

**From:** [Marsha Rummel](#)  
**To:** [All Alders](#); [Stouder, Heather](#)  
**Subject:** Comments regarding 2165 Linden Ave CC agenda items 21 and 96  
**Date:** Saturday, May 7, 2022 11:56:54 AM

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

Hello Alders-

I will be out of town for your May 10, 2022 council meeting but wanted to share my concerns about item #96.

Legistar item 70655 (#21) to demolish Zion Faith Community Church and rezone the parcel at 2165 Linden Ave from TR- V1 to Planned Development is not consistent with the adopted Comp Plan which calls for Low Residential (LR) land uses at this location. So Legistar 69937 (#96) proposes to amend the Schenk Atwood Starkweather Worthington Park Neighborhood [plan](#) to add a land use recommendation to allow Medium Residential (MR) density and a project up to 3 stories and 70 dwelling units per acre for 2165 Linden so that the redevelopment proposal can conform with adopted plans.

It is an unusual approach to reconcile the consistency standard required by state law in the Comprehensive Plan by amending a neighborhood plan. I do not recall anything similar to this approach during my years as an alder. It appears to me to be a workaround to the more onerous process of amending the Comprehensive Plan. Will this become a tool you and planning staff will utilize when there is a conflict with the comp plan classifications and real estate market forces, and updating the Comp Plan is not timely? I hope you seriously discuss the implications of this approach.

State law does assume there will be a public participatory process to evaluate the goals and objectives of the comp plan or proposed updates to it. I don't believe the intent of state law to conduct a public engagement process was met by amending the neighborhood plan. I believe this neighborhood plan amendment engages in a type of spot zoning that describes height, scale and massing, density and setbacks to allow the specific proposal for redevelopment of 2165 Linden Ave.

I don't believe D6 Alder Benford or D15 Alder Foster held a neighborhood meeting about the legal requirement to make sure the proposed higher density development proposal was consistent with the comp plan or to discuss the viability/benefits of amending a 22-year-old neighborhood plan. Neighbors were focused on the scale, affordability, opportunities for home ownership and the appropriate density of the proposed development. They were not focused on the plan amendment process that should have been part of a parallel discussion. While the proposal has merits (the townhouse entrances, vehicle access off the shared alley/driveway, and commitment to passive house construction), UDC and the staff report describe some unresolved issues with modulation, setbacks and usable open space. Neighbors question the density of the project on an interior neighborhood street and many would prefer several smaller buildings -the missing middle housing forms. I wish there had been a path for reviewing the site, versus just the project. Unfortunately there has been a financial and leadership gap to tackle the unique contradictions of this site that could have come up during a discussion of future uses of the land separate from a development proposal.

There was very little discussion at the April 25th Plan Commission regarding the plan amendment language about institutional uses 'near the end of their useful life' and whether these sites are 'good candidates for more intensive residential development'. For what it's worth, the Schenk-Atwood-Starkweather-Worthington Park Neighborhood plan mentions seven centers of worship (p 3) including the former Holy Cross Lutheran Church at 2670 Milwaukee St now the home of Operation Fresh Start (LR in the comp plan and TR-V1 zoning), St. Bernard's Catholic Church at 2450 Atwood Ave (Special Institution in the comp plan and zoned TR-V1), Salvation Army at 3030 Darbo Dr (Low Medium Residential in the comp plan

and zoned CC-T) and Trinity Lutheran Church at 1904 Winnebago (Neighborhood Mixed Use in the comp plan and zoned TSS). In my tenure as alder, I had interactions with all of these institutions or interested parties about future land uses including re-use or redevelopment of some of their property and believe the broader policy questions merit a better process than a tailored site by site approach.

I agree with public comments you received that stated it is a policy decision whether a particular institutional site is a good candidate for larger and more intensive residential development, and it is not appropriate for a neighborhood plan amendment process. I would urge you to reject a neighborhood plan amendment approach since the policy questions about these land uses affects the entire city, not just the boundaries of the plan area, or a specific development proposal. A year has gone by since the need for conformance with a more dense proposed use and the comp plan was raised. I believe we are close enough to the 5 year halfway mark to start the Comp Plan amendment process. Let's do it right.

