

September 5, 2023

City of Madison Plan Commission
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Re: 3978 Schewe Road and 10122 White Fox Lane – GFLU Amendment Request

Dear Members of the City of Madison Plan Commission:

I am writing to respectfully request your consideration and approval of a proposed Amendment to the Generalized Future Land Use (GFLU) Map for the City of Madison. The requested Amendment pertains to a 6-acre parcel located at 3978 Schewe Road and 10122 White Fox Lane on the Far West Side of Madison (see Property Location Map attached), proposing a change from the current "Low Residential" category to the "Low-Medium Residential" category. I firmly believe that this change would be a progressive step towards addressing the evolving housing needs of our community.

Over the past five years, the area surrounding this property has undergone significant transformations, transitioning from a rural landscape to a burgeoning suburban neighborhood. This rapid change underscores the necessity to adapt our urban planning strategies to accommodate the growing population and changing dynamics of the region.

One of the pressing issues that the City of Madison faces is the undersupply of new housing options, which has exacerbated the affordability crisis for renters and young families. By allowing a higher density residential category at the subject location, we can make strides towards alleviating this issue. The proposed "Low-Medium Residential" designation would facilitate the development of housing options that are not only more affordable than many in the surrounding area, but also cater to a diverse demographic, fostering a vibrant and inclusive community.

Furthermore, the location of this property presents a unique opportunity to enhance the quality of life for future residents. Its proximity to the local neighborhood school (Pope Farm Elementary) means families can enjoy the benefits of walkability, fostering a sense of community and reducing vehicular traffic and emissions. Moreover, the nearby location of many other shopping and employment amenities would ensure that future residents have easy access to essential services, thereby promoting a sustainable lifestyle.

I sincerely hope that you will overrule the City planning staff's recommendation by voting in favor of this necessary and timely Amendment to the GFLU map. Your support would be a testament to the Plan Commission's commitment to forward-thinking and responsive urban planning. It would also support a number of goals included in the City's existing Comprehensive Plan, most notably: 1) Facilitating compact growth to reduce the development of farmland; 2) Expanding access to the City's pedestrian and bicycle networks; 3) Creating a wider mix of housing types, sizes and costs throughout the City; 4) Integrating lower-priced housing into a complete neighborhood; and 5) Supporting the Neighborhood School (Pope Farm Elementary).

