



July 25, 2003

Honorable Members of the Zoning and Neighborhood Development Committee
c/o Ald. Marlene Johnson-Odom, Chair
200 E. Wells St.
City Hall- Room 205
Milwaukee, WI 53202

RE: Zoning Change Request for Open Pantry at 3305 N. Oakland Avenue

Dear Honorable Members of the Committee,

This letter serves as the Cambridge Woods Neighborhood Association's (CWNA) formal statement of opposition to Open Pantry's request to change the zoning of Open Pantry's adjoining lot from MF4 to LB2 on the northwest corner of Hartford and Oakland Avenues. We request that this position letter be put On File. The CWNA Board majority opinion voted against Open Pantry's proposal to raze a home, expand their building, and add an additional business.

Cambridge Woods Neighborhood Association's (CWNA) mission is in part to be... *the eyes, ears and voice for those within the boundaries of the neighborhood. CWNA will strive to resolve issues and concerns affecting the neighborhood by working in partnership with university, commercial, neighborhood, and will accomplish this by advocating for residents with elected officials and private businesses, through organizing and networking and through the formation of a cohesive neighborhood community.*

CWNA has followed, monitored, and participated in the proposed zoning change and development project and has worked in a productive manner and in good faith with Alderman Mike D'Amato, Department of City Development, Open Pantry representatives, and neighbors through the Neighborhood Quality Team. This subcommittee works on the principles that sound neighborhood planning results when people strive for a high quality of life that preserves, enhances, restores vitality, and is consistent with the neighborhood character. Developments should benefit *all* residents living in the surrounding area. Neighborhood considerations should minimize or reduce negative impacts, consider long-term consequences, be consistent with the neighborhood character, and results from a broad consensus. The good intentions of each of the stakeholders' were unfortunately never developed into a working partnership.

There was an overall agreement that improvements to the property site are welcomed, encouraged, and would provide a more neighborly atmosphere. The main reasons heard for opposing the development was the uncertainty of the new business with the likelihood of another sub or similar high-volume shop, the increase in size of the parking lot, and the objections by the neighbors. To add an unknown business, whose purpose is to draw more traffic with all its consequences that comes from that, is a repeat of a poor decision made years ago to allow a 24-hour convenience store in the 'front yard' of a neighborhood in a non-commercial block.

The CWNA held off voting until the initial results of a mail survey on the development, conducted by the alderman, was known. The CWNA Board was given the opportunity for input in the alderman's cover letter, but was not provided the opportunity to review the actual phrasing of the return mail postcard question. Although the survey results showed a favorable expansion response, it is the opinion of many that the survey results were diminished due to:

- The postcard simply asked if the respondent was in favor, or opposed to planned 'improvements'.
- Cover letter indicated a 'sit-down' restaurant as a possible tenant.
- Respondent comments were not included if a box was not selected. Several members indicated that they either objected to the expansion or knew someone who objected that were not indicated in the alderman's response map.
- Property owners not occupying surveyed residences were not included. **NOTE:** In fairness to the alderman, it was the recommendation of CWNA to survey residents only. Comments and complaints have been heard on that decision.

The deciding moment for opposition from some of the Board members was a letter from Open Pantry's CEO, Robert A. Buhler, which was sent to Mike D'Amato on June 25th, indicating their dissatisfaction of the process and their back up plan if the zoning request did not go through. The letter states that "***Open Pantry selected a high end branded sandwich provider- this was Quiznos subs. We also finalized our agreement with them, contingent on approvals.***" The letter also described its back up plan as "***Though we will be going back to ZNDC for our final attempt and their further consideration, we are planning to put an apartment complex on the residential sight (sic), if needed. The laws currently permit three units, three bedrooms each. We would develop this and rent it to students. With regards to the Open Pantry, given the fact that we cannot position this sight for the next ten year of growth, as we wanted to by having a co-brand tenant with us at the sight, we will have to consider selling the sight. The good news is, the sight will yield us a very high price given its current volume, The bad news is the likely buyer of that type of sight will [be] an independent buyer.***"

In conclusion, the recent simplification of land use zoning the City undertook was done in part to protect the integrity and character of the city's neighborhoods. We ask that you keep this in mind in your decision-making and deny this proposal once again. As a neighborhood association, we remain willing to discuss with any vested or interested party, on finding cost effective measures on improving this location.

Sincerely,

Eric G. Ensminger, President
Cambridge Woods Neighborhood Association

Cc:
Bob Harvey, Committee Clerk
Milwaukee Common Council
Julie Penman, Commissioner of City Development
Mike D'Amato, Alderman
Robert A. Buhler, Open Pantry President and CEO
Mike Panlener, Mariners Neighborhood Association
Kay Baldwin, Murray Hill Neighborhood Association
Else Ankel, CWNA Board Member
Matt Connell, CWNA Board Member
Thomas Duffy, CWNA Board Member
Leslie Fillingham, CWNA Board Member
Michael Grinker, CWNA Board Member
Peter McMullen, CWNA Board Member
Dorothy Spransy, CWNA Board Member
Jennifer Meyer, CWNA Board Member