Thanks for your consideration-

Marsha Rummel

1029 Spaight St

**From:** [Nicholas Davies](#)  
**To:** [All Alders](#)  
**Subject:** Yes on 70655 (Linden Ave replacement of vacant church with housing)  
**Date:** Sunday, May 8, 2022 3:21:10 PM

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

Dear alders,

I ask you to vote in support of rezoning the Linden Ave property.

Our city is struggling with a housing shortage that is driving up prices for renters and owners alike. It increases assessed value, so even those who don't buy or sell are impacted every year.

I wish we could create more occupant-owned housing, more affordable housing. If the city had millions to put down, and a big plot of land, I would say go for it. But as it stands, we are counting on private development to supply housing, a human necessity. And since we can't close the housing deficit all at once, we must view every opportunity for more housing through this lens. Any added housing helps close the gap.

The Linden Ave property is currently under-utilized, in a neighborhood that has already begun transitioning to greater density and walkability, features that in turn generate more interest in living there.

This site would also be along one of the redesigned transit system's major corridors, meaning that it would be an excellent location to apply a Transit Oriented Development overlay.

The developers of the site have been meeting with neighborhood residents and taking their feedback into account. They've revised their plans accordingly, and produced a design that will better blend in. They've put time and effort into researching ways to make the building more sustainable.

At this point, the only remaining objection is its very profitability and net benefit to the community: adding residential density. In other words, what a few neighbors primarily object to, the reason this requires a 3/4 vote from you all, is that it will bring in more neighbors. People. Human beings.

It only takes 20% of nearby homeowners to bring forth this kind of appeal. And when the project area neighbors a single-family zone, that makes the minimum threshold for an appeal quite low.

This means that a few people, fully vested in the legacy of racist redlining practices, can leverage that privilege itself--artificially suppressed density--to have outsized influence upon city decisions, in order to keep the neighborhood exclusive (and thereby segregated).

By all means, evaluate for yourself whether the project meets city standards. My impression is that it very much does, but I'm no armchair architect or city planner. I leave that stuff to professionals.

But when it comes time to vote on this, I ask you to weigh the 25 residents bringing an appeal

against the 44+ residents who will be living there in future. Ask yourself why they don't have a seat at the table. Why their needs don't affect the vote threshold.

Thank you,

Nick Davies  
3717 Richard St

**From:** [Tom Liebl](#)  
**To:** [All Alders](#)  
**Subject:** 5-10-22 City Council mtg: 2165 Linden, Items 21 & 96  
**Date:** Sunday, May 8, 2022 6:23:30 PM

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Dear Alders,

As a near neighbor of the 2165 Linden Ave site (Zion Church), I have a personal interest in the outcome, but I also believe that the issues here have much broader implications. I appreciate your attention.

I am writing in opposition to items 21 and 96:

-Item 21 70655

Before making a decision on this application, I urge you to examine the text of the Planned Development Ordinance. This proposal falls far short of the letter and intent of the PD Ordinance. It is, quite frankly, simply an effort to bypass the Comp Plan goals and the conventional re-zoning process. This project will result in a negative impact to the Hawthorne Park neighborhood - without any compensatory return to the city at large. This is clearly a case of spot zoning that only benefits two special interests: the seller and buyer. Approval of this PD will only serve to further corrode the faith of the public in the long-range planning process, as well as any confidence that our Ordinances actually matter.

- Item 96 69937

This Neighborhood Plan amendment comes before the council without any significant support from the community it directly affects. It is an obvious attempt to manipulate the Comp Plan in the service of a single development project, yet its stated rationale has citywide implications.

This Amendment has been rushed to approval, without a public participatory process or community meeting. At the 4/25/22 Plan Commission meeting this item was lumped in with a PD application for the same site, thereby limiting public comment on what are clearly two distinct issues.

Approval without a clear examination of the implications and without meaningful participation of the neighborhood calls into question the very validity of the Comp Plan itself.

I hope that Imagine Madison's "People Powered Planning" is more than just a PR slogan.

Thank you,

Thomas Liebl

2139 Linden Ave

Madison 53704

**From:** [B BECKER](#)  
**To:** [All Alders](#)  
**Subject:** 5/10/2022 Common Council  
**Date:** Monday, May 9, 2022 7:21:11 AM  
**Attachments:** [Common Council - NPA - File 69937.pdf](#)

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

To: Common Council Members

Date: May 9, 2022

Re: Zion Redevelopment - 2165 Linden Ave  
Legistar File 69937 - Agenda Item #96

Please see our comments, attached.

