

From: [Parks, Timothy](#)
To: [Ethington, Ruth](#); [Cleveland, Julie](#)
Subject: FW: PC meeting 03072022
Date: Monday, March 7, 2022 1:10:36 PM

Please attach these to the three items it pertains to. Thanks!



Timothy M. Parks

Planner (Pronouns: He/ Him/ His)
Department of Planning & Community & Economic Development
Planning Division
Madison Municipal Building, Suite 017 (Level Zero "0")
215 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703
tparks@cityofmadison.com
T: 608.261.9632

Beginning September 7, 2021 until further notice, my hours are generally 8:30 AM to 5:00 PM. On Mondays, Wednesdays, and Fridays, I will be in the office. On Tuesdays and Thursdays, I am scheduled to work remotely.

From: Ledell Zellers <ledell.zellers@gmail.com>
Sent: Monday, March 7, 2022 1:03 PM
To: Stouder, Heather <HStouder@cityofmadison.com>; Firchow, Kevin <KFirchow@cityofmadison.com>; Parks, Timothy <TParks@cityofmadison.com>
Subject: FW: PC meeting 03072022

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

From: Jennifer Argelander [<mailto:jargelander@yahoo.com>]
Sent: Sunday, March 06, 2022 4:28 PM
To: district20@cityofmadison.com; Brad Cantrell <bacantrell@charter.net>; Tony Fernandez <tony.fernandez5@gmail.com>; jshagenow@yahoo.com; Patrick Heck <district2@cityofmadison.com>; district3@cityofmadison.com; mcsheppard@madisoncollege.edu; nicole.solheim@gmail.com; klanespencer@uwalumni.com; ledell.zellers@gmail.com
Cc: district12@cityofmadison.com
Subject: PC meeting 03072022

Dear Commissioners, Comments from the Sherman Neighborhood Association.

Item 18. Legistar 69517.

In reference to Item 18, Legistar 69517, the Sherman Neighborhood Association (SNA) fully supports preservation of the entire 16 acre Conservancy Natural area (known as the Hartmeyer wetlands) as shown on the Land Use Map in the Oscar Mayer Special Area Plan adopted in July 2020 by the Common Council and supports zoning this area as CN, Conservancy District for a conservation park. This rare urban natural area must be preserved and protected: both the wetlands and the ancient bur oak trees with their entire root system.

The area is the home to a large variety of wildlife (including sandhill cranes) and incredible plant life including rare orchids.

The current map shown in the document related to the public hearing for rezoning under Legistar 69517 does not include the 0.29 acres located behind the Esquire Club. That parcel should be: (1) zoned CN OR (2) an area near the oak trees can be amended to allow for a replacement .29 acres of land to maintain the 16 acre parcel for CN and better protect the cultural and natural resources.

No development around the CN designated area should adversely affect the wetlands. Tall buildings will block the sun which will negatively affect the plants and wildlife. Dewatering during construction would draw down the water table and affect the wetland. It is critical that no road or development work damages or impedes the root system of the bur oak trees. Damage to the root system of these majestic old trees will kill them.

This means that no RMX zoned buildings should be built on 2007 Roth Street, 701-705 Ruskin Street, and 1810 and 1834 Commercial Avenue and there should be no development with underground parking or dewatering on the developed portions of the Hartmeyer parcel. Five or more story buildings on the borders of the Hartmeyer Natural area will degrade both the ecological functions of the wetland and the aesthetic impact on visitors. Wetlands make urban areas more livable by lessening impacts of flooding, diminishing the urban heat island effect, filtering storm water, replenishing groundwater, improving air quality and providing green spaces needed by people and wildlife alike

There should be no TR-U2 zoned sites near the CN boundary. A more appropriate option would be Traditional Residential - Varied zoning district. TR-V1 allows a variety of housing types, including single-family detached, duplexes, small apartment buildings, and row housing. Some retail spaces are permitted. TR-V2 zoning is similar, but it allows more units per site. The maximum height is 40 feet in both TR-V1 and TR-V2 districts. If necessary, just part of a parcel can be placed in a Traditional Residential - Varied zoning district along the border of the CN designated area; further east away from the border, could be TR-U1 but nothing more than 3 or 4 stories.

