

# The City of Madison Approval Process

## A primer in patience and preparation

6 November, 2020



### Initial Efforts

Successfully developing a project in the City of Madison requires input from multiple City departments, each of which must receive, process, and approve project information to grant entitlements. Entitlements provide the project owner with certain legal development rights that confirm the project has been reviewed and approved by multiple City Departments and City Commissions. Approved entitlements opens the process to full project review to gain conditional approval, and eventually, issuance of a construction permit.

I suggest engaging the City prior to beginning the formal entitlement process, using the four steps shown on the next page. The formal entitlement process occurs during Site Plan Verification, as shown on page three of this paper.

The goal of my recommended steps is to assure adequate information is gathered and reviewed with the City. This helps to generate City support in advance of going fully public with a development. These steps also help to avoid redesign, control design costs, and avoids embarrassing public

### Introduction

The City of Madison Entitlements process has become legendary. Some would say, “infamous.” As a case in point, PRA was recently approached by an organization interested in building a new group living facility. After initial discussions, one of the group’s Board members decided they knew an Architect who works for an out of town design/build construction company who could help them navigate the process at no cost. Sometime later, one of the client representatives returned to PRA, explaining they were not pleased with the services received and wondering if PRA could look at getting the number of living units increased above what the City recommended to their Architect. It was explained that the City staff had made an initial decision and there might be little that could be done to increase the required number of units to a level where the entire project made sense from a financial and management perspective. PRA was indeed able to secure the added units for the client, but this is a perfect example of an issue that needs to be worked on in advance of discussing a project publicly to avoid a challenging public discussion that may not be solvable.

The points below are useful beginning steps for almost any project within the City of Madison. The order is not a constant, as no two projects are alike. A thoughtful internal discussion in advance of these steps should take place to identify the strengths and weaknesses of both your team and the project before approaching City of Madison staff or elected officials. These four steps apply for privately funded projects - there is a slightly different approach for publicly funded projects.

### **Step 1 Understand Regulatory and Political Requirements**

Know what the minimum requirements for a financially viable project are, and then work with an experienced architect to determine if the project works within existing zoning, or if a variance is required. The project needs to be defensible to City staff and local politicians right from the beginning. Wise developers are prepared for changes that may cause the project to look quite a bit different from initial ideas. An experienced professional can help make certain the project:

- a. Can be supported by area elected officials
- b. Aligns with City staff planning goals to compliment and add to the neighborhood

### **Step 2 Engage Alderperson**

Decide if approaching the area Alderperson first to discuss the project is appropriate. Some Alders are experienced at development issues and others are not as involved in building processes. Whatever the level of knowledge, every Alder wants successful projects that are supported by their constituents and brings economic benefit to their district. Most Alders do want to know what is being considered for their district. An informal meeting for coffee is often an appropriate manner to introduce the intended project.

### **Step 3 Partner with City Staff**

The City of Madison maintains a planning department with staff experienced in zoning, planning and development. An initial conversation can be scheduled to review early conceptual design ideas. As stated in Step 1 the project goals and their importance should be explained. Attend this meeting knowing in advance what can be changed, what can be added, what can be removed, and what the budget can support. The goal is to gather information in advance of starting a full public process and to allow staff to be a part of the project design process. I don't suggest attending such a meeting until the project has a design direction, and as with the Alder, the team needs to appear open to suggestions.

### **Step 4 Engage Neighborhood Groups**

For some areas of the City the neighborhood association may be quite strong, while in other parts the neighborhood association may not be as strong, or may not exist. If there is a neighborhood association, (or several, in some cases), scheduling meetings with those groups is also wise. Review past development efforts prior to meeting to identify key issues that may impact your project, too. Items such as a historical appearance, area density, or a change in the mix of traditional building use types are often key items. Some initial research will keep you from repeating what may have already happened to others.

Knowing the strengths and weaknesses of the project and team is key. Each project has different needs, and may require different professionals. Seeking early input from an attorney, architect, and/or civil engineer experienced in City of Madison land and building development may be the difference between success or a challenging of the City entitlement process.

*“When the Home Depot group first considered entering the Madison market an initial City staff meeting was arranged. The attendees were in favor of the projects, but one City attendee stated they could support the project if the client could do something about changing that ‘orange’ color on their buildings”*

-True story

## City of Madison Site Plan Verification

Once you have completed the Initial efforts presented above, you can begin the Site Plan Verification Process, otherwise known as the Entitlements process. Success requires appropriate time (often several months) to complete the multiple steps. Teaming with a seasoned professional capable of proactively working with the City, following-up on open issues, and monitoring reviews will aid in achieving a timely positive outcome.

