

**From:** [Kevin O'Brien](#)  
**To:** [Plan Commission Comments](#)  
**Subject:** Zion redevelopment Agenda items 10-13  
**Date:** Monday, April 25, 2022 4:05:35 PM

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I am opposed to amending our neighborhood plan in order to accommodate one project being proposed by one developer. I was surprised to learn that such an amendment is being sponsored by our alders. This project is not viewed favorably by the local residents.

I am opposed to re-zoning the Zion parcel in order to allow a 32 unit apartment building. This project has little support in the neighborhood. Most of us would prefer housing be built within the restrictions of the current zoning. For example, 5-7 owner-occupied townhouses or two-flats. This would increase density, but at a level that can be absorbed by the neighborhood.

If a demolition permit is issued I think it is imperative that much of the church building materials be carefully salvaged for reuse. The church is built of glu-lam timbers, heavy wood decking and many, many tons of still pristine brick. Thorough recycling should be a condition of granting a demolition permit. And should be enforced.

Thank you,  
Kevin O'Brien, LEED-AP  
2226 Rusk Street

**Vote of opposition to item 69937:** Amending the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan to add a land use recommendation for northern half of the block bounded by Linden Avenue, Atwood Avenue, Division Street, and Dunning Street, for future redevelopment to be "Medium Residential", as shown on the plan amendment and map

I am writing to convey my objection to item 69937. The grounds for this is simple: this neighborhood plan amendment is bizarre in that it is a one-off for a very specific development. Amending a Neighborhood Plan in this way does seem to not fit the definition of plan or vision. Shouldn't an "amendment" be something that changes the policies of a plan going forward and be a general statement? I've never heard of an amendment in any organization I've been a part of being something that is fitted around one specific example/event/project – in this case, for one specific project for one specific developer. It should be rejected for its narrowness, and anything more expansive should be taken back to the neighborhood group for reworking.

Sincerely,

Mary Thompson-Shriver  
249 Dunning St.  
Madison, WI 53704

City of Madison, WI  
Plan Commission  
Agenda Items 10-13  
2165 Linden Street, Madison, WI  
April 25, 2022

Testimony: Paul Lenhart  
President & CEO  
Krupp General Contractors, LLC (Krupp GC)  
16 South Allen Street  
Madison, WI

Comments below in support of Agenda Items 10-13:

1. Threshold Development and Tyler Krupp do not own or have a financial interest in Krupp GC
2. Tyler Krupp (Threshold Development) has actively for about the last 12 months expressed a strong desire for constructing new housing in Dane County, WI with a repeatable model using only green, sustainable and environmentally sensitive building techniques. In this effort he's landed on Passive House as the best means to accomplish this goal
3. Over this time, Krupp GC as a partner with Threshold, has participated in 5 sessions (1.5-2.5 hours long each) with Threshold staff and its Passive House consultant, Precipitate Architecture, Planning & Research, Minneapolis, MN. The purpose of these classes has been for all of us to learn (as a team) how to build sustainable structures according to Passive House guidelines. Four project managers and one assistant project manager from Krupp GC have been involved in these sessions
4. Threshold has stated very clearly that their goal is for all future building to be done sustainably using Passive House guidelines. Despite the fact we have provided our professional feedback and advised them of the negative cost implications they have been steadfast in their determination and commitment to build using the Passive House model
5. Through the years many of our clients have expressed a desire to build sustainably but when they learn of the significantly higher costs most retreat and choose not to spend the money. Threshold has been different and have chosen to forge ahead despite being advised by us throughout this learning process of the higher costs associated with Passive House construction
6. The overwhelming opinion in this matter is that Tyler Krupp feels that building sustainably is a moral imperative

Plan Commission  
Meeting of April 25, 2022  
Agenda item #10, Legistar 69937

### **Summary**

I urge the Plan Commission to remove the unnecessary policy statements: not all former institutional sites are good sites for larger residential redevelopment; and, whether future planning efforts should provide redevelopment direction for former institutional sites is a policy decision, one that should not be made in the context of a neighborhood plan amendment.

I urge the Plan Commission to remove the mitigation language. This language is already in effect, courtesy of the Comprehensive Plan. Alternatively, the Plan Commission could instead specify the mitigation efforts that apply to this site.

I urge the Plan Commission to remove the language specifying 3 stories and 70 units/acre. Instead, specify the land use category as is done in other neighborhood plan amendments. The land use category may, as stated in the resolution, be Medium Residential, or, alternatively it may be Low-Medium Residential (which better aligns with the Comprehensive Plan).

I urge the Plan Commission to remove the language that predetermines a 3-story building with 70 units/acre would provide a transition to the TR-V1 homes. It is the duty (as stated in the Comprehensive Plan) of the Plan Commission/Council to determine whether a development proposal has an appropriate transition to existing development. A 3 story building with 32 units, one which is only 7' lower than the TSS building on Atwood and which is higher than other Atwood buildings for half of the block, may or may not provide an appropriate transition. Whether it is an appropriate transition should be determined based on the actual proposal, not predetermined in a neighborhood plan amendment.

I urge the Plan Commission to modify the resolution, if a neighborhood plan amendment is supported, to specify that that the GFLU Map will eventually be updated to reflect the land use change (as was done in the Hanson plan amendment).

