

From: gordian@nym.hush.com
To: [Plan Commission Comments](#)
Subject: Oppose Agenda item 14, Legistar 88719.
Date: Sunday, July 27, 2025 8:33:37 AM

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Sat. July 26, 2025

Plan Commission members,

Please oppose Agenda item 14, Legistar 88719, which would rezone the properties at 1802 and 1804 Roth Street to TR-U2. TR-U2 zoning fails to conform to a key recommendation of the Comprehensive Plan (2023) and Oscar Mayer Special Area Plan (2020); buildings allowed by TR-U2 zoning do not follow the housing density recommendation of the Comprehensive Plan (2023) and Oscar Mayer Special Area Plan (2020). TR-U2 zoning is also inconsistent with existing conditions near the site.

TR-U2 ZONING vs. MEDIUM RESIDENTIAL HOUSING

The Comprehensive Plan (2023) and Oscar Mayer Special Area Plan (2020) recommend Medium Residential housing in the area of the Housing Initiatives project. TR-U2 zoning allows housing density that is 39% higher than the maximum housing density generally recommended in Medium Residential areas. [1] Because land owners in Madison are allowed, by right, to build anything that conforms to the district's zoning code, a land owner could construct a building that does not conform to the recommendations of the Comprehensive Plan (2023) and Oscar Mayer Special Area Plan (2020). Because the Common Council is required by MGO 128.182 (6) to make only zoning changes consistent with the Comprehensive Plan [2], changing the zoning at 1802 - 1804 Roth Street to TR-U2 would be illegal.

MISSING-MIDDLE HOUSING

The Staff Comment describes the neighborhood surrounding 1802 - 1804 Roth St:

"Surrounding Land Use and Zoning:

North: Single family residential, zoned TR-U1 (Traditional Residential-Urban 1) District;
commercial buildings, zoned CC-T (Commercial-Corridor Transitional) District;

East: Personal storage building, zoned TR-U1; across O'Neill Avenue, restaurant and commercial buildings zoned CC-T,

South: Across Roth Street, City of Madison park land, zoned CN (Conservancy) District;

West: Across Ruskin Street, multifamily buildings, commercial buildings and shopping center, zoned CC-T District." [1; p. 2]

The Staff Comment fails to point out that no buildings in the immediate vicinity of the Housing

Initiatives project are as tall as the four story height allowed by TR-U2 zoning. Most buildings are only one or two stories tall. This situation makes the area a good place for modest sized housing. The Oscar Mayer Special Area Plan recommends,

""1. Encourage the development of 'missing-middle housing' including townhomes, duplexes, fourplexes, apartments, and live-work units that can be both owner- or renter-occupied." [3; p.45]

TR-U2 zoning is inconsistent with the development of "missing-middle housing".

MGO 128.182 requires that those making zoning changes give "due consideration to existing conditions" [4]. The Staff Comment says that "the site is directly across the street from the CC-T zoned Northgate Shopping Center property that can already be developed more intensively than the TR-U1 district. [1; p. 4]" Note the shift from "existing conditions" in the Municipal Code to "can already be developed" in the Staff Comment. Following the law means giving consideration to "existing conditions" rather than to someone's wishful thinking.

CONCLUSION

Changing the zoning at 1802 -1804 Roth Street to TR-U2 would be illegal because the allowed housing density would be 39% too high and because the allowed size of a building would be inconsistent with existing conditions surrounding the site. Instead, choose a more restrictive zoning code that complies with the recommendations of the Comprehensive Plan (2023) and Oscar Mayer Special Area Plan (2020) and encourages "missing-middle housing".

Thank you for giving this issue your attention.

Don Lindsay

SOURCES

[1] Staff Comment

<https://madison.legistar.com/View.ashx?M=F&ID=14547688&GUID=8DADAC78-26C3-4A79-B94E-0460C7D79AE9>

Accessed 20250725

"Adopted Land Use Plan: The Comprehensive Plan (2023) and Oscar Mayer Special Area Plan (2020) recommend Medium Residential (MR) development for the property and adjacent properties." [See p. 2]

...

"Staff notes that while the proposed building is only 16 units, the proposed zoning change to the TR-U2 district could allow up to a 25-unit building. While that is only 14 more units than currently

allowed, the calculated density of a maximum build-out would be approximately 125 du/ac, which exceeds the 20 to 90 du/ac density range generally recommended in MR [Medium Residential] areas." [See p. 5]

[Calculate housing density exceedence as a percentage

125 dwelling units per acre

* 100

/ 90 dwelling units per acre

= 138.88888... ~ + 39%]

[2] MGO 128.182

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH11--19_CH28ZOCOOR_SUBCHAPTER_28LPR_28.183COUS

Accessed 20250725

"(6) Standards for Map Amendments or Text Amendments.

Text amendments or map amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law."

[3] Oscar Mayer Special Area Plan

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

"1. Encourage the development of 'missing-middle housing' including townhomes, duplexes, fourplexes, apartments, and live-work units that can be both owner- or renter-occupied." [See p.45]

[4] MGO 128.182

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Accessed 20250725

"128.182 - TEXT AND MAP AMENDMENTS.

"(1) Purpose.

"This section allows the Common Council to amend the text of this Chapter or the zoning districts in order to promote public health, safety, and welfare throughout the City, giving due consideration to existing conditions, conservation of property values, building development providing best advantage to the City, the current use of property, and in the case of map amendments, the cost

of providing municipal services to the property and uses accommodated by the map amendment."