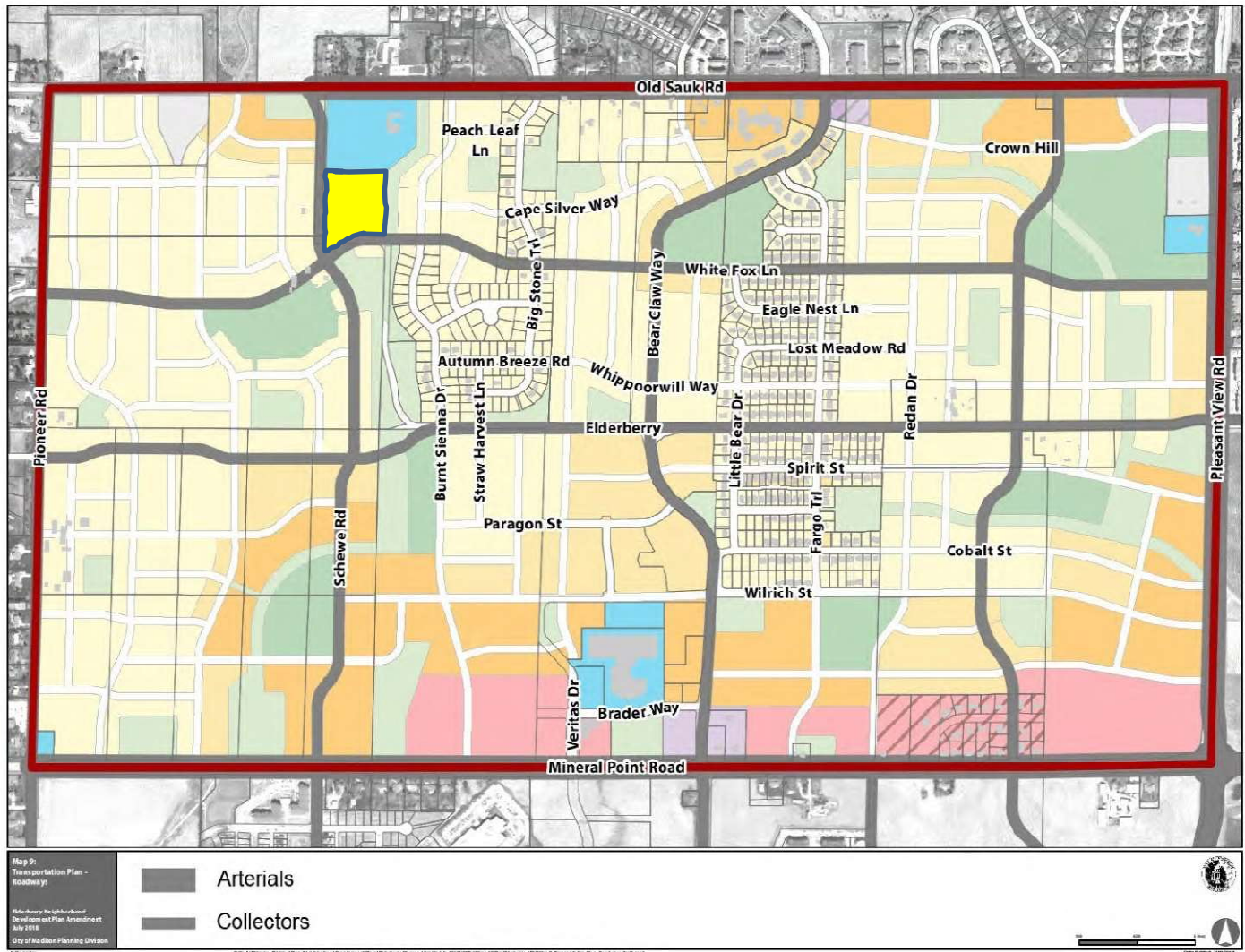
By adapting to the changing landscape and addressing Madison's pressing housing needs which are widely recognized, the Plan Commission can help pave the way for a brighter and more prosperous future for all Madison residents that will benefit our community in the long run.

Thank you for your time and thoughtful consideration.

Sincerely,

Randall Eggert
3978 Schewe Road
Middleton, WI 53562

3978 Schewe Road - Property Location Map in Relation to Adjacent Collector Streets, Nearby Parks, and Schools.



Source: 2018 Elderberry Neighborhood Plan.

The Subject Property (3978 Schewe Road and 10122 White Fox Lane) is highlighted above in bright yellow, showing its location in the northeast quadrant of the intersection of two Collector streets (White Fox Lane and Schewe Road). **Please note how higher GFLU density categories including “Low-Medium” and “Medium” Residential are frequently planned for other similar locations throughout the neighborhood.** Given the new public paved multi-use path which borders the property directly to the north and east of this site, there are no single-family residences immediately adjacent to the property. In addition, there is a water retention area next to the multi-use path on the eastern border of the property that provides additional separation from single-family residences to the east, while vacant land surrounding the Middleton Community Church provides additional open space to the north toward Old Sauk Road. Nearby parks include Eagle Trace Park, Pope Farm Conservancy, and Pioneer Park (Town of Middleton), providing ample outdoor recreational amenities to residents in this location. Finally, the recently opened Pope Farm Elementary School (not shown on this map) is located less than one-half mile to the north along Schewe Road, just north of Old Sauk Road, providing families in the neighborhood with a highly desirable “walk-to-school” location. The Middleton-Cross Plains School District also plans a future Middle School for a site directly adjacent to Pope Farm Elementary.

Population and Household Projections

The updated CP projects 43% more residents between 2020 and 2050 (115,000 residents and 67,000 new households).

The revised Appendix F, Data References is proposed to state: "City of Madison, using information from the Census Bureau, Capital Area Regional Planning Commission (CARPC), and Madison Area Metropolitan Planning Organization (MPO)."

