

Dan Stier and Diane Sorensen  
606 San Juan Trail  
Madison, WI 53705  
March 9, 2023

Mayor Rhodes-Conway  
210 Martin Luther King Jr. Bldg. #403  
Madison, Wisconsin 53703

**Re: Draft West Area Plan**

*On the overall west area plan... "I see this as a kind of advertising document" for developers.* Alder Bill Tishler, The Cap Times, Opinion/City Hall is taking aim at Madison homeowners' neighborhoods, March 8, 2024.

Dear Mayor Rhodes-Conway,

The City is seeking feedback on the draft West Area Plan. This document provides feedback. However, we are addressing our response to you because our feedback goes beyond the Plan. It speaks to our growing distrust of the City's stated intentions and its avowed interest in transparency and public feedback.

We find former District 19 Alder Kristen Slack's words prophetic. Her first housing blog expressed her concern about the City rolling over the community input on housing development:

*"When I ran for this position, one of my objectives was to: "Address Madison's housing crisis with a combination of collaboration and homeownership." The "collaboration" part of this objective related to authentic community engagement, and striving to make sure that the City wheels don't treat community input as simply a box to check to say it was accomplished before proceeding with whatever plan that the people operating the wheels already have in mind."*

Alder Slack also was clear about what she did and didn't want to see for development along Old Sauk Road

*"I personally don't want to see this street turned, over time, into a long row of tall apartment buildings. The tree canopy is extensive, and both beautiful and necessary in the fight against climate change. Adding apartment buildings to this street is clearly fine with most of you ... just not overbearing buildings that detract from the abundant nature on and around this section of Old Sauk Road. I get that and I agree."*

## **The Draft West Area Plan is confusing, misleading and unreliable.**

### **The City's apparent Missing Middle plan.**

We have lived at 606 San Juan Trail, one house away from Old Sauk Road, for over 20 years. The West Area Plan GFLU Map identifies 3 parcels for future housing development on the 1.3 mile long stretch of Old Sauk Road between North Gammon Road and Old Middleton: 1) the property currently holding St Thomas Aquinas Church and school, 2). 6614-6703 Old Sauk Road, a parcel currently subject to a development proposal by Stone House Development, and 3) a parcel lying along Old Sauk Road between Sauk Ridge Trail and Cooper's Lane bike path. This stretch of Old Sauk Road is surrounded by one and two story housing. It is **near 4 public schools, provides the entrance to Owen Park Conservancy and is on a non-BRT transit route.**

The neighborhood believes that, if developed for infill housing, these parcels would be a perfect fit for LMR Missing Middle housing development. The neighborhood has been vociferously supportive of Missing Middle housing on Old Sauk Road and correspondingly forceful opposing anything more than LMR development

The draft West Area Plan appears to match our neighborhood sentiment in favor of Missing Middle development. First, it assures us that our views matter, stating "People are at the heart and soul of a community" and lauding public feedback for giving "additional insights into what people value and what they feel are the most important assets and opportunities." Even more pertinent, Action 2 in the West Area Plan Neighborhoods & Housing Section calls for encouraging and incentivizing "smaller-scale Missing Middle housing types in Low-Medium-Residential (LMR) areas **especially in areas near schools, parks and transit service ...**".

A thoughtful reader of the West Area Plan would conclude that all factors are aligning in favor of Missing Middle development along Old Sauk Road: the Actions step calling for Missing Middle housing; parcels with the characteristics desired for Missing Middle housing, and neighborhood agreement. This is a reasonable conclusion based on everything in the West Area Plan; however, it's wrong.

### **The City's actual urban high density plan.**

The City's plan does not include Missing Middle development for any of these parcels. Instead, as shown below, it's inviting urban high density apartment complexes.

PARCEL 1. The first Old Sauk parcel, the property now inhabited by St. Thomas Aquinas Church and school, was designated LMR before the West Area Plan. LMR, up to 3 stories and 30 units/acre, fits with Missing Middle development. Indeed, the area around the church property has Missing Middle type housing: some single family homes, but mainly, duplexes and compact condo developments. More Missing Middle housing would seamlessly integrate into this part of our neighborhood. What does the

Plan do? It changes the current LMR designation to Medium Residential (MR). The MR designation invites developers to propose up to 5 stories and 90 units/acre. That's high density urban housing: large, tall apartment complexes.