In addition, redevelopment of this site should honor the goal of OMSAP: "Address racial justice and social equity during the OMSAP redevelopment process, which must include assessing and preventing human exposures to toxic chemicals at the site and/or released from the site among all people and particularly at-risk low income and people of color." All development at this site must insure that toxic chemicals are not released and that future residents are protected.

Item 15. Legistar 69519

The Sherman Neighborhood Association opposes the street map proposed in 69519, Item 15. No roadway should endanger the ancient bur oak trees along Roth Street nor the tree line to the south along Ruskin. The current proposed road design is too close to the bur oak tree line and its root systems. It also removes over an acre of land from the 16 acres that the Common Council has designated as green and open space while destroying more trees. We want those trees saved and to maintain ALL 16 acres as promised in OMSAP.

Item 20. Legistar 69538

The Sherman Neighborhood Association supports Item 20, Legistar 69538, the rezoning of 702 Ruskin from IL to part CN and part CC-T. Those 2 rezoned acres at 702 Ruskin are part of the 16 acres of CN promised on OMSAP.

From: Lori Getter <baileygetter@icloud.com>
Sent: Monday, March 07, 2022 7:14 AM
To: Plan Commission Comments <pccomments@cityofmadison.com>
Subject: Comments

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Please support the CN Park for 16 acres. The trees and wildlife are important! I'm also opposed to the Roth, Ruskin , Hawley street remapping!

Thank you

Lori Getter
1529 Delaware Blvd
Madison, WI 53704

Sent from my iPhone

From: Virginia Scholtz <viriniascholtz29@att.net>
Sent: Monday, March 07, 2022 7:12 AM
To: Virginia Scholtz <viriniascholtz29@att.net>
Subject: Please Oppose Roth-Ruskin-Huxley Street Remapping; Support CN Park Zoning

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

As a resident of the north side and a close neighbor of the area known as "Hartmeyer Marsh" or "Hartmeyer NATURAL Area" I am asking your help to preserve the one bit of green space offered to our current and growing number of residents. With several multifamily buildings going up within a quarter-mile of the natural space, the value an unmanicured area is all the more precious. Let us keep a bit of the wonder we can see at Hartmeyer so that we can be renewed by its solitude and so that we can share this space with our children and the future generations.

I support Item 18 - 69517 CN Park zoning for 16 acres as approved in the Oscar Mayer Special Area Plan (OMSAP).

If any of the CN Park zoning borders need to be adjusted for non-conforming properties the east border of the CN Park should be adjusted accordingly to keep the OMSAP approved total of 16 acres as CN Park and protect the old oaks and treeline.

I oppose Item 15 - 69519 Roth-Ruskin-Huxley Street Remapping. There is already a Huxley Street to Commercial Avenue extension mapping and a Roth Street railroad crossing right of way. The OMSAP street proposal cuts too close to the CN Park old oaks and treeline and presumes a new railroad crossing right of way that is unlikely to be granted.