Yet MPO and CARPC have much lower projections than the CP update. The CP update for residents is 24% higher than MPO and 31% higher than CARPC. The CP update for households is 51% higher than MPO and CARPC.

	2050 Pop Increase	2050 Household Increase	persons per HH for new residents
CP Update	115,000	67,000	1.72
Greater MSM MPO	92,673	44,326	2.09
CARPC	88,089	44,359	1.99

- Greater Madison MPO, Connect Greater Madison Regional Transportation Plan 2050 (May 2022)
Pages 2-3 and 2-4. Connect Greater Madison was developed in coordination with the Capital Area Regional Planning Commission's 2050 Regional Development Framework.
- Capital Area RPC, 2050 Regional Development Framework (July 2022)
Appendix B, pages B-2 and B-3 describe the methodology, B-6 has population projections, B-7 has household projections.

If the City believes that increased population and households will reach the levels projected in the updated CP, then the methodology should have a much more detailed explanation. (See, for example, the CARPC methodology.)

If the City believes that new residents will average 1.72 residents per household, that also needs to be explained. MPO and CARPC are at 2.09 and 1.99 residents per household. Even with a population increase of 115,000, at 2 residents/household, that would be 57,500 new households (not 67,000).

These numbers are important. These numbers are often used as the basis for determining housing need.

GFLU, footnote #4

The word "limited" should be added back in.

The current note #4 says "any limited redevelopment." The updated CP would delete "limited." Restoring "limited" would allow for the continued recognition that while there will be some redevelopment, the City is not seeking for this LMR areas to have widespread redevelopment.

Staff's response to my comment (#73) is: "Staff does not recommend this amendment. The word "limited" is not meaningful for consideration of redevelopment proposals."

"Limited" has been in the footnote since the 2006 Comprehensive Plan was adopted. Although it does not provide meaningful guidance for a specific development proposal, it does indicate that the City is not looking for widespread redevelopment.

House-like versus Missing Middle

The current note #4 says "the "house-like" residential character of this LMR area should be retained..." The updated CP would substitute "... should generally add to the City's Missing Middle housing stock ..."

Before going into details, I would like to propose an alternative note #4 in order to add some context to the details.

"The limited redevelopment within this LMR area should be designed to look like single-family, two flat or three flat homes."

"Missing Middle" adds nothing to note #4. The existing land use category and existing zoning categories essentially dictate missing middle housing.

- "LMR areas are largely characterized by what is sometimes referred to as the "Missing Middle" of housing development." (Comp Plan, page 21)
- The LMR in Alder District 6 is probably the most missing-middle district in the City. For example, in the LMR areas in Wards 41 and 43, there are units ranging from 1-10 units (with about 10 buildings having more units). The density is somewhat over 20 units/acre, and there are a variety of price points.
- The primary zoning categories, TR-V1 and TR-V2, are missing middle housing forms with small lot size requirements and higher densities (8 units for TR-V1 and 24 as a permitted use for TR-V2).

What is important to note #4 is "house-like." Staff said (#74) that "the "house-like residential character" has an exclusionary connotation. However, the problem identified/suggested at the April 24 Plan Commission meeting was that the word "character" has an exclusionary connotation.

"Consider changing the word "character," due to its exclusionary connotation."

<https://madison.legistar.com/View.ashx?M=F&ID=11985080&GUID=DDF0767D-D1AB-4BD9-AA32-F1E54650EBCD>

House-like merely provides a style of building form, a building form which would fit with the existing forms in the neighborhood.

- The "house-like" residential character defines what the Comp Plan says 18 times – that development should be well-integrated into the character of the surrounding

neighborhood. Replacing “house-like” with “missing-middle” could result in redevelopment that is not context-sensitive.