### **Resolution language**

The resolution text states the neighborhood plan is "hereby amended to add a land use recommendation for northern half of the block bounded by Linden Avenue, Atwood Avenue, Division Street, and Dunning Street, for future redevelopment to be "Medium Residential", as shown on the plan amendment and map." However, the plan amendment does not say "Medium Residential." "Medium Residential" has a general density range of 20-90 units per acre and a height of 2-5 stories, while this proposed amendment specifies 70 unit per acre and 3 stories.

This resolution only addresses amending the neighborhood plan. Unlike the 2021 amendment to the Hanson Neighborhood Development Plan (to allow for 11.35 acres to be rezoned to TR-U1), this resolution does not mention any eventual update to the GFLU map. The Hanson resolution stated: "BE IT FURTHER RESOLVED that the eventual update to the Comprehensive Plan's Generalized Future Land Use (GFLU) Map reflect the Hanson Neighborhood Development

Plan Housing Mix 2 areas as Low-Medium Residential in the GFLU Map and Housing Mix 3 and 4 areas as Medium Residential.” If this amendment is approved, shouldn’t the GFLU also be eventually updated?

### **Compatibility with established neighborhood scale**

2165 Linden is currently mapped as Low Residential and is surrounded on three sides with Low Residential land use. Even the 4th side, on the back side of this parcel, has 87 feet of the 240 feet in length (36%) as Low Residential. With 76% of the parcels surrounding this site being Low Residential, with the primarily building form being single-family homes of 1 story with a partial second story tucked under the roof rafters (8 single family homes, 1 two-unit; 1 to 2 stories), is a 3 story building compatible, especially one that could be 204 feet in length?

The Comprehensive Plan states:

“While more intense forms of multifamily or mixed-use development may occur as mapped along major corridors adjacent to, or running through, LR areas, any infill or redevelopment that occurs within an LR area should be compatible with established neighborhood scale, and consistent with any relevant sub-area plan.” (page 20)

Would Medium Residential in this location even be compatible with the surrounding Low Residential? The Comprehensive Plan speaks to Low-Medium Residential being a transition to Low Residential:

“Building forms present within the LMR category of housing [small-lot single-family development, two-unit buildings, three-unit buildings, rowhouses, and small multifamily buildings] are generally compatible in scale with single-family homes, and may therefore be intermixed with small-lot single-family development or used as a transition from more intense development to lower intensity areas comprised primarily of single-family development.” (page 21)

Note: Although the Comprehensive Plan does not define “small multifamily buildings,” it does say that smaller two-, three-, and four-unit apartment buildings and rowhouses may be compatible with Low Residential. (page 20) And MGO 28.172(6) says a small multifamily building is 4-8 units.

While there is Medium Residential abutting Low Residential in the City, much of it was built in the 1960s and 1970s. One relatively recently (2018) approved PD in a Medium Residential area abutting Low Residential is the Generations at Union Corners. The Generations consists of two buildings, one with 24 units and the other with 36 units, sited on 3.17 acres. The buildings are 3 stories and about 38’ in height. The buildings house a mix of affordable units and market rate units. While the Generations lot abuts Low Residential lots, the Generation buildings are, at a minimum, about 100 feet away from any Low Residential lot – a much greater separation than 2165 Linden is from its neighboring Low Residential lots.



<https://madison.legistar.com/View.ashx?M=F&ID=6225538&GUID=6BD673AE-0560-4A18-AA9C-0941962A3F18>

The proposed amendment's specification of 3 stories and 70 units/acre would take away the Plan Commission's ability to make a recommendation to the Council, and the Council's ability to make a final determination on an appropriate transition:

"Ultimately, determination as to whether a development proposal has an appropriate transition to existing development is up to the Plan Commission when the project requires a conditional use approval or the City Council when a rezoning is required, subject to relevant standards established in city ordinances, such as zoning, historic preservation, and urban design districts." (Comprehensive Plan, page 38)

If the plan amendment actually said what the resolution claims it does (rather than reading "residential development of no more than three stories and 70 dwelling units per acre should be accommodated") it would read something like: "it is recommended that the southerly side of the 2100 block of Linden Avenue between Division Street and Dunning Street be redeveloped with Medium Residential uses complementary to the existing buildings on the block and the surrounding neighborhood." Specifying Medium Residential preserves the Plan Commission's ability to recommend, and Council's right to determine, whether any proposed redevelopment is an appropriate transition to existing development.

### **Specific Comments on the text of the proposed amendment**

The substitute amendment provides (1) a general policy statement, (2) a specific recommendation for 2165 Linden, (3) mitigation measures, and (4) a policy statement regarding future redevelopment.

## **The specific recommendation for 2165 Linden**

“Specifically, regarding the redevelopment of the Zion Lutheran Church at 2165 Linden Avenue, residential development of no more than three stories and 70 dwelling units per acre should be accommodated. Such a redevelopment would provide a gradual transition from the 4-story mixed-use building immediately to the south to the one- and two-story homes across Division Street to the west, Linden Avenue to the north, and Dunning Street to the east.”

### ***“Three stories and 70 dwelling units per acre should be accommodated”***

I have not seen a neighborhood plan amendment that specifies the number of dwelling units per acre. What the plans do is assign a land use recommendation – not a density. Often those recommendations have an associated density range, but not a specific permitted density. The density proposed in this amendment appears to have been used in order to accommodate the specific proposal for this property, which would, if approved, have a density of 68 units/acre.