As with many cities, the various departments who review your project are often working with different goals in mind. If you know this as you begin, you can work successfully to secure the necessary Entitlements in the most efficient manner. The City of Madison requires full engineering review of projects that are:

- 50,000 Square Feet or larger
- Are in designated Urban Design Districts
- Located in key areas of the City where City Planning staff believes there is effect on the architecture of the vicinity
- Your project is located adjacent to or near a building that is on the City's Historical Record
- Or, as determined by City staff to require a full review

Projects of more modest scope and with a possible reduced affect on the immediate surrounding area can complete the Entitlements process through a reduced scope of steps. Again, every project is different.

More complex projects, meeting any of the parameters listed above, requires a process that will take several months to complete before 'permitting'. The attached schedule from 2020 indicates meeting times and submittal deadlines for the multiple submissions, meetings, and follow-up steps required to complete review by City staff. This series of meetings depends upon the project type and location. A project in an Urban Design District or in the Central Downtown area may require additional meetings with special groups such as Neighborhood Associations, the Landmark Commission, Development Assistance Team (DAT), or Urban Design Commission. A public hearing process may also be required and/or vote by the City of Madison Common Council for possible changes in zoning, recording a Certified Survey Maps, Etc.



The site plan verification process can sometimes occur in parallel with other design approvals and required votes. The actual process will be influenced by the project type and input from an experienced design team. Up to twelve departments complete reviews of the civil engineering and architectural elements of the project, including:

### City of Madison Department Reviews

1. *Engineering Mapping*
2. *Engineering Review Main Office*
3. *Fire*
4. *Forestry*
5. *Lighting*
6. *Parks*
7. *Planning*
8. *Recycling Coordinator*
9. *Traffic Engineering*
10. *Urban Design Commission*
11. *Water Utility*
12. *Zoning Department*





Once the engineering and architectural drawings are submitted and fees are paid, the various departments post comments or request additional information using a color-coded system to signal review status. The submitter can follow and respond to the process on a dedicated website. The color coding is as follows:

White	Review has not commenced
Yellow	Additional information or questions have been posted for response
Red	A major issue needs to be resolved as noted by the reviewer
Green	Review by the individual department is completed

Often, the Zoning Department is the final reviewer where efforts by others are checked. Once all items have reached 'green' status, the Construction Documents submitted for Conditional Approval can be completed. When this process and recording of any construction permits and fees is confirmed, the project can proceed to construction.

The City of Madison entitlements process can seem daunting to the uninitiated. But with an experienced local partner, preparation, and patience, the process can be negotiated successfully.

## ABOUT PLUNKETT RAYSICH ARCHITECTS, LLP.

PRA is an award-winning Architectural and Interior Design firm dedicated to delivering innovative design solutions. We specialize in projects that comprise the essence of communities—where you live, work, play, learn, worship and retire. We are passionate about turning our clients' aspirations into reality.

The firm consists of 80 staff led by 10 principals, with offices in Milwaukee, WI; Madison, WI and Sarasota, FL. Our staff is organized into a studio/team format to focus resources, experience and creative synergy on client projects. We work together in teams across offices and studios to deliver excellent results for our clients.

## ABOUT THE AUTHOR



### **KIRK KELLER** AIA, NCARB | Project Manager, Madison, WI

Kirk has over 40 years of experience in the architecture industry, extending to the design of multi-use developments, community buildings, corporate offices, and healthcare facilities throughout the Midwest. His knowledge of all aspects of construction and the ability to solve any challenge that arises is an invaluable asset to any team. Kirk also specializes in helping clients navigate the city approval processes for the City of Madison and surrounding communities.

City of Madison Submittal and Meetings Schedule

**DEVELOPMENT REVIEW SCHEDULE for the URBAN DESIGN COMMISSION and PLAN COMMISSION, December 2019 – December 2020**

Please contact the Department of Planning and Community and Economic Development at (608) 266-4635 or [planning@cityofmadison.com](mailto:planning@cityofmadison.com) if you have questions about filing your application.