Thank you for your careful consideration of this matter.

~~~~~

Virginia Scholtz  
Apartment 316  
1110 N Sherman Avenue  
Madison, WI 53704  
262-490-2865  
[VirginiaScholtz29@att.net](mailto:VirginiaScholtz29@att.net)

**From:** Barbara Noeldner <barbnoeldner@msn.com>

**Sent:** Sunday, March 06, 2022 6:23 PM

**To:** Plan Commission Comments <pccomments@cityofmadison.com>; All Alders <allalders@cityofmadison.com>; Abbas, Syed <district12@cityofmadison.com>

**Subject:** PC Meeting March 7, 2022 Items 15 and 18

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

Please oppose item 15, the Roth, Ruskin, Huxley remapping of the streets. These new streets will cut too close to the new nature park of item 18. Also, this presumes a railway crossing that is not likely to happen.

Roth Street should continue straight through what is now the old Oscar Mayer building. There is a rail crossing there. It is premature to make a plan for these streets when we do not know the specific plan for the Oscar Mayer proper area. Why is there such a rush to rezone the Hartmeyer park area streets when the Oscar Mayer proper area is a great unknown?

Please support item 18, the rezoning of for the 16 acre natural park, juxtaposing non-conforming areas to the east border of the park, creating a buffer for the oak trees and Indian Mounds. However, the part allowing RMX zoning of this area must be eliminated.

Thank you,

Barbara Noeldner

**From:** Joan A Bell-Kaul <joan.bellkaul@wisc.edu>

**Sent:** Sunday, March 06, 2022 3:24 PM

**To:** Plan Commission Comments <pccomments@cityofmadison.com>; dist12@cityofmadison.com;  
All Alders <allalders@cityofmadison.com>

**Subject:** RE: Zoning Agenda Items Needed to Pro Hartmeyer Natural Area

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**Dear Plan Commission and Alders,**

**As Lead of the now-599- member " Nextdoor" Environmental Group, we ask that all 16 acres designated by the Council as Hartmeyer Natural Area/ with wetland and Green surrounding space, be zoned as CN to preserve the integrity of the natural area. \*That is why our vote for the zoning change to CN for all 16 acres on item 18 is YES.**

**Also, related to this goal, the land which abuts this Natural Area space should NOT be re-zoned to allow buildings which exceed four stories in height. Anything higher than that would create more population-density pressure on the saved Natural Reserve. \*That is why our vote for the zoning change on Item 15 is NO.**

**Our ecosystem/climate has currently been recognized, nationally, as being in a state of "crisis" as opposed to "change." The old relentless push to develop as much natural area as possible should now be recognized as "regressive" and detrimental to what remains of our planet's ability to sustain life.**

**So let's acknowledge reality—and preserve the integrity of what has been set aside as the Hartmeyer Natural Area and the land that surrounds it.**

Respectfully,

Joan Bell-Kaul  
4225 Esch Lane  
Madison, WI 53704  
60-244-2335

**From:** Jennifer Argelander <jargelander@yahoo.com>  
**Sent:** Sunday, March 06, 2022 3:02 PM  
**To:** Plan Commission Comments <pccomments@cityofmadison.com>; All Alders <allalders@cityofmadison.com>  
**Subject:** PC meeting 03072022

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Item 20. Legistar 69538.

The Sherman Neighborhood Association supports Item 20, Legistar 69538, the rezoning of 702 Ruskin from IL to part CN and part CC-T. Those 2 rezoned acres at 702 Ruskin are part of the 16 acres of CN promised in OMSAP.

Jennifer Argelander and Michelle Martin  
Co-Chairs, Sherman Neighborhood Association



## LETTERS TO THE EDITOR



Letter | Save Hartmeyer Wetland

- Feb 16, 2022

Dear Editor: Madison has a unique gem along Sherman Avenue near the former Oscar Mayer called the Hartmeyer Wetland. Urban wetlands are all but disappearing in cities, and once lost can never be recovered. Many cities create artificial wetlands to help combat climate change; we have a natural one in our city.

Due to development that surrounds urban wetlands, they frequently get lower ranking and are often small, hydrologically isolated and polluted from land use practices. However, they provide massive benefits. Wetlands make urban areas more livable by lessening impacts of flooding, diminishing the urban heat island effect, filtering storm water, replenishing groundwater, improving air quality and providing green spaces needed by people and wildlife alike. By spreading and slowing water during peak rainfall events, dissipating energy from storm surge and retaining water through dry periods, wetlands help to mitigate natural hazards. As climate change advances and urban communities experience frequent extreme weather events, the role that wetlands play in providing climate resiliency and hazard mitigation become more significant.