Nor do plan amendments specify the permitted height. Existing plans, such as this one, do sometimes specify a height. For example this plan says: “At the site of the accessory off-site parking lot for Madison East Shopping Center (2729 Hermina Street), encourage the construction of no more than a 2-story, affordable housing development. This parcel is adjacent to single-family homes and can serve as a transition between the residential and the commercial properties.” (page 16)

Examples of plan amendments:

#### 1. Hanson plan

When the Hanson Neighborhood Development Plan was amended in 2021 to accommodate development/rezoning at 4205 Portage Road, part of the agriculturally zoned land was changed from Low Density Residential to Housing Mix 2, Housing Mix 3 and Housing Mix 4. These housing mixes specify a range of densities for each housing mix, a district average, and the general types of buildings. For example, Housing Mix 4 provides for a density of up to 70 units/acre, with a district average of 40 units/acre, and with the general building form being multifamily residential buildings.

#### 2. Tenney-Lapham plan

When the Tenney-Lapham Neighborhood Plan was amended in 2014 to accommodate a proposal that was not introduced until a year later, the amendment said:

“As of 2014, it is recommended that the eastern portion of the 700 block of East Mifflin Street be redeveloped with high-density residential uses complementary to the existing buildings on the block and the surrounding neighborhood.”

“Instead, this property represents an opportunity for well-designed high-density residential uses at a scale complementary to the development across Mifflin Street to the south and to the established residential neighborhood across Dayton Street to the north.”

The parcel changed to high-density residential was on a block which was already mapped as high density for the westerly half of the block (which had a 5-story building), and which had high-density residential mapped to the south.

The building approved a year later:

- had a density of 84 units/acre;
- had a 15 foot setback from the property line on Dayton (across from Medium-Density Residential); and,
- had a Dayton façade 285' in length, but there were three 66.33' segments, with 43' wide courtyards between the segments.

### 3. Capitol Gateway Corridor plan

This plan has been amended three times since 2016 to allow residential uses on the south side of E. Washington. In each case, the map amendments specified the residential use but did not specify any particular density or density range. In one case, the change was to community mixed-use. For the other two the change was to Employment/Residential, with residential as an allowable secondary use.

### 4. Nelson plan

Amended in 2017 to revise the land use recommendation from Employment to Residential.

***"Such a redevelopment would provide a gradual transition from the 4-story mixed-use building immediately to the south to the one- and two-story homes"***

The "gradual transition" would only be a transition for about half the length of 2165 Linden. The 4-story building lot is 120 feet in length. The remainder of what would be the back of 2165 Linden is a 33-foot driveway (which provides parking and garage access for 257 Division, and a 15' joint driveway easement) and 87 feet of a TR-V1 lot that contains a one-story single family dwelling.

Three versus four stories does sound like a transition, at least for part of the lot. But the back of this 4-story building is 45'8" – for an average of about 11.5' per story. If a developer wanted to raise the first floor, have a greater height per story, or have parapet, that transition would lessen. For example, the project proposed for this site has a height of 38'-9¾" where it abuts the four-story lot – leaving a "transition" of 7'.

It is worth noting that the 4-story building, 266 Dunning, received several conditional use approvals. 266 Dunning is 46' in height at the back, 51' along Atwood (TSS maximum permitted use is 3 stories/40 feet). 266 Dunning also received conditional use approval to not have the required stepbacks at the back of the property, stepbacks normally required when abutting a residentially zoned parcel. For both approvals, the church was used as a comparison: the 4-story building would be 3 feet lower than the church; stepbacks were not needed because of the church. It is also worth noting that the staff report for this project cited the Central Atwood Mixed Use/Commercial area, which recommended a 3-story height limit, but noted that 4 stories may be permitted on portions of buildings, including corner elements and adequately stepped back portions away from the streetfront facade. Staff thought that 4 stories could be supported "taking into account the size and location of the proposed building, and the relationship between it and surrounding properties."

In short, a 4-story conditional use building that may not have been approved but for church, is now being cited as the basis for a transition. If this transition argument is accepted, perhaps a



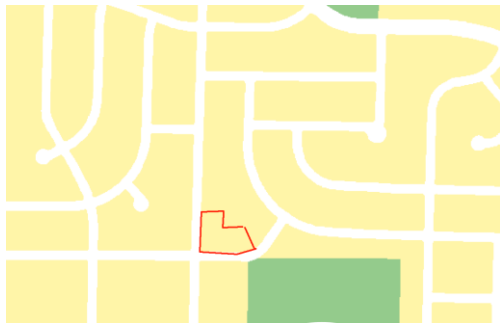
height limit in terms of number of feet should be added, should a 3-story limit remain in the plan amendment.

### **The general policy statement**

“As buildings that include places of worship, schools, and other institutions near the ends of their useful lives, many of these sites may be optimal for adaptive reuse or redevelopment with residential uses. These sites are often embedded in residential areas, and are typically larger than most surrounding residential lots, making them good candidates for larger and/or more intensive residential development.”

Perhaps many of these sites are suitable for larger and/or more intensive redevelopment. However, is this a policy statement that belongs in an amendment to a neighborhood plan? Some neighborhood plans, such as Tenney-Lapham, already identify likely redevelopment sites and identify uses for those sites, sites which are embedded in residential areas.

