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To: [Urban Design Comments](#)
Cc: [Matthews, Julia](#); [Glenn, Carmella](#)
Subject: Oppose Item 4 - 2150 Commercial
Date: Monday, December 1, 2025 1:51:48 PM

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Monday Dec. 1, 2025

Urban Design Commission members,

Please oppose Agenda Item 4, Legistar 88916.

- * The plans proposed by the Annex Group do not reflect the vision expressed in the Oscar Mayer Special Area Plan.
- * The plans proposed for the Annex Group's site do not complement development on the much larger area of the rest of the former Oscar Mayer site.
- * The plans proposed by the Annex Group might be changed in light of any need for environmental remediation on the site.

Oscar Mayer Special Area Plan

As the UDC report on a meeting held August 13, 2025 points out, the current design is not what the Oscar Mayer Special Area Plan (OMSAP) envisions. Here is the closing paragraph of the UDC report,

"The Commission recommended the development team look at the Oscar Mayer Special Area Plan and those key principles contained within. There is opportunity to promote pedestrian and community uses, which the current design doesn't do very well. Especially the corner plaza area, it sits at a really important spot in terms of transit, with a lot of action there, wish it could be some sort of privately owned public space that is given back to the community. Turning Commercial Avenue into a walkable district, more could be done to make it more hospitable, and encourage the connection to Eken Park and Sherman. It's basically a gateway to the rest of the Oscar Mayer site, there should be a lot more done to evaluate that relationship." [A; p. 2]

There is a picture in the Oscar Mayer Special Area Plan showing the imagined look of the corner of Commercial and Packers on page 30 [B; p. 30]. The Annex group's vision of the same corner is on shown on page 16 of their Plan [C; p. 16 of 22]. It's quite a contrast.

OM Development Comment

As OM Development's comment [D] says, the proposed design does not complement development of the 50 acres west of the Annex Group's site. In fact, the tall wall of apartment buildings diminishes the value of the rest of the site because future retail businesses will want good visibility from a busy street like Packers Ave. A redesign is needed to integrate development of the two developers' parcels. The Urban Design Commission should look at the whole picture before approving the first project to come along. First past the post is not a principal of good urban planning.

Toxic Chemical Contamination

The final parts of this e-mail discuss the nature and location of the site's environmental contamination and the implications of the site's "continuing obligations". The important point is that removing the parking lot's pavement to construct housing means that the developer must notify the Wisconsin DNR of its actions. The Wisconsin DNR will then decide what further environmental remediation is called for. The City of Madison fails to appreciate that rezoning the site from an industrial district to a residential district changes the remediation measures required by Wisconsin law once housing construction begins. The standards for residential settings are stricter than the standards for industrial settings.

There is toxic chemical contamination near the north end of the Annex Group's proposed project area. A redesign of the project might be desired to minimize environmental remediation costs. No project design should be approved until the Wisconsin DNR has notified the developer what environmental remediation measures would be required.

Most of the site's contaminated soil and water is at the north end of the Annex Group's project area. It is near Coolidge St. The Annex Group and the City could reduce environmental remediation costs by not doing the excavation and grading needed to extend Coolidge St. across the Annex Group's property. If the existing pavement were simply left intact, the Wisconsin DNR might not require much in the way of environmental remediation for the new road. The existing pavement should be adequate for a pedestrian and bicycle path.

If the Annex Group reduced the northward extent of their buildings so that the pavement now capping the contaminated area at the north end of their project is left undisturbed, they would save environmental remediation costs. A ball court or a public gathering area are just two possibilities for a paved section on the site. Both uses would fit well with an adjacent pedestrian and bicycle path. Leaving that area open might also satisfy OM Development's need for a retail area with good visibility from Packers Ave.

Thank you for giving this message your attention.

Don Lindsay

SOURCES

[A] UDC Report

<https://madison.legistar.com/View.ashx?M=F&ID=14749453&GUID=17DA10BA-54D5-440D-85DB-27CCEB24944B>

Accessed 20251125

[B] Oscar Mayer Special Area Plan

<https://www.cityofmadison.com/dpced/planning/documents/OscarMayerSpecialAreaPlan.pdf>

[C] Annex Group Plan

<https://madison.legistar.com/View.ashx?M=F&ID=14541142&GUID=2C9386EA-96B6-4900-B8D2-3D3747BB7578>

Accessed 20251125

[D] OM Development Comment

<https://madison.legistar.com/View.ashx?M=F&ID=14589365&GUID=94E7B345-2EC6-4641-BE5C-DAF04BD7C629>

Accessed 20251125

Environmental Contamination of the Annex Group's project site

The Annex Group has proposed a mixed residential and commercial development project on the land between the former Oscar Mayer factory and Packers Ave. The Annex Group must obtain prior approval from the Wisconsin DNR because of toxic chemical contamination near the north end of the Annex Group's project area.

The Wisconsin DNR provides a web page [1] for BRRTS 02-13-580722 OSCAR MAYER FORMER FILLING STATION EAST. From that web page one can download file BRRTS 02-13-580722, Closure with Continuing Obligations.

A comparison of the map in the Annex Group's Plan and the maps in BRRTS 02-13-580722, Closure with Continuing Obligations, shows that the north end of the Annex Group's project overlaps the contaminated area near Coolidge St. Because of this overlap, the Annex Group must satisfy the continuing obligations found in BRRTS 02-13-580722, Closure with Continuing Obligations.