SUBMITTAL DEADLINES (12:00 PM Wednesday) FOR:		MEETING DATES:	
Urban Design Commission (UDC) (When applicable to items in first column)	Plan Commission (For ALL applications listed in left two columns)	Urban Design Commission (UDC) (When applicable to items in first column)	Plan Commission (For ALL applications listed in left two columns)
<ul style="list-style-type: none"> <li>Zoning Map Amendments (including rezoning to, or a major alteration of, a Planned Development zoning district)</li> <li>All applications that include a Zoning Map Amendment</li> <li>All projects requiring review by the Urban Design Commission (UDC)</li> </ul>	<ul style="list-style-type: none"> <li>Conditional Uses NOT requiring UDC review</li> <li>Demolition Permits</li> <li>Preliminary and Final Plans</li> <li>Certified Survey Maps (for Plan Comm. or Administrative App.)</li> <li>Alterations to Planned Developments approved by the Plan Commission only</li> </ul>	<ul style="list-style-type: none"> <li>Public hearings begin at 4:30 PM, Wednesday</li> </ul>	<ul style="list-style-type: none"> <li>Public hearings begin at 5:45 PM, Monday</li> </ul>
<ul style="list-style-type: none"> <li>October 9, 2019</li> <li>November 6</li> <li>November 20</li> <li>December 4</li> <li>December 18</li> <li>January 8, 2020</li> <li>January 15</li> <li>February 5</li> <li>February 19</li> <li>March 4</li> <li>March 11</li> <li>April 1</li> <li>April 22</li> <li>May 6</li> <li>May 20</li> <li>May 30</li> <li>June 3</li> <li>June 17</li> <li>July 8</li> <li>July 29</li> <li>August 12</li> <li>September 2</li> <li>September 16</li> <li>October 7</li> <li>October 21, 2020</li> </ul>	<ul style="list-style-type: none"> <li>October 23, 2019</li> <li>November 6</li> <li>November 20</li> <li>December 4</li> <li>December 18</li> <li>January 8, 2020</li> <li>January 15</li> <li>February 5</li> <li>February 19</li> <li>March 4</li> <li>March 11</li> <li>April 1</li> <li>April 22</li> <li>May 6</li> <li>May 20</li> <li>May 30</li> <li>June 3</li> <li>June 17</li> <li>July 8</li> <li>July 29</li> <li>August 12</li> <li>September 2</li> <li>September 16</li> <li>October 7</li> <li>October 21, 2020</li> </ul>	<ul style="list-style-type: none"> <li>November 20, 2019</li> <li>December 11</li> <li>January 15, 2020</li> <li>February 12</li> <li>February 26</li> <li>March 11</li> <li>April 15</li> <li>May 6</li> <li>June 17</li> <li>July 1</li> <li>July 15</li> <li>August 12</li> <li>September 2</li> <li>October 7</li> <li>November 4</li> <li>December 2, 2020</li> </ul>	<ul style="list-style-type: none"> <li>January 7, 2020</li> <li>January 21</li> <li>February 4</li> <li>February 25</li> <li>March 3</li> <li>March 17</li> <li>March 31</li> <li>April 21</li> <li>May 5</li> <li>May 19</li> <li>June 2</li> <li>June 16</li> <li>July 14</li> <li>July 21</li> <li>August 4</li> <li>September 1</li> <li>September 1</li> <li>October 6</li> <li>October 20</li> <li>October 20</li> <li>November 17</li> <li>December 1, 2020</li> <li>*January 5, 2021*</li> </ul>
<p><b>Informational presentation is requested. The following require UDC approval:</b></p> <ul style="list-style-type: none"> <li>Projects in Urban Design Districts not also requiring Plan Commission approval</li> <li>Comprehensive Design Review and Sign Variances</li> <li>New Buildings or Additions to Existing Buildings Less than 20,000 Square Feet in the Downtown Core (DC) and Urban Mixed-Use (UMX) zoning districts</li> <li>Public buildings requiring Urban Design Commission approval</li> </ul>		<p><b>Informational Presentations</b></p> <ul style="list-style-type: none"> <li>November 6, 2019</li> <li>November 27</li> <li>December 18</li> <li>January 8, 2020</li> <li>January 22</li> <li>February 5</li> <li>February 26</li> <li>March 11</li> <li>March 25</li> <li>April 1</li> <li>April 22</li> <li>May 13</li> <li>May 27</li> <li>June 10</li> <li>June 24</li> <li>July 8</li> <li>July 29</li> <li>August 12</li> <li>September 2</li> <li>September 16</li> <li>September 30</li> <li>October 21</li> <li>November 11</li> <li>November 25, 2020</li> </ul>	
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<p><b>Use the Land Use Application when filing the following:</b></p> <ul style="list-style-type: none"> <li>Zoning Map Amendments, including to the Planned Development (PD) zoning district and All Alterations to Approved PD Districts</li> <li>Conditional Uses</li> <li>Demolition Permits</li> <li>Review of New Buildings or Additions to Existing Buildings Greater than 20,000 Square Feet or Containing Four (4) or More Stories in the Downtown Core (DC) and Urban Mixed-Use (UMX) Zoning Districts</li> </ul>		<p><b>Use the Subdivision Application when filing the following:</b></p> <ul style="list-style-type: none"> <li>Preliminary and/or Final Subdivision Plans</li> <li>Certified Survey Maps (CSM), including CSMS requiring Plan Commission approval</li> <li>Any Plat or Certified Survey Map in the City's Extrajurisdictional Plat Approval Jurisdiction (ETJ)</li> </ul>	
<p><b>**All submittal deadlines are Wednesdays unless otherwise noted. All applications received after 12:00 PM Noon submittal deadline may be postponed to the next scheduled submittal date and corresponding meeting date(s).**</b></p>		<p><b>**All submittal deadlines are Wednesdays unless otherwise noted. All applications received after 12:00 PM Noon submittal deadline may be postponed to the next scheduled submittal date and corresponding meeting date(s).**</b></p>	
<p><b>NOTICE REGARDING LOBBYING ORDINANCE:</b> If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of \$10,000 (including grants, loans, TIF or similar assistance), you may be subject to Madison's lobbying ordinance (Sec. 2.40, MCO) and may be required to register and report your lobbying. Please consult the City Clerk's Office for more information ((608) 266-4601). Failure to comply with the lobbying ordinance may result in fines.</p>			
<p><b>Urban Design Commission (UDC) Applications – Public Hearing Required:</b></p> <ul style="list-style-type: none"> <li>Developments in Urban Design Districts (UDD) not also requiring Plan Commission approval</li> <li>Review of New Buildings or Additions to Existing Buildings Less than 20,000 Square Feet in the Downtown Core (DC) and Urban Mixed-Use (UMX) zoning districts</li> <li>Signs: Comprehensive Design Review (CDR) and Sign Variances</li> </ul> <p>Urban Design Commission (UDC) Informational Presentations: Informational presentations can be scheduled by following submittal schedule listed above. Space on a particular agenda may be limited and priority will be given to projects requiring a UDC action.</p> <p>A pre-application meeting with staff is required prior to filing any Urban Design Application. Please contact UDC staff at (608) 266-4635 to schedule a pre-application meeting.</p> <p>The Urban Design Commission has established a policy that limits the number of agenda items to fifteen (15). The first fifteen applications received and accepted will be scheduled. Priority is given to applications also scheduled for review by the Plan Commission. Any application beyond the fifteen agenda items will be scheduled for the next regularly scheduled meeting.</p>			