And not all properties of former institutions are suitable for large redevelopment. For example, a church at 4301 Mandrake Road, almost three times the size of 2165 Linden, is in Low Residential, with a park on one side and a conservation park kitty-corner.



Would this be a proper area for Medium Residential? The Comprehensive Plan would not support such use:

- Three-unit buildings, a single-family attached building, and a small multifamily buildings are permitted in Low Residential “in select conditions at up to 30 DU/ac and three stories, generally along arterial streets or where these types of buildings are already present or planned within an adopted sub-area plan as part of a pattern of mixed residential development.” (page 20)

### **Mitigation Measures**

“If redevelopment proposals on this or other similar properties reflect greater height than the surrounding residential development, transitions shall be made between redevelopments and existing development. Some general strategies that should be considered to reduce impacts on surrounding properties so that their use is not substantially impaired by redevelopment projects include:

1. Incorporating setbacks on upper levels to reduce massing and shadow impacts;
2. Landscape buffers to shield the ground floor from adjoining properties;

3. Fencing to improve backyard privacy;
4. Side and rear yard setbacks.”

These mitigation measures are irrelevant if any zoning category other than PD is used – these matters are already addressed in the applicable zoning ordinance section.

This mitigation policy statement is not needed. The Comprehensive Plan, page 38, already lists “these general strategies that should be considered to lessen impacts on surrounding properties so that their use is not substantially impaired by redevelopment projects.” That page also states neighborhood plans may create location-specific design standards. This amendment could, but does not, specify what design standards are needed for an appropriate transition.

### **Policy statement regarding future redevelopment**

In the future, as other institutional buildings reach the ends of their building life cycles, future planning efforts should provide redevelopment direction for situations in which these structures are no longer useful.

Again, is this a policy statement that belongs in an amendment to a neighborhood plan? Is there a difference between existing larger sites and sites where two parcels could be combined to get a large site? For example, in this neighborhood the combination of 3015 and 3027 Union would result in a lot size of 19,766 sq. ft. (or 96% of the size of 2165 Linden).

Respectfully Submitted,  
Linda Lehnertz

**From:** [RITA HOCKERS](#)  
**To:** [Plan Commission Comments](#)  
**Subject:** Zion Development Legistar File #69937 and 70655  
**Date:** Friday, April 22, 2022 3:47:22 PM

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Dear Planning Commissioners:

We are writing this letter to inform you that we oppose amending the Schenk-Atwood-Starkweather -Worthington Park Neighborhood Plan to add a land use recommendation. We do not approve of this redevelopment to be “medium residential” nor do we approve of rezoning this property located at 2165 Linden Ave. to a PD. We do not think either of these should be approved because they do not fit the needs of the neighborhood. This neighborhood needs more affordable, owner-occupied housing which gives people the means to build equity. It does need another large developer building high-end apartments that are mostly studios and one bedrooms and making a huge profit. This proposed development does not fit the surrounding neighborhood, nor does the scale of this building transition from apartments on the commercial street of Atwood to the small homes on Division, Linden and Dunning Streets. The addition of 32 units will increase traffic and parking congestion. The parking in our neighborhood is already problematic since the building of the Cornerstone building. We can no longer have guests or parties at our house because there is no place to park for several blocks. When there are shows at the Barrymore, it is even worse. I know the Krupp proposal has underground parking, but this will not meet the needs of the tenant's guests. This proposed development increases the density 3100% in one, ugly massive building that does not fit in with the architecture of the neighborhood. This proposed development requires an amendment to the Neighborhood Plan which the neighborhood had no input.

We were part of the core group of neighbors who met with the developers over a 10 month period. We can tell you that there was not a consensus to approve this building. That is a misrepresentation of what happened. There was a split vote in this core group. The majority of the neighbors were not in this group and were quite upset that the Alders gave their approval without seeking neighborhood input. Grant Foster was invited several times to these core group meetings with the developers, but never attended. When Grant became the new alder to this neighborhood, he okayed this development without meeting with any of the neighbors. How is that representation of the people? The majority of the neighbors are not in favor of this development being allowed, Many have not spoken up because they think that the city is so hungry for development that it will listen to the developers and not the residents. Many have said that this is a “done deal” and that you won’t listen to the needs of the neighborhood. We hope you can prove them wrong, Most of the neighbors are not opposed to rezoning but are opposed to rezoning to allow something of this size and mass on our small streets.

We are in favor of the large apartment buildings on Winnebago St., Atwood Ave and Washington Ave .because we know there is a shortage of housing, but we are not in favor of large apartment complexes in the residential neighborhoods that are off the main corridors. We also do not believe that this development meets the purpose of a PD. It is being touted as a “passive house”, but that was only added in by the developers later in the process to get this special zoning. A PD cannot and should not be a catchall for the purpose of increasing density because the developer wishes to increase the number of units for greater financial gain.

Please listen to the people, not just the developers.

Sincerely,

Rita Hockers  
Harold Rottier  
237 Division St

**From:** [Matt Becker](#)  
**To:** [Plan Commission Comments](#)  
**Subject:** Comment on Zion Project: 2165 Linden Item 10-13  
**Date:** Friday, April 22, 2022 3:22:01 PM

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

We're writing to express support for the planned development at the Zion church property that sits directly across the street from our home.

