

AGENDA # 1

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: March 16, 2011

TITLE: Accepting the Development Process Initiative Report dated January 31, 2011 as amended and approved by the Economic Development Committee on February 16, 2011; and directing the City Attorney and responsible department/division directors to begin immediate implementation of the recommendations contained therein, including the formulation of ordinance modifications and budget proposals where necessary. (21454)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: March 16, 2011

ID NUMBER:

Members present were: Marsha Rummel, Mark Smith, Dawn O’Kroley, Todd Barnett, Richard Slayton, R. Richard Wagner and Jay Handy.

SUMMARY:

At its meeting of March 16, 2011, the Urban Design Commission **ACCEPTED** the report with modifications. Appearing on behalf of the project were Steve Cover, Director, Department of Planning and Community & Economic Development; Bradley J. Murphy, Planning Division Director; Matt Mikolajewski, Manager, City of Madison Office of Business Resources/EDD; Aaron Oliver, Interim Director of the Economic Development Division; and Peter Ostlind, representing Capitol Neighborhoods Development Review Oversight Committee. Cover presented the recommendations focused on processing and getting information to the public, providing training for boards and commissions, creating a new development review and permit center. Murphy stated that in essence the resolution asks the Common Council to accept the report and direct staff to work with the appropriate agencies and the City Attorney’s Office to begin implementing the recommendations. The recommendations will go back to the Economic Development Commission in April. He stated that the Urban Design Commission recommendations will go in front of the Common Council.

Comments and questions from the Commission were as follows:

- Concern with needing the approval of only the Landmarks Commission in historic districts. If there’s an Urban Design District its criteria might not be the same as the Landmarks Commission. The recommendation does not recognize the dual roles of the Commissions, the different criteria for the different Commissions as well as different scopes. The Commissions have had and will have joint meetings to help make the process more efficient. They have different missions. This feeling was reiterated by several of the Commission members.
- Page 32, Item G, I think any project that involves City money should come to the Urban Design Commission for approval or at minimum a sub-committee.

- I think it's very important to have the review process. As an example, the Stop-N-Go at the top of State and Gilman Streets; we can be sympathetic to the developer but we also have to keep in mind the public interest at the front.
- I don't feel any of these projects involving public money are bogging down our agendas.
- Percy Brown, as the operator of the Façade Grant Improvement Staff Team spoke to his concern of streamlining the process to get these items onto the agenda as fast as possible. It generally takes 6-8 weeks to get through the process; if the Urban Design Commission backed down from review it would take 1-2 weeks less.
- It was recommended to delete Item G from Page 32.
- Page 32, Item E, suggests how the UDC does business. The UDC would have to approve as presented, with conditions or reject with reasons and would end the initial and final approval process. It's not that we have the final approval process under the ordinance, but the Plan Commission sends it back to us as a condition of approval.
 - We've cut down multiple presentations and we try to get to the initial stage as quickly as possible.
 - I think this is trying to restrict us in such a way that is not particularly useful and may result in more rejections.
 - We're either going to make things really hard on developers, or if we feel a project is marginally OK and we approve it, I think there is a chance we are going to compromise our standards and the goal of the Commission.
 - The "dry run" of an informational presentation can be very helpful to applicants to bring in better information when they do officially apply for review.
 - Major concern that developers will need to submit all complete materials at the first step which will lead to rejections of materials for being incomplete, as well as rejection for design. The results of this would be more denial, frustrations by all, and poor design moving forward.
 - You're hurting the developer and sending the wrong message if you say it has to be done in one time.
 - I think it's very, very important that we have a higher level of autonomy in rejecting submissions and not putting them on the agenda until staff felt they were complete. This is perhaps under-looked at here.
 - Once more submittals are consistently complete, we can recommend that more applicants go directly to initial rather than informational.
 - These large projects that take several meetings are larger PUDs and they are supposed to meet a higher standard. Getting one in and out approval doesn't talk about what kind of projects they are or the standards the City should be holding them to.

Peter Ostlind addressed the Commission with his concerns.