Contamination of the Project Area

A map of the Annex Group's proposed plan shows that the buildings will extend as far north as Coolidge St. As part of the site's development, the City of Madison is requiring the Annex Group to extend Coolidge St. across the Annex Group's property. In addition, an area north of Coolidge St. is labelled "FUTURE DEVELOPMENT". [2; p. 9 of 22]

Maps in BRRTS 02-13-580722, Closure with Continuing Obligations, show contamination on the site near Coolidge St. Monitoring wells 11, 12, and 13 are located near Coolidge St. [3; p. 57 of 135; Figure B.3.d]. Benzo(a)pyrene, Benzo(b)fluoranthene, and Chrysene were detected in monitoring well 13. Monitoring well 13 is in an area labelled, "Extent of soil exceeding the soil-to-groundwater RCL". [3; p. 52 of 135; Figure B.3.a]. Figure B.2.a/b.3 shows the Horizontal Extent of Soil SVOCs that Exceed a Soil to Groundwater Pathway RCL. [3; p. 51 of 135; Figure B.2.a/b.3] Again, this contamination is in or near the north end of the Annex Group's project area.

Most of the Annex Group's project area is south of Coolidge St. BRRTS 02-13-580722, Closure with Continuing Obligations, says, "The overall direction of groundwater flow at the Site is toward the south-southeast" [3; p. 56; Figure B.3.c]. This flow of groundwater suggests the possibility that contaminants could migrate from near Coolidge St. toward the southern part of the Annex Group's project area. Only testing can provide data on whether this migration has occurred.

Continuing Obligations

BRRTS 02-13-580722, Closure with Continuing Obligations, lists seven activities that require prior approval from the Wisconsin DNR.

- * removal of the existing barrier or cover;
 - * replacement with another barrier or cover;
 - * excavating or grading of the land surface;
 - * filling on covered or paved areas;
 - * plowing for agricultural cultivation;
 - * construction or placement of a building or other structure;
 - * changing the use or occupancy of the property to a residential exposure setting, which may include certain uses, such as single or multiple family residences, a school, day care, senior center, hospital, or similar residential exposure settings.
- removal of the existing barrier or cover;" [3; p. 2 of 135]

The Annex Group plans imply every activity except "plowing for agricultural cultivation". The parking lot pavement would be removed. 241 units of housing would be built [4; p. 1]. Extensive excavation and grading would be done to construct the extension of Coolidge St., along with buried utilities, water mains, sanitary sewers, and storm drains. [2] Prior approval from the Wisconsin DNR is clearly required.

The parking lot's pavement is intended to protect people from exposure in an industrial or commercial setting. The Annex Group's project is mostly residential. There will be 243,690 square feet of residential area [2; p. 9 Of 22] and only 6,000 square feet of commercial space [4; p. 1]. The ratio is 40 to 1.

BRRTS 02-13-580722, Closure with Continuing Obligations, says,

"The cover approved for this closure was designed to be protective for a commercial or industrial use setting. **Before using the property for residential purposes, you must notify the DNR at least 45 days before taking an action, to determine if additional response actions are warranted.** [Emphasis added]

"A request may be made to modify or replace a cover or barrier. Before removing or replacing the cover, you must notify the DNR at least 45 days before taking an action. The replacement or modified cover or barrier must be protective of the revised use of the property and must be approved in writing by the DNR prior to implementation. A cover or barrier for industrial land uses, or certain types of commercial land uses may not be protective if the use of the property were to change such that a residential exposure would apply. This may include, but is not limited to, single or multiple family residences, a school, day care, senior center, hospital or similar settings. In addition, a cover or barrier for multi-family residential housing use may not be appropriate for use at a single-family residence." [3; p. 3]

The City of Madison fails to appreciate that rezoning the site from an industrial district to a residential district changes the remediation measures required by Wisconsin law once housing construction begins.

Summary

* Maps found in the Annex Group's Plan and in BRRTS 02-13-580722, Closure with Continuing Obligations, indicate that the north end of the Annex Group's project area is in an area contaminated by toxic chemicals.

* The area of the project that lies within the contaminated area makes the developer and owner subject to continuing obligations listed in BRRTS 02-13-580722, Closure with Continuing Obligations, on page 2.

* Timeline: According to the Letter of Intent, the Annex Group plans to start construction in June of 2026 and obtain a Certificate of Occupancy in June of 2028 [4; p. 2].

Sources

[1] 02-13-580722 OSCAR MAYER FORMER FILLING STATION EAST

<https://apps.dnr.wi.gov/rrbotw/botw-activity-detail?dsn=580722>

[2] Annex Group Plans

<https://madison.legistar.com/View.ashx?M=F&ID=14541142&GUID=2C9386EA-96B6-4900-B8D2-3D3747BB7578>

Accessed 20251125

[3] BRRTS 02-13-580722 Closure with Continuing Obligations

<https://apps.dnr.wi.gov/rrbotw/download-document?docSeqNo=190613&sender=activity>

Accessed 20251126

[4] Letter of Intent

<https://madison.legistar.com/View.ashx?M=F&ID=14922888&GUID=8D8F3F00-72EB-4FED-A9D5-8E5ED9BAE255>

Accessed 20251121