We were torn on this decision, and we see both pros and cons. A neighborhood vision for the Zion site was developed last summer that included elements related to parking/traffic, townhouse style design, height of no more than 2 stories with 3rd story stepback, affordable housing, fewer than 20 units, and sustainability features among other elements. In a perfect world, we would prefer a development meeting all these criteria. However, over the past months there have been multiple rounds of negotiation with the builder that we think resulted in significant and meaningful improvements to the original design, such that we feel comfortable with the project.

The future of this site involves a process of negotiation and compromise in which the neighborhood has some voice to influence but not final decision rights. To that end, we want to use our influence to maintain the gains achieved over the past months that align to neighborhood feedback:

1. Traffic impact has been mitigated by routing to Atwood/Dunning and away from the neighborhood
  - Placing the exit/entrance on Division or Dunning would channel greater traffic through the neighborhood. Instead, the builder will put a "no left turn" sign on the Dunning St exit to funnel traffic towards Atwood and encourage use of the direct Atwood exit
  - The builder has promised to lobby with us for ongoing traffic mitigation improvements
2. It's fully parked with underground parking
3. The scale is lessened by setbacks from the curb and a stepback on the 3rd story
4. Townhome entrances provide an opportunity for neighborhood interaction
5. Related to sustainability, the builder intends to pursue "passive house" net zero ready standards. This represents a 'first-of-its-kind' endeavor by a for-profit developer in Madison on a multifamily project and would lead to similar future projects throughout the city. This sustainability aspect of the development is very special and presents a significant opportunity to positively impact the broader community now and in the future.

### **Density/Housing Shortage**

There's a housing shortage in Madison; adding to the housing supply positively impacts that problem. We've reflected on this shortage when considering the new development. We listened to [this podcast](#) that talks about how current residents impact local housing availability. To summarize the most relevant point: A key driver of our current housing shortage is opposition to higher density development from existing neighbors. Nearby opposition to this project exists as well.

Many people in our neighborhood have lived here a long time, buying homes during times of much different economic and housing market conditions. Those of us in that situation are quite lucky, and we've heard many people express concern that they couldn't live in the neighborhood today due to prices or availability. Decreasing available housing units in the neighborhood doesn't help remedy that situation and works to the opposite. Adding density on this site beyond the current zoning offers only minor relief to the broader housing issues, but we are open to doing our part in that.

As we look across the street and see an apartment building in the future, we hope to view that as a group of people who now have the opportunity to join our neighborhood—in the same way that existing neighbors like us have had the privilege to join the neighborhood previously.

### **The Past and The Future**

As mentioned, there have been ongoing discussions with the developer to try and shape the building to the varied preferences and needs of the neighborhood. Different people have very different perspectives about the process and dialogue that occurred between the developer, neighbors, alders, and the neighborhood association. From what we observed, everyone involved was working with good intentions through a very challenging situation. We have appreciated the ongoing, good-faith efforts of all parties—even when we might reach different conclusions on complicated topics.

Although we negotiated improvements, we didn't fully achieve our goal as we didn't reach a consensus around support for the development.

Some hope to see a building (or buildings) that align to the existing lower density zoning specifications with additional features incorporated like affordable housing. Others worry that if this proposal is declined the site will be purchased, held vacant until zoning laws relax, and then something worse developed without the opportunity for the neighborhood to influence. Either could happen. Most of us would likely cheer the first outcome and be very disappointed by the latter.

Those possibilities aside, we have a proposal today that can be evaluated on its own terms. As described above, we feel the proposed building provides many positive features that align to neighbor input, were achieved as a result of mutual compromise, and work in service of the greater community. Therefore, we offer our support.

Matt and Erica Becker  
246 Division St  
Madison, WI 53704

TO: Plan Commission

DATE: April 21, 2022

RE: Proposed Zion Redevelopment and Rezoning – File # 70655  
4/25/2022 Agenda Item #11

One or more of the objectives listed in MGO 28.098(1) must be met to zone a parcel Planned Development. Only objective (a) was cited in the application for rezoning the Zion property:

- (a) Promotion of green building technologies, low-impact development techniques for stormwater management, and other innovative measures that encourage sustainable development.

The application letter of intent states “... We are committed to pursuing passive house net-zero ready standards of construction and building performance on this project...”

“Green building technologies” is not an arbitrary term or concept. It was coined by the U.S. Green Building Council (USGBC) which established a set of rating systems for design, construction, operation, energy efficiency, sustainability, and maintenance under Leadership in Energy and Environmental Design (LEED).

The goals and principles of green building technology include:

- 1 Life cycle assessment
- 2 Siting and structure design efficiency
- 3 Energy efficiency
- 4 Water efficiency
- 5 Materials efficiency
- 6 Indoor environmental quality enhancement
- 7 Operations and maintenance optimization
- 8 Waste reduction
- 9 Reducing impact onto electricity networks

Passive design strategies are based on four basic principles:

- 1 Climate analysis and comfort
- 2 Passive heating
- 3 Passive cooling
- 4 Daylighting

While addressing aspects of energy efficiency and climate control, passive design touches only on limited elements of green building technologies. Green building technology and passive design are not the same, nor are the sets of principles interchangeable.