- Even the FAQ document for this interim update talks of context-sensitive design: “Most people interact with the urban environment based on what buildings look like and how large they are. ... A three-story building in a certain neighborhood could be appropriate because it fits within the context and fabric of the neighborhood regardless if it is 10 dwelling units per acre or 30 dwelling units per acre. The height *and form* of the development better dictates how it will interact with its surroundings.” (emphasis added)
- The 2018 GFLU note is a condensed version of the 2006 note. The 2006 note made clear the intent that new buildings “be designed to look like single-family, two flat or three flat homes.” It is easy to have larger buildings designed to look residential – it is regularly accomplished on former agricultural land. The design element is important, one only need look at the 1960’s buildings in Tenney-Lapham for proof.

The staff comment also says: “Madison and across the country this phrasing and similar language has been used to exclude a more diverse range of housing types and housing options, perpetuating patterns of economic and demographic segregation of historically disadvantaged and vulnerable communities, (see pages 19 and 37 of the American Planning Association’s Equity in Zoning Policy Guide <https://tinyurl.com/43rf35sz>).”

- Both of these pages reference the word “character.” Page 37 says: “Because zoning criteria based on preserving neighborhood character and protecting property values have often been used to block the expansion of housing opportunity and variety in historically privileged neighborhoods, use of those terms and regulations related to them should be avoided.”
 - The isthmus is not a “historically privileged neighborhood.” In fact, up until about 10 years ago, the average assessment in these LMR areas was at or below the city-wide average home value.
 - The isthmus has more housing opportunity, and less economic and demographic segregation, than many other parts of the City (especially the areas with restrictive covenants).

Of the 1,023 single-family homes:

- 422 are assessed under the average City assessment of \$424,400
- 68 are assessed at over \$1 million
- 113 are assessed under \$300,000

There are 743 structures with 2-4 units. There are 76 structures with 5-10 units. There are 24 structures with 10-25 units. There are 13 structures with 25-100 units, and 6 with more than 100 units.

GFLU: 800 and 900 blocks of south side of East Washington

The GFLU should not be amended in a way that contradicts sub-area plans.

- “The land use and design recommendations within neighborhood, neighborhood development, or special area plans assign more specific uses, intensities, or forms to particular locations. *Such plans should be consistent with, and fit within,* the broad Comprehensive Plan future land use categories.” (Comp Plan, page 124)

- "The Generalized Future Land Use (GFLU) Map in this Plan is generally consistent with land use recommendations in City-adopted sub-area plans, considering the differences in scale and specificity between the types of plans." (Comp Plan, page 125)
- "If an inconsistency is identified between this Plan and a reasonably contemporary sub-area plan, substantial weight should be given to the sub-area plan. Additionally, either the sub-area plan or this Plan should be amended to eliminate the inconsistency." (Comp Plan, page 125)

Staff recognized the need for consistency between the GFLU and subarea plan(s) in connection with other proposed GFLU amendments.

- Proposal #17: Staff did not recommend this amendment since "these proposed changes would create inconsistencies related to other recommendations in the sub-area plan ..."
- Proposals #29-35, 38-40: "staff does not support GFLU Map amendments that are inconsistent with the Campus Master Plan."

The 800 and 900 block of the south side of East Washington have an "employment" land use on the GFLU and in the sub-area plan.

- Both blocks are designated in the sub-area plan (Capitol Gateway Corridor Plan) as "employment/residential" as the result of 2020 and 2021 amendments, RES-20-00739 and RES-21-00529.
- These resolutions recognized (1) that the blocks already had, through recent development proposals, a strong commitment to employment uses, and (2) that "Employment/Residential" means primarily employment uses, with residential uses as a secondary allowable use.

For the resolutions, see:

<https://madison.legistar.com/LegislationDetail.aspx?ID=4979804&GUID=4187B033-41EC-4E40-AF71-EC447C9FAF79&Options=Advanced&Search=>
<https://madison.legistar.com/LegislationDetail.aspx?ID=4652467&GUID=80BE9169-5D2B-4E5F-ABAE-7601D82C809D&Options=Advanced&Search=>

- The decisions to amend the designation for the two blocks were consistent with the sub-area plan's directive to only allow housing on blocks where there is significant large-scale employment.
 - The sub-area plan says: "discourage free-standing commercial and residential development" in the employment areas and "where housing is proposed on the south side, it should only be considered to complement significant, large-scale employment development on the same block."

