the Inclusionary Zoning Ordinance that the Housing Committee has gone through and discussed, including the specific recommendations the Housing Committee has made that depart from the proposed ordinance regarding the marketing period, density bonus, exemptions for non-profit, and stacking and twinning density. The motion passed by the following vote:

Absent:	Merrill and Brink
Excused:	Hassel
Aye:	Verveer, Zmudzinski, Mandeville, Ejercito, Villacrez, Arnesen, Jr., Wilcox, LeTourneau, Kerr, Sparer and King
Non Voting:	Hirsch

6. REPORTS

Landlord & Tenant Issues Subcommittee - Ejercito noted at the last meeting the subject of tax exempt lodging was discussed and approved.

Affordable Housing Subcommittee - Hirsch stated the subcommittee recommended lodging house tax exemption adoption. IZ changes were discussed and proposed.

7. DISCUSSION ON FUTURE AGENDA ITEMS - SCHEDULE NEXT MEETING

- Election of chair/vice chair, reminder to subcommittees to also elect chair/vice chair.
- Preservation.
- Draft plan on homelessness by Sue Wallinger, CDBG.
- Common activities of the CDA Housing Operations Unit and Dane County Housing Authority.

Hirsch noted he is scheduling a meeting with the Mayor to talk about the overview of housing and housing issues, and what he would like the Housing Committee to work on.

Hirsch expressed his appreciation to the Housing Committee for its diligence, hard work and willingness to take on IZ on a very short notice and respond to it.

8. ADJOURNMENT

King moved adjournment at 6:05 p.m., second by Ejercito with unanimous approval.