The applicant’s commitment “...to *pursue* passive house net zero standards...” doesn’t satisfy objective (a). There must be a commitment to promote green building technologies, not a statement that something else might be pursued. Either the building is green or it is not green. For builders to cherry pick which of the goals of green building technology they may want to pursue so they can circumvent City statutes does not meet with the intent of the coded law.

Bruce Becker  
253 Dunning Street

To: Plan Commission

Date: April 21, 2022

RE: Zion Redevelopment - 2165 Linden Ave  
Legistar File 70655 - Agenda Item #11

We oppose the rezoning of the Zion site from TR-VI to PD and oppose the development proposal for the site in its present form.

### Zoning

PD zoning is supposed to be rarely used, and must meet certain standards of approval.

The applicant has not demonstrated that no other base zoning district can be used for a similar development.

The applicant has not demonstrated that it will be **able to achieve** the standards upon which it is basing its request for PD zoning – MGO 28.098(1)(a):

- (a) Promotion of green building technologies, low-impact development techniques for stormwater management, and other innovative measures that encourage sustainable development.

There are scant details provided in the application on how this will be achieved. This may be because it was not part of the proposal in the initial application submitted in January and only came up while the first UDC meeting was in progress. The developer's sudden shift during the first UDC meeting to a "passive house" commitment was surprising. We were told in no uncertain terms during our neighborhood meetings that the economics of this proposed development would not allow for building a multi-family passive house certified project.

Unfortunately, the UDC Report from the 4/13/2022 UDC meeting is not available for public review. However, as commenting participants we heard the developer admit there was no certainty they could meet the requirements of MGO 28.098(1)(a). Nevertheless, the UDC granted initial approval even though they were cautioned by the Chair about approving a project on things that a developer may or may not be able to achieve.

The application was moved forward to the Plan Commission on the basis of "allowing concessions" because the city needs more density and in the interest of supporting sustainability goals that may or not be achieved. Regardless of how admirable one may find a developer's intentions, PD zoning should not be granted on that basis. Coded law cannot be ignored in favor of high hopes.

### Development Plan

The proposed development is not in keeping with the stated goals of the Comprehensive Plan<sup>1</sup> to *"ensure that redevelopment is well-integrated into adjacent low density residential areas."*

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<sup>1</sup> 2021 Progress Update City of Madison Comprehensive Plan

- The proposed development is not transitional to the neighboring properties with the exception of the Cornerstone apartments on Atwood Avenue. Cornerstone represents about 15% of the lot lines around Zion (99 of 640 feet). The proposed development is not transitional to 85% of the surrounding properties.
- There is nothing that puts this design in context to the neighborhood. It is massive in nature and now that the southside step-back has been eliminated, it will loom even larger over its residential neighbors on its southwest side. The LOI alludes to being transitional to the homes to the north while ignoring the properties to the south (other than Cornerstone), east and west. It is not anything close to being transitional to the neighboring homes in any direction and does not resemble townhomes built next to each other. The aspect ratios of the renderings always appear to be skewed to present a lower profile than what the profiles actually are.
- Except for the Cornerstone, which is designated Neighborhood Mixed Use in the Comprehensive Plan, all of the surrounding properties are designated Low Residential. The applicant relies on a Neighborhood Plan Amendment to receive zoning approval. That amendment bypasses what might be an appropriate transition (Low-Medium Residential) and jumps to the next classification, Medium Residential. Again, not transitional and solely to accommodate the proposed development.



Although it may have no bearing on the Plan Commission’s determination on zoning or approval of the development, we are compelled to comment on the involvement of the neighborhood and in particular,



the immediate neighbors. As part of the group of immediate neighbors involved in discussions, we take exception to the applicant's representations. In the first Letter of Intent, it was stated: "The project evolved through these discussions and the final resulting design was based on a joint consensus reached with all parties." The current LOI states: "The project evolved through these discussions and the final resulting design was based on an iterative process arrived at through collaboration with all parties." That is some fancy verbiage but the Commission should know that there was no consensus, and no substantive compromise. It is simply disingenuous to continue to publicly claim that there was.

While close by, Dunning St, Linden Ave and Division St are not Atwood Avenue – they are residential streets lined with traditional residential dwellings. In scale and density, the proposed development is not transitional to the neighborhood.

This area already has parking and traffic concerns that will only be made worse by the addition of 32 apartment units, doubling the number of apartments already on this square block. It is too much density for this residential neighborhood to absorb. If the city's interest includes the quality of the entire neighborhood, the Zion parcel should be utilized for compatible residential development under the existing TR-VI zoning.

We are asking the city to work to pursue a reasonable development in truly transitional scale to the neighboring homes that surround the bulk of this parcel. The Commission can recognize the need for development of this parcel while at the same time preserving the character of the neighborhood into which it will be received.

We appeal to you today to reject the rezoning request and plan application needed to build the proposed development. Thank you for your consideration.

Respectfully,

Bruce and Barbara Becker  
253 Dunning Street

Plan Commission 4/25/2022  
Agenda Item #10  
File # 69937

I am writing in opposition to the Neighborhood Plan Amendment to the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan to change the land use recommendation from LR to MR for a single parcel of property on a half a block surrounded by residential properties.