Bruce and Barbara Becker  
253 Dunning Street

Common Council – 5/10/2022  
Agenda Item #96  
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

It’s relevant to ask why this amendment to the neighborhood plan is being promoted when it stands to benefit only a single developer on a single parcel and a specific building plan (Agenda #21).

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. The proposed development is not transitional to the single story, single family home to its southwest at 253 Division, nor to any of the residences west on Division, north on Linden, nor east on Dunning.
- Except for the Cornerstone, which is designated 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.

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 Council 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





**From:** [B BECKER](#)  
**To:** [All Alders](#)  
**Subject:** 5/10/2022 Common Council  
**Date:** Monday, May 9, 2022 7:21:55 AM  
**Attachments:** [Common Council - Zion - File 70655.pdf](#)

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

To: Common Council Members

Date: May 9, 2022

RE: Zion Redevelopment - 2165 Linden Ave  
Legistar File 70655 - Agenda Item #21

Please see our comments, attached.

Bruce and Barbara Becker  
253 Dunning Street

To: Common Council Members

Date: May 9, 2022

RE: Zion Redevelopment - 2165 Linden Ave  
Legistar File 70655 - Agenda Item #21

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. Having attended both UDC and Plan Commission meetings, we are not convinced those standards have been met.

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

The application has been moved forward in the approval process 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.

*“Spot zoning grants privileges to a single lot or area that are not granted or extended to other land in the same use district. ...absent any showing that a refusal to rezone will in effect confiscate the property by depriving all beneficial use thereof, should only be indulged in when it is in the public interest and not solely for the benefit of the property owner who requests the rezoning. (Wis. Stats. 62.23 Annotation)”*

The city is missing an opportunity to develop housing that is affordable to more people. The neighborhood would fully support this site being redeveloped for low-medium residential housing, which would increase density while preserving the quality of life of the surrounding neighborhood.

### 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.”*

- The proposed development is not transitional to the neighboring properties with the exception of the Cornerstone apartments on Atwood Avenue. Cornerstone represents about half of the south side of the Zion property. The proposed development is not transitional to the single story, single family home to its southwest at 253 Division, nor to any of the residences west on Division, north on Linden, and east on Dunning.
- There is nothing that puts this design in context to the neighborhood.

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

- 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.
- 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 Council’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 that there was consensus or that the process was collaborative. It is simply disingenuous to continue to publicly claim that there was.

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 Council 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

**From:** [crosner@tds.net](mailto:crosner@tds.net)  
**To:** [All Alders](#)  
**Subject:** May 10th meeting  
**Date:** Monday, May 9, 2022 1:52:32 PM

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I oppose #21 and #96  
Cindy Rosner  
2405 Oakridge  
Madison Wi 53704

*Sent from my T-Mobile 4G LTE device*

**From:** [Linda](#)  
**To:** [All Alders](#)  
**Subject:** 5.10.22 meeting Legistar 70655  
**Date:** Monday, May 9, 2022 2:18:09 PM

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The plans and ordinances do not distinguish between urban and suburban for determining whether a project is compatible with the existing character of an area. As discussed in detail below, the Plan Commission denied a 4-unit on a suburban lot because it was not compatible, but found this more urban Linden 32-unit project to be compatible - both projects have the same lot size, both are set amongst small residential buildings, both have a larger and more intense use at the back of the property. Either the Plan Commission made a wrong decision on the Linden project or it made a wrong decision on the Hammersley project.

In addition, "missing middle" housing is often mentioned. But where is that missing middle housing to go? Such housing apparently is not suited for suburban areas. It is suited for more urban areas, such as Linden. But when these urban sites are instead given permission to build larger multi-family buildings (such as this project which compares to 1121 S Park in size), those potential missing middle sites disappear. (The Linden site could hold about 15 missing middle housing units, rather than 32 luxury units.)

#### Linden versus Hammersley

In 2019 Plan Commission did not support a rezoning and conditional use for a 2-story 4-unit on Hammersley. Surrounding uses on Hammersley were single-family, and behind the proposed building were a 16-unit and then a 24-unit.

Plan Commission placed the proposal on file because the project did not create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area "due to the scale and placement of the proposed building within the established building pattern of the neighborhood." In discussions, a Plan Commissioner discussed how the project related to the buildings behind it, but did not related to the single-family buildings on Hammersley. Also discussed was the proposed street setback, which was 53' (zoning required 25' but the neighboring property had 70' and properties to the east had about a 36' setback).