RMU is being proposed. RMU does not have any commitment to employment uses, nor is residential a secondary use.

- "The Regional Mixed-Use (RMU) category includes existing and planned high-intensity centers supporting *a variety of multifamily housing options and commercial activity* serving the needs of the region." (Comp Plan, page 23, emphasis added)
- "Commercial activity" is not "employment" under the sub-area plan: "Employment districts (as distinct from Commercial districts) are recommended as predominately office, research and specialized employment areas and generally do not include retail and consumer service uses serving the wider community." (page 14)

Staff's response (#49) is: "Staff does not recommend this amendment. Staff changed this area to RMU on the Draft GFLU Map to reflect amendments (adopted October 2020 and July 2021) to the East Washington Avenue Capitol Gateway Corridor Plan that allows for residential. The GFLU Map is more general than neighborhood/ corridor plans; the corridor plan is the appropriate place for the additional guidance provided in the request."

- As noted above, the corridor (sub-area) plan already provides this guidance. The issue here is whether the GFLU should remain consistent with the sub-area plan.
- The amendments in 2020 and 2021 were *not* full-scale endorsement of residential. Limited residential was allowed based on the existing/planned employment uses already being substantial.

Staff recognized the merits (#51) of not changing the 1400 block to RMU. The only difference between the 1400 and 800/900 blocks is that limited residential has been allowed, which is a use that "complement[s] significant, large-scale employment development on the same block" and is in harmony with the sub-area plan. And, as the courts have said: "... Nonconforming uses should not be the basis for redetermining the character of an area, otherwise the classification of an area would necessarily be determined by what was originally considered to be undesirable in the area."

Small Institutional Uses

Pages 20 and 26 address institutional uses, whether zoned LR or SI. The changes would allow: (1) an institutional use in LR to be redeveloped as LMR if surrounded on all sides by LR and/or P; and, (2) other institutional sites to be developed as MR (though there are more restrictions for sites actually zoned SI).

Rather than automatically encouraging a jump into a higher land use category, I believe encouraging somewhat more dense development would lead to better results. With the same land use, but a denser zoning category, potential redevelopment could fit into the neighborhood context (which is unlikely with a jump to a more intensive land use). Second, I suggest consideration be given to only applying this language to larger sites, such as sites at least an acre in size. There are a number of sites where the institutional use is on a small lot which is no larger than other residential lots. These lots should not be treated any differently than neighboring lots. Third, the CP addresses broadly-categorized land uses, but this proposal singles out certain sites to which a higher land use will apply. The proposed language, "may be considered" or "could be considered" essentially authorizes a more intense land use without the associated mapping concerns. Some may argue that "may be considered" only means that such a use might be possible. However, developers will argue, probably successfully, that the CP entitles them to the denser land use.

1. "The Generalized Future Land Use (GFLU) Map presents land use and development intensity recommendations to guide future city growth ... in areas where redevelopment may occur." (CP, page 17) The proposal would allow a 3-story building in an area filled with 1-story ranch homes. This is not necessarily what is appropriate for special institutions embedded in residential neighborhoods.
2. The FAQ, as noted above, states: "A three-story building in a certain neighborhood could be appropriate because it fits within the context and fabric of the neighborhood regardless if

it is 10 dwelling units per acre or 30 dwelling units per acre. The *height and form* of the development better dictates how it will interact with its surroundings.”

For example, a church at 4301 Mandrake Road is zoned SR-C1 (which only permits single family).



The density along Mandrake is 3 units/acre. All of Mandrake is LR and zoned SR-C1. All 67 homes on Mandrake are one-story (2 have some second story space through use of attic dormers). This site could remain LR and could be rezoned to SR-C3, subdivided, and redeveloped at its most intense land use, two-family twin housing units (4,000 sq.ft. per dwelling unit, 14 dwelling units), that would result in a density of 11 units/acre, a number still within the LR land use. Such a rezoning would almost quadruple the intensity of development while retaining the land use.

