

From: annewalker@homelandgarden.com
To: [Plan Commission Comments](#); [Benford, Brian](#); [Stouder, Heather](#); tony.fernandez5@gmail.com; sundevis98@yahoo.com; bcantrell@charter.net; kianespencer@uwalumni.com; ledell.zellers@gmail.com; mcsheppard@madisoncollege.edu; nicole.solheim@gmail.com; [Heck, Patrick](#)
Subject: Re: Plan Commission--agenda item 6-- photos and scans
Date: Tuesday, June 14, 2022 8:29:44 AM

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Dear Members, Alders, Staff,

I wanted to follow-up, briefly, regarding 222-230 Merry St.

I do believe we need more units, more affordability and more ability for people to have homes. I also strongly believe in building a resilient city.

My neighborhood has long been a place where people from many walks of life have found a home, including families. That's good. Our neighborhood is within walking distance to all of our area schools.

As our neighborhood overall has become increasingly expensive, our little street has continued to be, mostly, affordable. As I write, there is a spot for \$450 a month. It does not come with stainless appliances or marble counter tops, but it does include garden plots and a compost pile. And community.

I do believe it is important to consider where more infill should be located. I also believe that the *City of Madison Comprehensive Plan* is a good guide for that development.

I also very strongly believe that it is crucial to build a resilient city. Our neighborhood floods. Both along the river and running down Winnebago St and Eastwood. Engineering is currently examining the problem. That is not surprising as we are a narrow strip of land along a river, between two lakes, in a former wetland.

One of the trends I have been noticing with new development. They build up. Meaning, they bring in soil and are higher than the existing landscape. This has the potential to create low spots and potentially flood existing neighbors. The existing apartment building at 222 is an example of that trend.

When the Marling development was being discussed, I asked the developer if he was concerned about flooding. His response was he was not. 2018 must have been a wake-up call as the National Guard was also needed to sandbag the new development.

The federal government is rethinking how to navigate the increasingly difficult question... expensive question... of whether to continue to pay for damage to structures in areas that flood repeatedly, or, pay to relocate neighborhoods. As a tax payer, I am darn interested in that answer.

Respectfully, Anne Walker

On 13 Jun 2022 at 15:52, pccomments@cityofmadison.com, wrote:

Photos from 2004

<https://www.dropbox.com/sh/0324io8kok1n0k5/AABHFtxnK7zoEUgBcPjwATNaa?dl=0>

Attachments:

C:\Users\Wanne\AppData\Local\Temp\WWPM\$77QG.PM\$



Robert C. Procter
Government Affairs Director
Axley Brynerson, LLP
rprocter@axley.com
(608) 283-6762

Re: Legistar File ID # 71221
PROACTIVE DOWNZONING OVER LANDOWNER'S OBJECTION

TO: Plan Commission

FROM: Realtors® Association of South Central Wisconsin¹
Robert C. Procter, Government Affairs Director

DATE: June 13, 2022

The Realtors® Association of South Central Wisconsin opposes the proposal to downzone property over the property owner's objection when the purpose is to reduce density.

1. Consistency. The existing zoning of TR-U2 for this property is consistent with the Comprehensive Plan. Calling TR-U1 "more" consistent with the Comprehensive Plan is rhetorical sleight of hand. It is incorrect to argue that one low density zoning district is more consistent than another low density zoning district. If that were true, then the City should apply that amount of specificity to the comprehensive plan when it is adopted. This is not about consistency with the Comprehensive Plan.

2. Density. This is about density. It is about neighboring property owners not wanting additional multi-family apartment units.

3. Bad Precedent. The Plan Commission and the City just revised its zoning ordinance to allow for a modest amount of additional units as a matter of right under the Mayor's Housing Forward initiative. The whole purpose of the change was to create more multi-family housing units by right. The change is very modest. Now the City is starting down the path of dismantling that change because neighboring property owners' object to the possibility that there will be up to 36 units rather than 22 units near single-family houses. The arguments presented in support of down zoning this property can be made for every other TR-U2 site located near single-family houses.

4. No Proposal. There is no proposal in front of the City. There is no information regarding traffic, parking, size of the building, stormwater runoff, or any other conditions that could affect neighboring properties. There is no basis for reducing density other than the standard, negative stigma associated with apartments.