Yet Plan Commission approved the Linden project, which also requires the project to "create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area."

- Linden is Low Residential on the GFLU map, as is Hammersley. Linden abuts Neighborhood Mixed-Use while Hammersley abuts Low-Medium Residential.
- Linden is .47 acres versus .5 acres on Hammersley.
- Linden would have 32 units versus 4 units on Hammersley.
- Linden would have a height of 35'/43' at the westerly end (the 3<sup>rd</sup> story is stepped back 9') versus a 22-24' height (including the pitched roof) on Hammersley.
- Linden would have a flat roof, surrounded on 3½ sides with a pitched roof, while for Hammersley the staff report discussed changing the roof shape to establish a roof pattern with the neighboring house.
- Linden would have a 2-foot setback (balconies cannot extent into setbacks, thus reducing the setback) while the surrounding zoning requires a 20-foot setback versus a 53-foot setback on Hammersley (while surrounding zoning requires a 30-foot setback).

- Linden is justified by being a stepdown from the project at the corner of Atwood and Dunning versus Hammersley being denied approval because it related to the buildings behind it.
- Linden has a building footprint of about 12,000 sq.ft. versus about 5,000 for Hammersley (Hammersley had a residence footprint of about 3,300 sq. ft. and a separate garage footprint of about 1,800 sq. ft.).
- Linden has 204' of unarticulated length along Linden versus Hammersley at 93" of length with some articulation.

Plan Commission denied the Hammersley project because it did not fit "within the established building pattern of the neighborhood." The Linden project is much worse at fitting into the established building pattern of the neighborhood and, thus, should also be denied.

Respectfully Submitted,

Linda Lehnertz

**From:** [Terry Cohn](#)  
**To:** [All Alders](#)  
**Subject:** 2165 Linden Ave Items #21 and #96 Common Council 5/10/22  
**Date:** Monday, May 9, 2022 8:24:18 PM

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Dear Alders,

We are writing in opposition to Items #21 and #96 regarding the Neighborhood Plan Amendment and PD for 2165 Linden Ave.

Item #21

The neighbors fully understand how expensive the housing is in our neighborhood and the overwhelming majority of the 70 who responded to a survey do not want to see a rezone for higher density. This is not purely because of the mass. We are interested in providing first time homeowners with an option to invest. We would have gladly spent the time, if the church and alder had notified us that the church was vacating, to search for a socially responsible developer to build with an option for some affordable units. We know that 32 units will not solve the density crisis in the city. Our desires are to allow for increased diversity in the neighborhood over increased high rent density with the majority of units not conducive to any more than couples. This is another luxury apartment in our neighborhood.

Neighbors have spent an immense amount of time in meetings, educating ourselves on ordinances, the Comp Plan, Passive House and PDs. We have written detailed letters and spoken at public meetings citing the numerous faults in the proposal not meeting the purpose and standards of a PD. To allow for this proposal to be granted a PD is to believe that ordinances are meaningless.

We have also educated ourselves on spot-zoning regarding this PD.

The classic definition:

“the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners.” <sup>1</sup>

Spot zoning is, in fact, often thought of as the very antithesis of plan zoning. <sup>2</sup> When considering spot zoning, courts will generally determine whether the zoning relates to the compatibility of the zoning of surrounding uses. Other factors may include; the characteristics of the land, the size of the parcel, and the degree of the “public benefit.” Perhaps the most important criteria in determining spot zoning is the extent to which the disputed zoning is consistent with the municipality’s comprehensive plan.

<http://plannersweb.com/2013/11/understanding-spot-zoning-2/>

Neighborhood Plan Amendment #96

This hastily drawn up Neighborhood Plan Amendment allowed NO input from the community. The alders did not set up any forums for discussion or explanation with the neighborhood. This was not on the agenda or discussed by the neighborhood association. We have come to learn that its only purpose is for this single parcel for a particular development that benefits the developer in order to comply with the Comp Plan, as the Comp Plan currently cannot legally be touched.

We know that Comp Plans must have public input, so we assume a Neighborhood Plan Amendment would as well. Both the process as to how we learned about this amendment and the purpose for which it was written has city wide implications. Is this the new way to amend the Comp Plan? To allow for this amendment to be approved with no input means that the Comp Plan for FLU is meaningless.