- This amendment is for one parcel for one particular development to benefit the developer. If it were not for this development, this amendment would not be up for discussion at this time. This is not looking at a true vision – the purpose of a neighborhood plan.
- This amendment was sponsored by 2 alders with NO neighborhood or neighborhood association meetings to discuss the amendment. The SASYNA chose not to discuss or take a position on the amendment. The alders’ sponsorship of this amendment without any open discussion fails what is good practice according *A Best Practices Guide for Developers, Neighborhoods & Policymakers, June 2005*. <https://www.cityofmadison.com/dpced/planning/documents/best-practices-guide.pdf> and the land use strategies of *City of Madison Comprehensive Plan* adopted August 2018
  - “Regardless of neighborhood association participation, the wide variety of neighborhood-based organizations in Madison should be involved in planning processes. This also underscores the importance of ensuring redevelopment can integrate well with its surroundings through context-sensitive design and scale.” Strategy 3 *City of Madison Comprehensive Plan*, page 6
- The amendment is very specific regarding size and height which is not anywhere else in our neighborhood plan. Instead there are these statements in the Schenk-Atwood-Starkweather – Worthington Neighborhood Plan that reflect types of development and land use
  - Neighborhood plans “They are meant to convey a vision for the future of a neighborhood and make specific land use and design recommendations.” *A Best Practices Guide for Developers, Neighborhoods & Policymakers, June 2005, Page 6*
  - “Neighborhood Goals 1. Retain and maintain existing single and two-family housing, while encouraging mixed-use projects along major transportation corridors. Promote owner-occupancy within single family, duplex, and three to four-unit structures.” *Schenk-Atwood-Starkweather – Worthington Neighborhood Plan*, Page 23
  - “At the site of the accessory off-site parking lot for Madison East Shopping Center (2729 Hermina Street), encourage the construction of no more than a 2-story, affordable housing development. This parcel is adjacent to single-family homes and can serve as a transition between the residential and the commercial properties.” *Schenk-Atwood-Starkweather – Worthington Neighborhood Plan*, page 53

- The Comprehensive City plan has defined MR development
  - “Special attention must be paid to design within MR areas where the use adjoins less intense residential development – architectural features such as a stepback may be needed to transition MR development to less intense surrounding development.” *City of Madison Comprehensive Plan, Page 25*
  - The densest residential zoning code that is used for Medium Residential is TR-U1. (TR-U2 has been used on parcels designated for High Residential, such as 110 N Livingston – Veritas Village, and 2130-2020 University, the area between University and Campus Dive.) TR-U1 would allow for 58 units on the 2165 Linden parcel, for a density of 58 units/acre. Yet what is being proposed is 70 units/acre.
- Appropriate mitigation strategies, if deemed to be spelled out in a Neighborhood Plan, would be
  - A minimum setback from the property line not less than that required for TR-U1 and TR-U2 parcels: 15 feet in front yards, 10 feet in side yards, and 20 feet in rear yards.
  - That a residential building in a residential neighborhood should have usable open space of that required in TR-U1, 160 sq ft/unit.
  - That any story above two stories should be stepped back at least 10 feet from the lower story on any side facing or abutting Low Residential parcels.

This amendment neither fits the character of the surrounding properties nor fits the City of Madison Comprehensive Plan as to where MR should be located – along major commercial corridors or where a transition to lower density can be accomplished, and should not become an amendment to the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan.

Respectfully submitted,  
Terry Cohn  
2135 Linden Avenue

**From:** [Tom Liebl](#)  
**To:** [Plan Commission Comments](#)  
**Subject:** Item #10. 69937, SASY NP Amendment, 4/25 meeting  
**Date:** Friday, April 22, 2022 11:59:18 AM

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**From:** Tom Liebl <tomliebl@hotmail.com>  
**Sent:** Thursday, April 21, 2022 8:06 AM  
**To:** pccomments@cityofmadison.com <pccomments@cityofmadison.com>  
**Cc:** district15@cityofmadison.com <district15@cityofmadison.com>; Marsha Rummel <district6@cityofmadison.com>  
**Subject:** Item #10 69937, SASY NP Amendment, 4/25 meeting

Dear Plan Commission members,

Up until the late sixties, the parcel now referred to as the Zion site was, in fact, occupied by at least two residences and a small church. For the next fifty years it was home to a larger church and its parking lot. All this time it was a well-recognized part of the Hawthorne Park residential neighborhood, by the residents, the SASY Neighborhood Association, and many years of professional City planners.

The current Comp Plan did not make a mistake when it upheld the separation line between the TR-VI zoning and the commercial zone along Atwood Ave. The size of this parcel does not automatically entitle the owner to construct a commercial scale apartment building totally out of context with its neighbors. This parcel can be easily and appropriately developed within the limits of TR-VI zoning, thus maintaining the essential look and feel of our unique and livable neighborhood.

Predictable zoning boundaries are fundamental to the preservation of neighborhoods. Any modification to the Neighborhood Plan requires an open process on a neighborhood-wide basis, and only after due consideration of the potential impacts, with ample opportunity for Public input. None of which occurred in this case. In fact, the SASYNA board declined to vote on this NP Amendment.

There is no significant community support for this Amendment. It would appear to only benefit a few special interests, and on that basis alone should be rejected out of hand.

Thank you for your attention.