This proposal is an end around the City's original changes to the zoning code to promote more density. Density is the key to making rents more affordable. Density near public transportation and jobs (like the location of this property) is key to addressing Madison's workforce housing crises.

The City should not be looking to single out properties across the City for downzoning when the (i) zoning is consistent with the Comprehensive Plan, (ii) the owner objects to it, and (iii) the purpose is to reduce density.

¹ RASCW represents more than 3,400 members of the housing industry in South Central Wisconsin. RASCW supports the housing industry through advocacy for its members and consumers.

From: [Karolyn Beebe](#)
To: [Plan Commission Comments](#)
Subject: YES for item # 6
Date: Monday, June 13, 2022 2:21:05 PM

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I agree with Alder Benford on Agenda Item # 6.

Thank you.
Karolyn Beebe
220 Merry St.

From: [Bill Connors](#)
To: [Plan Commission Comments](#)
Cc: [Stouder, Heather](#)
Subject: Smart Growth Comments re Proactive Downzoning - Item 6 on Tonight's Agenda
Date: Monday, June 13, 2022 1:15:35 PM

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Plan Commission Members:

I am writing to express Smart Growth's opposition to the proposed proactive downzoning of 222 and 230 Merry St, Legistar #71221, based on the principle that the city government should not proactively downzone property over the objection of the property owner based on a plan when the property owner had no notice during the planning process that the plan would become the basis for rezoning its property.

When the city government engaged in the planning process for the current Comprehensive Plan, the city government's policy and practice was not to proactively rezone property to match the plan (except when the city government was adopting a new zoning code with a new array of zoning districts). During that planning process, the city government provided no notice to property owners that the rules were changing and that the Comprehensive Plan would become the basis for proactively rezoning their properties. If the city government had given such notice during the planning process, property owners would have had an incentive to engage in the planning process to defend their current zoning.

Furthermore, the staff memo about this proposed ordinance indicates that the current zoning district for these parcels, TR-U2, is consistent with the Low Residential (LR) land use designated for these parcels in the Comprehensive Plan: "The TR-U1 District and TR-U2 District may both be used to implement the Low Residential land use category." Consequently, there is no need to downzone these parcels to TR-U1 to become consistent with the Comprehensive Plan—the current TR-U2 zoning already is consistent with the Comprehensive Plan.

Finally, adopting this ordinance would be another example of the city government's saying one thing and doing the opposite when it comes to addressing Madison's housing crisis. Based in part on the recommendation of the Plan Commission, the Common Council recently adopted an ordinance increasing the number of housing units that can be included in a development or redevelopment project while qualifying as a permitted use in a variety of housing and mixed-use districts, including the TR-U1 and TR-U2 districts. This proposed ordinance would reverse that recent ordinance for these parcels.

Smart Growth urges the Plan Commission to place this proposed ordinance on file or recommend that the Common Council not adopt it. Adopting this ordinance would set an ugly precedent.

Bill Connors
Executive Director
Smart Growth Greater Madison, Inc.
608-228-5995 (mobile)
www.smartgrowthgreatermadison.com

25 W Main St - 5th Floor, Suite 33
Madison, WI 53703

From: [Pilar Gomez-Ibanez](#)
To: [Plan Commission Comments](#); [Benford, Brian](#)
Subject: Support for Legistar 71221, rezoning of 222 & 230 Merry Street
Date: Monday, June 13, 2022 12:21:11 PM

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Dear Plan Commissioners,

I support agenda item #6, Legistar 71221, Alder Benford's proposal to rezone 222 & 230 Merry Street from TR-U2 to TR-U1.

TR-U1 is more consistent with Merry Street's Low Residential designation in the Comprehensive Plan, a designation which received careful review by the Commission and the Common Council. After the Council increased permitted densities in 2021, this is especially true: TR-U1's 24 dwelling units make more sense than TR-U2's 36. Merry Street is a tiny one-block street of mostly single-family and 2-flat homes. Furthermore, the parcels in question are on low-lying land by the Yahara River, prone to flooding. It is not an appropriate spot for larger redevelopment in the future.

Thank you for your time and your work.

Pilar Gomez-Ibanez
1326 Dewey Court
Madison, WI 53703

Madison Plan Commission
June 13th, 2022

RE: June 13th Meeting Agenda Item # 6

Dear Plan Commission,

We the undersigned strongly support the upcoming Plan Commission meeting agenda item # 6 to change the zoning of 222-230 Merry St from TR-U2 to TR-U1. We believe this zoning change is in accord with the Comprehensive Plan and with Council intent.