- If City funds are going to be used to impact the built environment, it certainly makes sense that the Urban Design Commission has a chance to give their input. Your input is valuable and you have the skills for that.
- We feel an annual review of Commissions is certainly plenty.
- The goal for overlapping jurisdictions is good, the Commissions bring different sets of criteria. The goal may be desirable but the examples are not appropriate changes.
- Page 31 G8b, my sense is that the Urban Design Districts have the most specific and objective criteria.
- Small projects – it's very difficult to define a small project and they can have a very definite impact on a built environment. It's not useful to try to pull that out and remove your input on that.
- Page 32, G8e, I don't think this leads to a very efficient process. I don't think the developers that come before you would find this useful.

- Page 33, G9 I wouldn't volunteer for that position – you guys do enough already. To the extent that staff can convey and your minutes convey, your motions convey the sense of the group. Trying to have one person convey that would be difficult, in addition to time consuming.
- G10, we think referral only if the applicant asks for it is a poor idea. It almost leads to the new norm, new criteria could become almost good enough. Functionally I don't see how this works.
- Page 34, H1, we agree with more information and checklists. A complete application before you can put it on an agenda is really important; suggest you add language to that effect.
- An additional goal is a suggestion to put together a layman's guide to the ordinances. You can have them in front of you but they can be tough to follow. Something that gets rid of the legalese and helps all of us see more clearly what the criteria are for any given project.
- Your rationale for why and how it meets these standards (or not) would help all parties involved.
- We might suggest some way of going out and having tours of what has actually been built, and how it may or may not have addressed the specifics of what you asked for.
 - Staff pointed out that they used to have a tour where all committees were invited in the recent past.

The Commission continued with their questions and comments.

- Years ago we adopted the big box standards there was a lot of discussion...it was approved with specific standards and we end up getting buildings that are formulaic instead of creative projects. I would be open to investigating what those might be, but without seeing what those specific standards are I'm not exactly sure who would generate these standards, and I'm leery.
- Serving on the UDC and PC would be burdensome on one person. Encouraging us to have a representative on the Commission for critical projects might be helpful.
- My goal is to provide equity without creating rules that are too broad (between presenters and speakers on a project).
 - As far as applicants having more time to talk, at other Commissions the applicant doesn't get into so much detail. But they don't necessarily do the same things we do. I don't know how to resolve that but what we do here is important and we should try to keep down what's rambling. I think having us at the front end of the whole thing is valuable.

ACTION:

On a motion by Barnett, seconded by Rummel, the Urban Design Commission **RECOMMENDED ACCEPTING** the Development Process Initiative Report with a list of recommendations. The motion was passed on a vote of (6-0). The motion provided for the following:

- Page 25, 2, Façade Grant Program, delete the example contained in the second sentence (Page 26).
- Page 29, delete F1; they have different jurisdictions not overlapping jurisdictions.
- Page 31, G7c, this is one we haven't talked about. We have a special meeting set up for this. I think members of this Commission have strong feelings about this. This is a procedural problem.
 - Murphy stated the way this is phrased it's not an ordinance amendment. This should be discussed more.
 - We might discuss internally having someone attend a Landmarks Commission meeting to provide guidance as to how the UDC might see this project.
 - Recommend to delete noting this as a procedural problem.
- The importance of staff reports was noted, as they generally point out the issues.
- Page 32, Items E and G, and on Page 33, 10, the recommendation is to delete these items.

- It was noted to bold and underline the E portion so it's clear that the Commission feels very strongly in that it undermines the role of the UDC and compromises the developer.
- Recommend removal of the ordinance language for a UDC member to be appointed to the Plan Commission. We can acknowledge that it is important but not for about 98% of the projects. Delete the language that to put this into the ordinance. This is a much larger discussion than the approval process.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project is 5.

DRAFT

URBAN DESIGN COMMISSION PROJECT RATING FOR: Development Process Initiative Report

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	-	-	-	-	-	5

General Comments:

- Seriously flawed understanding of role and importance of UDC to promote adopted mission. Delete Page 29, F1; Page 31, G7c, Page 32, G8e, G8g; Page 33 G10 (all).
- UDC must review projects a minimum of two times. We should review all façade grant projects.