Tom Liebl  
Anne Reynolds  
2139 Linden Ave

Plan Commission 4/25/2022  
Agenda Item #10  
File # 69937

Re: Amending the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan to add a land use recommendation for northern half of the block bounded by Linden Avenue, Atwood Avenue, Division Street, and Dunning Street, for future redevelopment to be "Medium Residential", as shown on the plan amendment and map

We are the homeowners of 253 Dunning Street, directly across the Zion site which is the subject of Agenda Item 11 and for which this neighborhood plan amendment has been created.

We oppose the neighborhood plan amendment:

- The neighborhood plan has not been changed since it was adopted 22 years ago. It is so outdated that it includes a neighborhood (Worthington Park) that is no longer a part of the SASY Neighborhood Association. There have been no amendments since its adoption in 2000.
- To our knowledge, there was no involvement with residents of the neighborhood or the SASY Neighborhood Association in creating or sponsoring this amendment.
- Rather than drafting an amendment that addresses future land use that would be consistent with adjacent and opposite properties – a process that would logically include input from the neighborhood and the neighborhood association – this plan amendment has been constructed specifically to accommodate one developer's proposal for the site that is not transitional to the neighboring properties with the exception of the Cornerstone apartments on Atwood Avenue. Cornerstone represents about 15% of the lot lines around Zion (99 of 640 feet). The proposed development is not transitional to 85% of the surrounding properties.
- Except for the Cornerstone, which is designed Neighborhood Mixed Use in the Comprehensive Plan, all of the surrounding properties are designated Low Residential. The amendment bypasses what might be an appropriate transition (Low-Medium Residential) and jumps to the next classification, Medium Residential. Again, not transitional and solely to accommodate the proposed development. We note that it does so without using the term "Medium Residential," but that does not hide what it is and is noted in the agenda description.

In summary, to utilize a neighborhood plan solely for the purpose of advancing a developer's proposal is not in keeping with the stated goals of the Comprehensive Plan<sup>1</sup> to "*ensure that redevelopment is well-integrated into adjacent low density residential areas.*" It is inappropriate and sets a dangerous precedent. We ask the Commission to reject this Neighborhood Plan Amendment.

Thank you for your consideration.

Bruce and Barbara Becker  
253 Dunning Street

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<sup>1</sup> 2021 Progress Update City of Madison Comprehensive Plan



**Plan Commission**  
**Meeting of April 25, 2022**  
**Agenda #10, Legistar 69937**

I write in regards to a draft amendment to the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan.

In my career writing policy documents for the state of Wisconsin, I've been committed to developing written policies that are accurate, logical, complete, and understandable. This draft amendment leaves the reader scratching their head in terms of what it proposes to achieve. My first impression of this draft amendment is that it was created hastily with little attention given to its purpose beyond supporting the application of one developer for a zoning change for one half of one block on Linden Ave.

In looking at various neighborhood plans and the city's Comprehensive Plan, it is clear that these documents are intended to lay out goals and a vision for the future of our city, with strategies for accomplishing those goals. While it's true that some plans do talk generally about the zoning of a specific area within a neighborhood, I do not see plans that include content intended solely to justify a developer's application for a zoning change for one-half of one block, simply to allow that developer to build a building with more density than the current zoning allows.

The Comprehensive Plan acknowledges the inherent conflict between established neighborhoods and the need for increased housing in the city. But it encourages neighborhood input in these decisions, recognizing that this is the way we can be sure that development is in line with the priorities of affordability, accessibility, and diversity, while recognizing the "importance of ensuring redevelopment can integrate well with its surroundings through context-sensitive design and scale," as is stated in the Comprehensive Plan.

It does not make sense for a plan amendment to be targeted to a specific zoning change for a specific parcel in the neighborhood. The concerns I was left with after reading this draft amendment were:

- Exactly WHAT in the existing Neighborhood Plan is being amended and WHY?
- Exactly WHAT goal or strategy is it intended to enhance or support?
- How is it expected to accomplish that?
- Would this amendment be needed if Threshold did not need a zoning change? Is that an appropriate justification?

It appears to me that the proposal before you tonight serves the sole purpose of justifying the change in zoning for one-half of one block in a single neighborhood. If the application for PD zoning is approved, this also approves the design elements of the building, which the Urban Design Commission was very disappointed with. This amendment was not shared with the neighborhood for input. The SASY Neighborhood Association Board of Directors was made aware of it and took no position, because they did not have the opportunity to discuss it with neighborhood residents.

I am not making an argument against amending the Neighborhood Plan. However, I do feel strongly that an amendment to the Neighborhood Plan should be about the Plan's overall vision and goals for the area and not serve only to buttress one developer's request to change the zoning of one-half of one block in order to increase density that is currently not allowed. Approving the amendment is also approving the development of a building whose design and scale are completely out of sync with the rest of the

neighborhood and provides no transition from the Atwood Ave commercial side to the surrounding residential neighborhood.

I would suggest that this is a major opportunity for our neighborhood and our city to get it right. This is a chance to set the standard for what's expected of residential development going forward. Do we want to just see more of the same cookie-cutter apartment buildings, when we could instead encourage forward-looking green development of mixed rental and owner-occupied housing, and development designed to be environmentally friendly and sustainable for generations to follow?

I want to encourage the Plan Commission to require that plan amendments address neighborhood and city values and goals for the future.

If you approve this amendment, I would ask that you make that approval contingent upon the amendment being revised to address the specifics of what in the plan it is amending and to clearly state the goal or goals that justify the amendment.

Respectfully Submitted,  
Sandy Blakeney