Since the closing of Oscar Mayer and the toxicity of that industry, this wetland has reverted back to its natural wonder. Madisonians can study hundreds of plant and wildlife species, learn about climate change and simply enjoy nature. It is critical for our city that professes to be concerned with climate change, environmental protection and equity to stand up for those values and protect this natural gem for decades to come by zoning it as a conservancy park.

**Jeff Argelander**

Madison

**From:** Joy Zedler <jbzedler@wisc.edu>

**Sent:** Saturday, March 05, 2022 8:51 PM

**To:** Plan Commission Comments <pccomments@cityofmadison.com>

**Subject:** Save Hartmeyer Wetland

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To: City Plan Commission

I am writing to offer information that supports the protection of Hartmeyer Wetland--the 16 acres of green space. In addition, the surrounding area in green space adds to the value of Hartmeyer Wetland. Protecting the entire remaining open space would be more beneficial to people and the wetland than permitting residential or commercial development. Every year, the earth loses wetlands that provide essential and valuable ecosystem services. Where they have been studied, researchers have estimated that, on average, inland freshwater wetlands provide services that are worth over \$10,500 per acre year after year after year (R. Costanza et al. 1997). They are worth more where the surrounding area has natural habitat rather than concrete and other forms of hardscape. Hardscaping more of the open space in Madison adds to the heat-island effect and also exacerbates the problems of excess, contaminated surface water flow. Madison has the opportunity to set aside open space with a remnant wetland and transitional habitat for absorbing and cleaning surface water, supporting food webs of diverse native animals, storing carbon, provide field sites for recreation and school field trips, and inspiring people and enhancing our well-being.

I urge you to consider the future well-being of the earth as well as the people who benefit from retaining wetlands and surrounding areas as buffers--we are those people.

Yours sincerely,

Joy Zedler, Wetland Scientist and

Aldo Leopold Professor Emerita, UW-Madison

**From:** Dorothy <dborchardt1@charter.net>  
**Sent:** Saturday, March 05, 2022 8:12 PM  
**To:** Plan Commission Comments <pccomments@cityofmadison.com>  
**Subject:** Legistar - Agenda # 69517 and 69538

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March 5, 2022

Hello Commissioners,

I'm contacting you in regards to the proposed zoning of the Oscar Mayer Site on your agenda .

**Zoning should not be considered until there has been an environmental assessment of the entire Oscar Mayer site to determine all of the contamination. High levels of trichloroethylene underneath at least one of the buildings has been discovered, that could be migrating towards other areas. Clean up the site first, then rezone! The only zoning that should be considered is the 16 acre wetlands to protect them from further damage.**

Beth Sluys will be attending the meeting, she is very knowledgeable on the environmental concerns at the Oscar Mayer site, and can answer any questions you may have.

If you're going ahead with the rezoning, without knowing the harm that can be done, follow the recommendations of the Sherman Neighborhood Association (SNA). Several board members spent countless hours working on what was best for our neighborhood and the entire community. They know the area very well and share my concerns.

Thank you for your time and consideration.

Dorothy Borchardt

**From:** Becky Leidner <rw1951@yahoo.com>

**Sent:** Friday, March 04, 2022 10:27 AM

**To:** All Alders <allalders@cityofmadison.com>; Planning <planning@cityofmadison.com>

**Subject:** Oscar Mayer plans

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

As development moves forward in the Oscar Mayer Special Area, please take all necessary steps to preserve the previously-approved 16 acres of wetland for conservation as specified in the OMSAP. These fragile ecosystems will be under intense human pressure from the surrounding high-density development and we must do all we can to protect them. They are a tiny remnant of the rich variety of habitats that have existed there for thousands of years and are now entirely dependent on us for their survival. Housing is important, but we need to remember in our rush to "develop" that there is already housing there--for the plants and animals that call those acres home.