Schedule Effective: October 1, 2019



## City of Madison Site Plan Verification

**PROJECT:** LNDUSE-2019-

**Address:**

**Current Revision #:** 0

**Submitted by:**

**Contact:**

**Project Type:** Land Use

**Description:**

**Status:** Approved

**Revision History:** [0](#)



Review	Status	Reviewer	Reviewed
Engineering Mapping	Approved	<a href="#">Lori Zenchenko</a>	Apr 8 2020
Engineering Review Main Office	Approved	<a href="#">Timothy Troester</a>	Apr 13 2020
Fire Review	Approved	<a href="#">William Sullivan</a>	Mar 20 2020
Forestry Review	Approved	<a href="#">Bradley Hofmann</a>	Mar 25 2020
Lighting Review	Approved	<a href="#">Shannon Davis</a>	Feb 26 2020
Parks Review	Approved	<a href="#">Sarah Lerner</a>	Mar 19 2020
Planning Review	Approved	<a href="#">Chris Wells</a>	Feb 26 2020
Recycling Coordinator	Approved	<a href="#">Bryan Johnson</a>	Mar 20 2020
Traffic Engineering Review	Approved	<a href="#">Timothy Stella</a>	Apr 7 2020
Urban Design Commission Review	Approved	<a href="#">Janine Glaeser</a>	Mar 24 2020
Water Utility Review	Approved	<a href="#">Jeff Belshaw</a>	Mar 3 2020
Zoning Review	Approved	<a href="#">Jenny Kirchgatter</a>	Apr 8 2020