We urge you to oppose Items #21 and #96 in order to take a look at the entire city and what makes sense to do with larger lots embedded in residential neighborhoods.

Respectfully,

Terry Cohn and Michael Johns



2135 Linden Ave

**From:** [Sandy Blakeney](#)  
**To:** [All Alders](#)  
**Subject:** Comments for 5/10/22 items 21 and 96  
**Date:** Monday, May 9, 2022 9:03:52 PM  
**Attachments:** [Letter to CC re NPA 20220510.docx](#)  
[Letter to CC re LUA 20220510.docx](#)

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Please see attached statements for items 21 and 96 on the 5/10/22 agenda.

Thank you,  
Sandy Blakeney

**Madison Common Council**  
**RE: May 10, 2022 Meeting**  
**Agenda #96, Legistar 69937**

I write in regards to the draft amendment to the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan. I ask that the Council reject this amendment.

This draft amendment appears to have been 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 plans are intended to lay out goals and a vision for the future of our city, with strategies for accomplishing those goals. I have not seen 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. The Alders supporting this plan amendment took no steps to solicit public input or participation in the creation of this plan amendment. 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.

Some unanswered questions left after reading this draft amendment are:

- 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?

This is not an argument against amending the Neighborhood Plan. However, 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 not allowed by the current zoning of the area. Since this draft amendment exists solely to justify the developer's request for increasing density, then approving the amendment is also approving the development of a building whose design and scale are immensely out of scale 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. Policy questions regarding the use of former institutional buildings embedded in residential neighborhoods

should not be driven by neighborhood plan amendments that conflict with the city's comprehensive plan and involve zero neighborhood input.

I want to encourage the Council 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

To: Common Council Members

Date: May 9, 2022

RE: Zion Redevelopment - 2165 Linden Ave  
Legistar File 70655 - Agenda Item #21

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. Having attended both UDC and Plan Commission meetings, we are not convinced those standards have been met.

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

The application has been moved forward in the approval process 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.

*“Spot zoning grants privileges to a single lot or area that are not granted or extended to other land in the same use district. ...absent any showing that a refusal to rezone will in effect confiscate the property by depriving all beneficial use thereof, should only be indulged in when it is in the public interest and not solely for the benefit of the property owner who requests the rezoning. (Wis. Stats. 62.23 Annotation)”*

The city is missing an opportunity to develop housing that is affordable to more people. The neighborhood would fully support this site being redeveloped for low-medium residential housing, which would increase density while preserving the quality of life of the surrounding neighborhood.

### 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.”

- The proposed development is not transitional to the neighboring properties with the exception of the Cornerstone apartments on Atwood Avenue. Cornerstone represents about half of the south side of the Zion property. The proposed development is not transitional to the single story, single family home to its southwest at 253 Division, nor to any of the residences west on Division, north on Linden, and east on Dunning.
- There is nothing that puts this design in context to the neighborhood.

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

- 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.
- 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 Council’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 that there was consensus or that the process was collaborative. It is simply disingenuous to continue to publicly claim that there was.

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 Council 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

**From:** [Mary ThompsonShriver](#)  
**To:** [All Alders](#)  
**Subject:** Zion Church Development Letter of Opposition  
**Date:** Tuesday, May 10, 2022 12:22:30 PM  
**Attachments:** [Common Council Letter.Zion Development.docx](#)

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

Hello,

I am writing to explain my opposition to the zoning change of the parcel at 2165 Linden from TRV-1 to PD.

I would very much appreciate if you would read and consider the attached letter as part of the record.

Thank you.

Sincerely,

Mary Thompson-Shriver  
249 Dunning Street  
Madison, WI  
(608) 245-0456



I am writing to express my opposition to item 21 on the agenda for tonight's Common Council meeting (5.10.2022). I live at 249 Dunning Street, across the street from the church and was a member of the core group that met with the developers over the course of several months last summer and fall. While the Krupps and their architect tweaked little details in the design in response to our concerns, they never truly addressed the biggest problems: the scale, massing, and density of the building. However, that is not my only concern about this proposed property.