Also, new properties along Roth St should be limited to 4 stories or less. The area between Roth St and Aberg Ave is the site of a small-city-sized development which is completely incongruous with its surroundings in terms of density and height. Sadly, it is a harbinger of changes to come. If they must be built, these large projects should be limited to wider commercial corridors such as East Washington Ave. where they are already changing the cityscape. They are monotonous, ugly, unimaginative, and designed to maximize rental profits rather than support neighborhoods and owner-occupied housing. They should not be inflicted on the Northside.

Thanks for your consideration.

Rebecca Leidner

Direct line: 608-252-9376  
Email: [bcr@dewittllp.com](mailto:bcr@dewittllp.com)

March 4, 2022

**VIA EMAIL:** [pccomments@cityofmadison.com](mailto:pccomments@cityofmadison.com)

City of Madison Plan Commission  
215 Martin Luther King Jr. Boulevard  
Madison, WI 53703

RE: Rezone of 702 Ruskin St.

Dear Commission Members:

This firm represents J.R. Pike Corporation (“Pike”), a partial owner of the property generally identified as 702 Ruskin Street (the “Property”). In addition, Pike has been informed by the other owners of the Property, Ginther Holdings, LLC and Hoven Corporation, that they share the views set forth in this letter. Before the commission at its March 7, 2022 meeting is a proposal to rezone the Property partially to Commercial Corridor – Transitional District and partially to Conservancy District. From the notice that was received by our client, it appears that the northern two acres (approximately) of the Property are to be rezoned Conservancy and the remainder Commercial Corridor – Transitional.

Our client does not object to the rezoning of a portion of the Property to Commercial Corridor – Transitional, but does, by this letter, wish to express its opposition to the rezoning of a portion of the Property to Conservancy. This property is currently zoned Industrial – Limited and is being utilized in compliance with such zoning classification by the current tenant of the property. The portion of the property being contemplated for rezoning as Conservancy is currently paved, occupied by multiple buildings and is actively being utilized in a commercial manner.

It remains unclear to our client why the City is contemplating the conversion of this property to Conservancy, and it should be noted that nobody from the City has contacted our client or the other owners of the Property to discuss the reasoning. The Property is currently being utilized in a commercial capacity, producing tax base for the City and for which, under the current zoning classification, there is flexibility as to continued commercial use. The current tenant on the property has more than twenty years left on its land lease, which gives it broad

City of Madison Plan Commission  
March 4, 2022  
Page 2

rights to utilize the property as a commercial property and to improve the property as needed to continue those operations.

The Property also has significant commercial value as currently zoned and utilized. An appraisal completed in October of 2020 valued the fee interest in the Property at \$1,055,000. That same appraisal (a copy of which can be provided upon the City's request), confirmed that the highest and best use for the Property, even in light of the Oscar-Mayer Special Area Plan, is its as-improved, as-is use.

The proposed rezone to Conservancy, following any period of legal nonconforming use, will essentially render this portion of the Property worthless to the owner in favor of creating benefit for the community. Even the statement of purpose within the Conservancy District provision of the Madison Ordinances states that development within the district is limited to protect certain natural elements and resources "beneficial to the community". Madison Ordinances Section 28.094. While the protection of natural elements such as wetlands and greenspace for the public may be appropriate, as noted above, this land is not wetland or greenspace, but rather is paved and occupied by buildings currently. If the City feels strongly that it wants additional greenspace beyond the large parcel to the North containing wetlands, and this property is its only option, then it should purchase the property from the owner. To deprive the owner of nearly all value in this portion of the Property for the benefit of the public without any compensation could give rise to a potential claim for regulatory taking or inverse condemnation.