The Merry-Buell area has a Low Residential land use and TR-U1 is a better fit. The Comprehensive Plan specifies:

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,emphasis added)

The Merry-Buell area was originally proposed to have a designation of Low-Medium Residential on the 2018 GFLU map, but was changed to Low Residential. (Should the area have been left as Low-Medium Residential, staff had supported that footnote #4 be added – “The “house-like” residential character of this LMR area should be retained, and any limited redevelopment should generally maintain the current single-family/two flat/three flat development pattern.”) Later in the Comprehensive Plan process a proposal was made to change the west side of Merry back to Low-Medium Residential, a proposal that was ultimately rejected.

Effective June 15, 2021, the conditional use thresholds were raised (Legistar 63902). TR-U2 was increased to 36 permitted units (up from 8) and the required lot size per unit was lowered. TR-U2 was recommended for an increase to 60 permitted units. However, after extensive testimony by Merry Street residents, and particularly the residents of the affordable units at 222 Merry, the Council unanimously voted to cap the permitted use at 36 units.

It is clear that 222 and 230 Merry Street have received a substantial amount of Commission and Council attention, and that attention has recognized that Merry Street is not the place for an even bigger building. Even at the Council meeting on Legistar 63902, staff referred to 222 Merry as an “anomaly” and said it was one of the smallest buildings in the TR-U2 zoning category.

In addition to the Comprehensive Plan and Council intent, further points to be considered:

- The apartments at 222 Merry are relatively affordable. A 2-bedroom is currently being offered for rent at \$1,175/month. Compare that to a newer building just over a block away, which rents at \$1,560 for a comparably sized two-bedroom.
- Merry Street is a narrow one-block dead end street that essentially has one lane of traffic to support 43 housing units (22 of which are at 222 Merry).
- The western side of Merry Street, the location of 222-230, is prone to flooding.

Sincerely,

1. Karolyn Beebe (220 Merry St Apt. #2))
2. Amie Heeter (229 Merry St)
3. Jeremy Manheim (209 Merry St)
4. Sonam Yangchen (209 Merry St)
5. Larry J Chapman (208 Merry St Apt. #3)
6. Jasmine Banks (213 Merry St)
7. Leila Belakhdar (217 Merry St)
8. Faisal Belakhdar (217 Merry)
9. Anne Walker (1704 Winnebago)
10. Craig Howering (201 Merry St)
11. David Poklinkoski (205 Ramsey Court)
12. Christopher Burant (212 Merry St.)
13. Andrew Miller (229 Merry St)
14. Martin Schwartz (221 Merry St)
15. Megan Gilfillan (212 Merry St)
16. Nora Manheim (2110 Lakeland Ave)
17. John Coleman (413 S. Dickinson)
18. David Drapac (208 Merry St Apt. #2)
19. James Priddy (220 Merry St Apt. #1)

From: [Marsha Rummel](#)
To: [Plan Commission Comments](#); [Stouder, Heather](#); [Ledell Zellers](#); [Benford, Brian](#)
Subject: Support rezoning 222 and 230 Merry St to TR-U1
Date: Sunday, June 12, 2022 8:54:43 PM

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

RE: Agenda item 6. 71221 Creating Section 28.022-00564 of the Madison General Ordinances to rezone property located at 222 and 230 Merry Street, 6th Aldermanic District from TR-U2 (Traditional Residential - Urban 2) District to TR-U1 (Traditional Residential - Urban 1) District.

Dear Plan Commission members and Alder Benford-

I support Alder Benford's proposed rezoning of 222 and 230 Merry St to TR-U1 to be more consistent with the surrounding buildings on Merry St and meet the Comprehensive Plan's designation of the site as LR.

The existing 22-unit apartment building will conform with the zoning and the Comp Plan if the rezoning is approved.

Last year when the Council changed the density and bulk/massing standards in certain zoning districts, this parcel convinced alders to limit the increase of dwelling units for TR-U2. I believe that TR-U1 designation at 24 DU fits the surrounding development pattern of single family/two and three flat buildings better than the 36 DU now permitted by right in TR-U2.

Thank you for your service-

Marsha Rummel
1029 Spaight St.