We have been back on our heels as a neighborhood responding to the news of an accepted offer for the Zion church from Joe Krupp and associates. As a neighborhood, we do believe we have a right to respond and speak our piece about developments in our backyards, and I would hope the City shares this view. After several zoom meetings, a neighborhood survey was created and conducted last summer asking various questions about what the neighborhood would like to see on this property (not that we thought it would hold too much sway, but we did feel that it was important to voice our opinions). The majority of respondents felt that the density this residential parcel could handle was 20 units max. Most wanted no more than 15 units. We are aware that the city needs more housing and massive buildings are going up all along East Washington that will be providing hundreds and hundreds of units within just 6 blocks of this parcel. In light of this, it is absurd to think 12 more units – i.e., the difference between the 32 units Krupps claim are necessary, and the 20 units that the neighborhood felt comfortable with - will solve the city's housing "crisis." So if the Council does say yes to this, please do not do so because you think that this will make a dent in the studio/1-bedroom housing availability.

More importantly, in the neighborhood survey, there was a strong desire for affordable housing in this location and/or the possibility of owner-occupied units. We, the neighbors, have been cast as anti-renter by our own Alder (Grant Foster), which is absolutely not true. On my block alone there is an almost equal mix of single-family homes and rental units. I have lived here for 20 years and have no problem with renters. Our former Alder, Brian Benford, told us in a meeting that he knows that our opposition to this development was NOT an issue of NIMBY-ism, and understood that we had strong values of wanting to increase diversity in the neighborhood and to support first-time ownership and/or affordable rentals. It is clear that this unit will NOT provide affordable housing, in spite of Threshold's (Krupps' development company) claim that the units will be "affordable." No one is fooled by this claim, and I hope especially not the City. This dwelling will provide mostly studios and 1-bedroom apartments at market rate or above for this neighborhood. And with parking availability for car per unit, it is doing nothing to decrease carbon emissions either.

In the Mayor's Housing Forward press release from a year ago (<https://www.cityofmadison.com/mayor/blog/housing-forward-update>), a plan is laid out to increase the inventory of available housing of all types. One of the stated goals is to invest in homeownership opportunities for people of color with non-profit partners (also highlighted in a Cap Times article: [https://captimes.com/news/local/govt-and-politics/madison-mayors-housing-forward-plan-targets-homelessness-high-rent/article\\_c599f8d1-eb24-558b-86bb-dcf3ba82ebdb.html](https://captimes.com/news/local/govt-and-politics/madison-mayors-housing-forward-plan-targets-homelessness-high-rent/article_c599f8d1-eb24-558b-86bb-dcf3ba82ebdb.html)). To quote from the Mayor's press release:

### **Combat Displacement and Segregation**

The growth and prosperity in Madison has not been shared by all residents. People of color, low income households, and vulnerable populations in many cases do not have the opportunity to live in all neighborhoods or participate in homeownership. This plan will help overcome longstanding and growing issues of income and racial inequality by creating more housing options for people of color and those with lower incomes. It will:

- **Expand housing options by supporting a greater variety of housing types within neighborhoods, like condos, townhomes, co-ops, and land trusts**
- **Increase homeownership opportunities for people of color**
- **Prioritize preservation of existing affordable housing.**

The ability to do something to increase homeownership and help people start building generational wealth through building equity exists right here, in this location. The parcel at 2165 Linden Avenue is a perfect place for this, as it is already zoned for low-density residential development. I believe the creativity and the tools necessary to do this are there. The city could buy the land and with non-profit partnerships and perhaps even funding from the Krupps, create smaller units and remain within the current zone. The possibilities for home-ownership currently lie mainly through urban sprawl. We constantly hear that we should “build up, not out.” This neighborhood and parcel would be a prime location for this effort. It is situated perfectly for families who have children in attendance at Lapham-Marquette, O’Keeffe Middle School, and East High School. With creative financing using municipal, state, and federal programs, there should be no reason that the Common Council should not support the more efficient route of keeping this parcel as currently zoned and working with developers and agencies to make good on some of the Mayor’s Housing goals, namely, increasing home-ownership of BIPOC citizens of Madison and integrating neighborhoods (this is with the full realization that BIPOC would need to truly feel welcomed in this neighborhood).