In contrast, the proposed change would encourage redevelopment at the LMR level. This would mean a height of 3 stories would be allowed in a neighborhood of 1-story homes, which will not interact well with its surroundings. See, for example, Comp Plan page 50, strategy 3, *Increase the amount of available housing*: “This also underscores the importance of ensuring redevelopment can integrate well with its surroundings through context-sensitive design and scale.”

One of the criteria used to assess resident proposals for GFLU changes was whether the amendment was a “better fit with the predominant uses and development pattern in the surrounding area.” Yet the proposed language which would automatically intensify a land use does not take into account “the predominant uses and development pattern.”

Special institution sites could be used for missing middle housing. When these sites can be used to build the type of rental housing that can be built in the TSS district (e.g., Linden), land becomes more expensive and it removes opportunities for people to have a chance of building intergenerational wealth.

3. Churches in LMR areas, e.g., 1128 St. James Ct (Good Shepherd Parish) or 1021 Spaight (Immanuel Lutheran), could be redeveloped under this proposal at 5 stories/ 65 feet and 90 units/acre. The character of these neighborhoods is not substantially different than LR areas, other than the fact that these tend to be old neighborhoods with small lots, thus raising the density from LR to LMR.
 - Surrounding Immanuel Lutheran are primary 2-story homes. There are 2 historic 3-story structures, an apartment building with a height of 30 feet and a

converted mansion with a height of 27 feet (which has about a 50-foot setback from the sidewalk). There is also a newer 5 story condo that is setback about 125 feet from the street and is built into a hillside, so only 3 stories are seen from the street.

- Immanuel is already zoned for higher intensity (TR-V2) than most of the area (TR-V1).
- To get to a 5-story building, zoning would need to be at least TR-U1, which allows a height of 65 feet. Thus a 5-story building on the Immanuel Lutheran site could be more than double the height of the neighboring 3-story buildings.

4. The GFLU "is a planning tool that recommends *broadly-categorized* land uses for general areas. The Zoning Code and accompanying Zoning District Map are more specific tools that implement the recommendations of the Comprehensive Plan and sub-area plans by regulating the specific building forms and land uses for each individual property in Madison." (CP, page 17, emphasis added)

Yet this proposal would dictate a different land use for some relatively small areas.

- 2410 Sommers is the driveway for Plymouth Congregation on Atwood, 5,060 sq.ft. Sommers is LR.
- 1849 Beld, Institute of Mystical Christ, is located in a single family home of a lot of 5,600 sq. ft.
- Of the properties which are tax-exempt due to a religious use:
 - o 37 are on lots of 12,000 sq. ft or less (a lot size commonly approved for new subdivisions)
 - o 72 are on lots of 1 acre or less
 - o 19 are on lots of 1-2 acres, and 43 on lots greater than 2 acres.
(Residents could only propose GFLU changes for areas generally larger than 2 acres.)

In response to a request to change 955 Clarence Court (proposal #44) from LR to LMR, staff said "no" because "changing one parcel to LMR, surrounded by LR is not consistent with the City's approach to the GFLU map." Yet, in essence, that is what this proposed language would do – change a single site to a more intensive land use. The only difference is that the change would not mapped be on the GFLU. The language of this change would be quoted by developers as support for the more intensive land use, often on smaller sized parcels.

Respectfully Submitted,
Linda Lehnertz

From: [Mark Elsdon](#)
To: [Plan Commission Comments](#)
Subject: Input on comprehensive plan update related to places of worship
Date: Sunday, September 3, 2023 12:05:00 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan Commission members,

I am writing to express my support in the proposed changes to the comprehensive plan with regard to property owned by houses of worship and to urge you to consider adding more flexibility for development on such property to the plan.

Madison is going to experience a massive transition in the use and ownership of property owned by houses of worship in the coming decade and we have a unique opportunity right now to encourage the most good to come from that property as it transitions. If we don't act to create maximum flexibility we will end up with a large amount of vacant or underutilized property in some of our best remaining infill locations throughout the city.