It is for the reasons stated in this letter that our client strongly opposes the rezone proposed for 702 Ruskin Street and urges the City to reconsider this action.

Sincerely,

**DeWitt LLP**



Brody C. Richter

BCR:jaj

cc: Susi Hughes (via email: [susi.hughes@cox.net](mailto:susi.hughes@cox.net))  
Katy Pike Wroble (via email: [katypike@me.com](mailto:katypike@me.com))

3/1/2022

To: City Madison Plan Commission  
Alder Syed Abbas  
Tim Parks City of Madison Plan Commission  
Dan McAuliffe City of Madison Plan Commission  
Sherman Ave Neighborhood Assn.

Re: Rezoning 702 Ruskin St  
Madison, WI 53704

Dear Sirs/Madams

My name is Douglas Nelson and I am the lease holder for property located at 702 Ruskin St Madison. WI. This letter is a follow up to my letter of 2/14/2022. I am writing to oppose the rezoning of 702 Ruskin St. from IL to CC-T and CN zoning.

At the 6/29/2020 Plan Commission meeting it was discussed at length about the the park space to be 14.1 acres, and an amendment was proposed to enlarge it to 16 acres, which was rejected. Now the plan is again showing 16 Acres of park space, by taking thru rezoning, of 1.85 acres of land that I currently have 3 buildings on, that Ten businesses operate from. During the 6/29/2020 meeting it was pointed out by Mr.McAuliffe that the Green Space could be expanded by moving the boundary to the South. Why would the Plan Commission rezone property that current has Three buildings on it, to CN Conservancy, rather than expand the Green Space to areas that are currently Green Space. It makes no sense to me.

At no point in the meeting of 6/29/2020 did any of the commission members nor staff inquired about what was currently on the proposed area to be rezoned to CN. I have attached an aerial photo to show you what rezoning will look like and how it will impact the current use. There are 10 businesses operating out of those 3 buildings and employ Forty plus employees. If this were to be rezoned, I am not sure how many businesses would want to remain at 702 Ruskin St or make a move to outskirts of town. The commission continues to show concern about the importance of displacing home owners from this area, what about business owners.

As you know most rezoning is done when there is a change of use. But not here! Why? Mr.McAuliffe letter dated April 19<sup>th</sup> 2021 describe options for 702 Ruskin St 1) Rezone to be consistent with the plan. 2) Rezone to TE, which allows residential development as an conditional use or 3) Keeping it IL and rezone when request for use changes. I am asking you to keep it IL as a rezoning will not allow me to expand and or change exterior of what's there without a conditional use permit.

The plan calls for 14.1 acres of Green Space. Keep the 14.1 acres, but not on land that is already built on. Take the Green space, if needed, from areas that is already Green Space.

I went to most of the neighborhood meeting and at no point did the neighborhood, city staff or planning personal show 702 Ruskin as CN zoning. If it would have, I would have objected to that. I feel that this whole plan has been approved and modified by city staff and commissions without any input from the current occupants and business owners in this area. I really feel that the whole process is lacking transparency by changing what the neighborhood pointed out as to what is important to the North side

in the OMSAP meetings and what we now have before us. Has anyone from staff contacted any of these business owners? I don't believe so. The Plan Commission needs to slow this process down and let the business owners in this area voices be heard.

I and my wife of 30 plus years are life long residents of the North Side. We are invested as neighbors, business owners and community members. We are not absent land lords. We provide a service to many businesses in this area and would like to continue to do so. If the zoning change is completed on this property it create a financial burden and it takes away a major portion of this properties value.

I made plans back January to out of the country on March 7<sup>th</sup> 2022. If I would have know this was on the agenda for the 7<sup>th</sup> of March, prior to making my plans to leave the country, I would have planned on being at the meeting. Unfortunately I found about the zoning change by accident watching the Plan Commission meeting on February 7<sup>th</sup>, 2022. I am asking you to table the rezoning ordinance number 69538 to a date and time to be determined to allow a broader discussion on how this would affect current business owners in this area.

Sincerely

Douglas Nelson  
Cascade Investment Group, LLC  
608-235-0466