Tyler Krupp mentioned to me that there is too little time to do this. However, some time between the first UDC and the second UDC meeting, Threshold was able to suddenly turn on a dime and try to throw together a passive house plan – which ALSO takes time to do correctly. I’ve gotten to know Tyler a bit over this past year and have heard him say that he supports goals of increasing affordable housing options as well as the use of greener technologies in developing land. I have no doubt that his intentions to use green technologies in the future are sincere. I also know that this will not be the last property that Threshold/Krupps will develop; I’m sure there is another one right around the corner - literally. And around the corner, on a more trafficked corridor is where something this scale and size belongs - not in a TRV-1 zoned residential neighborhood with narrow streets and no room for overflow parking or more traffic. This is NOT the time or place for this sort of development.

I am requesting that the Common Council vote to reject the application for a specialized PD zone for this oversized development with an undersized plan for actuating green technologies, and instead use the existing zoning for this parcel for a project that fits more with the neighborhood feel and the city’s stated values.

Thank you for reading.

Sincerely,

Mary Thompson-Shriver and Tim Shriver  
249 Dunning Street  
Madison 53704  
(608)245-0456  
[mmthomps30@gmail.com](mailto:mmthomps30@gmail.com)

**From:** [rhockers@aol.com](mailto:rhockers@aol.com)  
**To:** [All Alders](#)  
**Subject:** 2165 Linden Ave. Items 21 and 96  
**Date:** Tuesday, May 10, 2022 1:34:31 PM

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

Dear Alders:

We am writing to inform you that we oppose items 21 and 96 of tonight's agenda. 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. This seems to fit the description of "spot zoning", which is not allowed.. We also do not think either of these should be approved because they do 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 and making a large 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, The addition of 32 units will increase traffic and parking congestion. This building will increase the density of this area by over 3000%.

Please oppose these items and consider rezoning of this property to "low residential". Please listen to the neighbors who filed a "protest petition" for many of the above reasons.

Thank you for reading this.

Rita Hockers  
Harold Rottier  
237 Division ST

**From:** [Catherine Stephens](#)  
**To:** [All Alders](#)  
**Subject:** May 10 City Council meeting  
**Date:** Tuesday, May 10, 2022 2:13:40 PM

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RE: 2165 Linden Ave - Agenda item 21. Item 70655

Dear City Council,

I am writing to ask for your No vote and reject "spot zoning" to allow for a proposed 32 unit building at 2165 Linden Avenue, a site surrounded by 3 residential streets.

Reasons include:

- \* No affordable housing to address City of Madison shortage.
- \* No opportunities for owner-occupied housing or condo units.
- \* A building scale which does not fit the surrounding neighborhood nor transition from commercial Atwood Ave to residential Dunning, Linden and Division.
- \* Adding 32 units that will increase traffic on area streets and parking congestion.
- \* No units for families; mostly studio and 1 bedroom apartments.
- \* Increasing density on that block by 3100% in one massive building.
- \* Requires a zoning change which 67% of the polled neighbors oppose.
- \* Requires an amendment to the Neighborhood plan and the neighborhood had no input.
- \* Sets a precedent for similar developments and higher density in traditional residential neighborhoods throughout the city.

Thank you,

Catherine Stephens

**From:** [Madeline Gotkowitz](#)  
**To:** [All Alders](#)  
**Subject:** Agenda items 21 and 96 - Zion Church  
**Date:** Tuesday, May 10, 2022 3:01:21 PM

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

Dear Alders,

I own and live at 243 Division St, in a two-flat about 26 feet north of the Zion Faith Community Church.

I write this with respect to items 21 and 96 on tonight's Common Council Agenda to demolish the Zion Church and rezone the parcel at 2165 Linden Ave from TR- V1 to Planned Development (PD).

As a neighboring property owner, I fully support development of the church parcel in a systematic way. However, the current proposal necessitates amending the neighborhood plan and rezoning from TR-V1 to PD without sufficient consideration of views of those affected by the "plan". The proposed actions before you tonight prioritize the desires of the Zion Faith Community and their business partners, rather than following a process that recognizes multiple points of view.

I am against tonight's proposal that would have you amend the neighborhood plan without a public process, and I am against rezoning this parcel to allow Medium Residential density without adequate process.

The issue that seems paramount to me is this: should the church parcel be re-zoned from TR-V1 to allow three story (and four-story height on Division St), on a TR-V1 street?