I have lived in Madison for almost 20 years. I'm an ordained Presbyterian minister and I've been involved in church property related activity as Executive Director at Pres House on the UW-Madison campus, principal at Threshold Sacred Development, and as a founder of a national nonprofit, RootedGood, that supports houses of worship developing their property. My book on this subject, [Gone for Good? Negotiating the Coming Wave of Church Property Transition](#) comes out in January.

In all of this work, one thing has become very clear to me - we are facing a massive wave of church property transitions in every corner of the United States, including here in Madison. Estimates suggest that as many as 100,000 church properties will be sold or change use in the coming decade. That amounts to a quarter or a third of all churches. And we have one, and only one, opportunity to make the most of that property as it turns over from a socially oriented space to something different. I'm also passionate about addressing housing affordability and wealth inequality - both of which are issues facing our city.

For these reasons, **I support the updates to the comprehensive plan that allow for more options in the adaptive re-use and development of places of worship.** These are excellent and necessary changes to allow for new uses of these properties as they turn over.

But I urge the Plan Commission to consider adding greater flexibility to the comprehensive plan than the proposed changes allow for. **I would recommend some kind of language that gives the Plan Commission more flexibility to consider higher density on places of worship where appropriate.** Perhaps a simple addition to each of the changes proposed in the plan such as the following would accomplish this (I'm not a planner or

policy expert - I'm sure there is a better way to say this.):

In locations where adaptive reuse and development of places of worship may be optimal for higher intensity residential uses beyond the levels described here, these properties could be considered for additional density on a case by case basis.

Such flexibility doesn't force higher density where it isn't necessary or appropriate, but it would make it possible. I would simply encourage maximum flexibility for the coming years. Let me explain a little bit further.

The changes currently proposed serve as an excellent baseline, or floor, from which to work. But there are instances where a **development on a church owned property could be built to a higher level of density than this plan calls for without increasing its current intensity of use**. As a property moves from an institutional church use to a residential use the intensity of that use will almost always go down, even if the residential use is medium density or higher. A church with hundreds of members attending at regular intervals during the week along with visitors, and beneficiaries of church programs, is a more intensive use than a residential property. We must assume that such a number of cars, people, and activity was considered appropriate at one time for a church property. Limiting a residential project to low or low-medium density on a formerly church property could in fact be a big step backwards in terms of intensity of use. Why would we significantly reduce the intensity of use on excellent in-fill property at the very moment we are in desperate need of more housing?

In my experience with this work around the country, and in helping houses of worship in the Madison area explore their options with their property, I'm finding that **often low or low-medium density housing developments are simply not viable at places of worship**.

This is sometimes because the parcels are too small for the economics of those approaches. Or sometimes because the house of worship wants to remain on site and additional space for community support programs is needed alongside new housing. In instances where houses of worship are not able to develop to a sufficient level of density, the property could very well end up vacant. Houses of worship in this moment of transition are not in a position to continue with their status quo and so closing up, walking away, and leaving prime property vacant is a very real possibility throughout our city.

In many cases the choice isn't really between faith-based institutional use and low-medium density housing. That isn't a viable move. **It is actually a choice between medium density housing or nothing - vacant buildings and land**. Without flexibility to increase density where appropriate, this once in a many-generation opportunity to make the most out of these land transitions will be lost.

Thank you for your work updating our city's comprehensive plan. And thank you for including important changes to allow for development and adaptive re-use of places of worship. Please consider adding a small measure of additional flexibility into the plan at this

vital moment. I'm confident that additional flexibility will prove to be very useful in the coming years and will help us to make the most of this one-time opportunity to transition property for the good of our city.

I am happy to discuss this further and can be reached via email at mark@elsdonstrategy.com or on my cell phone at 608-469-9513.

Thank you,
Rev. Mark Elsdon, M.Div, MBA

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608.469.9513

***My "day jobs" are as Co-Founder & Lead Builder at [RootedGood](#) and Executive Director at [Pres House](#).*

My new book, "[Gone for Good? Negotiation the Coming Wave of Church Property Transition](#)," is now available for [pre-order](#).