We want to address the oft-heard City disclaimer that the developers, not the City, decide how a parcel is developed. There's some truth to that, but not much. The relationship between land use designations and the type of development that goes up was succinctly described by Paul Fanlund in his 3-8-2024 Capital Times Opinion on the West Area Plan: *"Here is how I see it: Developers attracted by permissive zoning would presumably outbid others for any property, then choose to maximize profit by building at the highest allowable density. I have written about infill controversies for many years and that's how it works. Trust us, the developer says, the project is only feasible with maximum density."*<sup>\*</sup>. Similarly, a recent, 11-12-23 City Planning Department memo reminds the City of this well-known relationship, noting with regard to new MR designations: *"developers ...may initially assume development intensities at the upper end"* of the range.

PARCEL 2. The LMR designation on parcels at 6614-6706 Old Sauk Road appears to mean that the City is pursuing Missing Middle development here. Alas, that's another wrong conclusion. The right conclusion is that the City is also welcoming high density urban development here, with an escalation up to 4 stories and 70 units/acre on this property. Readers of the West Area Plan won't know that because it's not in the Plan. In order to understand the City's Plan, you must thoroughly grasp a footnote asterisk (\*\*) in the 2023 Comprehensive Plan land use grid and follow it to the footnote. There, and only there, will you find provision for this huge density escalation on LMR land, but only if "select conditions" are met and then, of course, you need to know what "select conditions" means. (Caveat: they don't mean what they appear to mean.) In fact, the only reason we know for sure that the City does not intend for this property to be developed for Missing Middle housing within LMR parameters is that the City has advised the developer that it would approve escalated development. If this sounds ridiculously convoluted and opaque, it's because it is.

PARCEL 3. It's not clear why the third parcel on Old Sauk Road is designated LMR. That said, we believe that in the event of future development, it would most likely be treated just like the middle parcel: it, too, will be subjected to escalated development. Once again, the Plan does even hint at this likely outcome.

The West Area Plan can't be trusted to reveal future land use. In its ostensible effort to present "clarity", it oversimplifies, obscuring a true understanding of the Plan. In its effort to create a sense of balance, it highlights an action plan that is contrary to the City's real time actions: the City incentivizes urban high density apartment complexes, not Missing Middle developments.

**The Plan misleads readers regarding the City's interest in community feedback.**

**Public feedback that disagrees with the City's plans is ignored.**

*"In my view, city government has come to be dominated by a worldview hellbent against car drivers and single-family homeowners in a way that feels generational. Older, property-owning Madisonians are to be patronized, condescended to, and dismissed as NIMBY's. Their objections are ignored or belittled."* Paul Fanlund, The Cap Times, Opinion/City Hall is taking aim at Madison homeowners' neighborhoods, March 8, 2024.

Alder Slack's comments were prophetic. Publisher Fanlund's description is apt. Our observation of Plan Commission and Common Council meetings is that once the public feedback box is checked, the City proceeds with whatever plan that it already has in mind, whether this issue is pro-active zoning, land use designations, urban high density development, escalating development, adding stories or development within the Sauk Creek Greenway Corridor.

While there are numerous "public feedback" opportunities (written comments, notes on Maps, 3 minute speaking slots at meetings and discussion groups), the City disregards this input unless it supports the City's plans. Indeed, the draft West Area Plan seems to say as much, noting that "some" public feedback themes do not have corresponding actions, specifically, those "inconsistent with the adopted City policy established in the Comprehensive Plan."

**The City culture has a chilling effect on opposing public comment.**

Sadly, Fanlund's article also accurately describes the culture facing homeowners who dare to disagree with the City's manic drive to put urban high density apartments everywhere. Name-calling directed at senior homeowners is acceptable, We risk being labeled old, retired, selfish, white-privileged, NIMBYs (and suspected to be motivated by subconscious racism). And then ignored.

Like Fanlund, we can "predict the blowback." Why bother to speak up when there's no chance of being effective and a real likelihood of being simultaneously dismissed and castigated?

The draft West Area Plan's language touting the City's interest in seeking out and utilizing public feedback should be eliminated or modified to be more realistic. Doing so will spare readers the frustration and cynicism that arises when their experience contradicts this claim.

### **Specific Plan Comments.**

We support development of un-escalated LMR Missing Middle housing on the 6614-6706 Old Sauk site. We oppose the change from LMR to MR for the property currently held by St. Thomas Aquinas church and school. We oppose any escalation of any LMR property on this stretch of Old Sauk Road. We oppose the City's plan to provide for urban high density development on these sites.

We will, for the record, make other draft West Area Plan comments on the map.

Sincerely,

Dan Stier and Diane Sorensen

\* In fairness to Stone House Development, we want to acknowledge that we have been advised that it will be presenting a development proposal that responds to the neighborhood's initial outcry by reducing the development's height and density. True to its own plan, the City continues to support escalated development.

Cc: All Alders, City Plan Commission, City Planning Division, The CapTimes, Paul Fanlund