Please visit the new Marling Building and the houses opposite, along East Main Street. The Marling provides a lovely example of new development amidst older residential housing at appropriate scale. At the location of the Marling development, East Main street is approximately 32 feet wide and the south side of East Main is lined with older housing similar that along Linden, Division and Dunning Streets. East Main Street is about 22% wider and 12% wider, respectively, than Linden, Dunning and Division (these are 25- to 28- feet wide). The Marling incorporates 2-story townhomes on the East Main street side with a large (greater than about 20 feet) step back to three stories. Compare this to the narrower Linden, Division and Dunning Streets, where the proposed step back on the third floor is less than 10 feet, with overhanging balconies. The proposed apartments are essentially a full three stories, and I contend out of scale for the residential TR-V1 area of my home and neighboring residences.

A smaller development than the 32 proposed units can increase housing in the neighborhood, and can be accomplished through a process that puts neighborhood plans and zoning changes AHEAD of selecting a single proposal for development.

I bought my property in a residential neighborhood *to avoid* living in the shadow of large buildings, thinking that the current zoning would be likely to change through a *process* consistent with public participation and the neighborhood plan. Please consider the scale of this proposal relative to the beautiful and light-filled area of East Main at the Marling. An appropriately scaled development can be achieved at the Zion property, but not through this odd process and the current proposal. Please visit East Main Street.

Thank you for your consideration of this letter,

Sincerely,

Madeline Gotkowitz

243 Division St, at the corner of Division and Linden

May 10, 2022

**From:** [Alison Lindsay Mares](#)  
**To:** [All Alders](#)  
**Subject:** Common Council Meeting, May 10, Agenda #96, Legistar 69937  
**Date:** Tuesday, May 10, 2022 3:57:31 PM

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

I am opposed to amending the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan to add a land use recommendation for the northern half of the block bounded by Linden Ave., Atwood Ave., Division St., and Dunning St.

Since when do we put the cart before the horse? We haven't even had a neighborhood meeting to discuss amending the Plan. And to amend a neighborhood plan to accommodate one project being proposed by one developer smacks of underhandedness.

I appeal to you. Please do not do this to our neighborhood. It will set an extremely bad precedent throughout the city where developers twist the arms of city commissions and boards to get their own way.

Alison Lindsay Mares  
2122 Bashford Ave.

**From:** [Brad Hinkfuss](#)  
**To:** [All Alders](#)  
**Subject:** Project @ 2165 Linden Ave.  
**Date:** Tuesday, May 10, 2022 5:23:44 PM

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

City of Madison Alders,

I submit this letter for your consideration in regards to the proposed project at 2165 Linden Ave., which involves the demolition of the Zion Lutheran Church building and construction of a new multi-unit apartment building.

You will hear a great deal of commentary tonight in regards to this project, both for and against. I offer my perspective primarily on process since there have been many allegations that there has been little or no process or neighborhood engagement associated with this project. In fact, nothing could be further from the truth. As someone who has long been involved in community organizing and planning, I have to say that this one project had stronger and more intense community involvement than any project I can recall, even more than something like Union Corners.

The meetings started with very inclusive and broadly advertised meetings that were well-attended. As one meeting gave rise to another, the effort became more focused with a core group that the larger group had empowered to negotiate on the larger neighborhood behalf. This included periodic reports back to the broader neighborhood. I was personally very involved as a facilitator and development consultant for the great majority of these meetings. I tried to distance myself from a personal stake or predilection on the project at hand - I was more interested in a strong and inclusive process.

I believe we achieved a strong process. From the beginning, one of the likely potential outcomes that was forecast in this process was a potential amendment to the neighborhood plan as a means of allowing any development to proceed. People decided to participate - or not - based on their own priorities. There was no lack of opportunity.

In the end, the group focused on negotiating this process did not reach consensus. It was an evenly split vote, though it was never intended to be a voting matter. What I can assure you is that the process was inclusive and that it was robust. It also involved several significant changes to the project design, all made as concessions to neighbor concerns. Indeed, it is accurate to say that at one point there was very neary consensus in support of the project.

Since the decision by some to oppose the project, some of what I have witnessed is a recasting of the history and the process itself, often in negative terms. Issues that were once laid to rest have been resurrected as major obstacles. People who chose not to participate in the lengthy (7 month) process claim that there was no process and that they had no opportunity. I find this all unfortunate, and not unlike the political events of our time.

Make of it what you will in your final decision, but understand that there was a strong process, heavy engagement, and lots of well-informed people all along the way. Not liking the outcome does not mean that it's OK to savage the process.

Respectfully,  
Brad Hinkfuss