

From: Steve Ohlson <steve.ohlson@wisc.edu>
Sent: Monday, January 11, 2021 5:54 PM
To: Planning <planning@cityofmadison.com>
Subject: 817 Williamson, 1/11/21 opposition

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Dear Plan Commission members,

Thank you for your time spent on these important matters.

I urge you to not approve the Cook proposal for a new structure at 817 Williamson St.

In 3 presentations to the MNA this past fall architect Kevin Burow was very careful to emphasize that in the new design a segment at the rear of the building had been removed without mentioning that the total width of the main portion of the building had been widened by 6 feet for its entire 109 foot length! The architect used the word “dramatic” to describe the removal of a portion of the rear of the building. However, despite removing a 20 x 50 feet segment at the rear, the entire footprint of the building is only reduced by 4% due to the 6 feet of additional width.

Indeed, Mr. Burow so skillfully deceived the MNA that in two letters of support to this commission today the building is described as being narrower. Chair of the P&D committee Jack Kear writes that it has a “redesigned façade with less building width.” And president Anita Krasno writes that the MNA board noted “A more compact design, featuring a reduction of building width fronting Williamson St.”

The perception of the total mass of this building as one will observe it coming down Williamson St. has not changed. The Plan Commission should not approve this design for this location until it reduces the 3 ½ story mass fronting on Williamson.

Dozens and dozens of other persons have had questions about or have had objections to this proposal and other versions. But, I do not know of one single instance where Brandon Cook or architect Burow have reached out to the concerned neighbors for a discussion of any of the issues. That is very telling behavior for a developer and an architectural firm operating in the public sphere.

I do appreciate that the developer has increased the number of 2 bedroom units to make the project more family friendly mix. Despite that, I still urge the Plan Commission to not approve the project in its present form.

Steve Ohlson
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416 S Paterson St
Madison, WI 53703

From: Gary Tipler <garytip8778@gmail.com>

Sent: Monday, January 11, 2021 5:08 PM

To: Planning <planning@cityofmadison.com>; Rummel, Marsha <district6@cityofmadison.com>; Heck, Patrick <district2@cityofmadison.com>

Subject: Item 7, Plan Com 1/11/21, 817 Williamson

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Alder Rummel and Plan Commissioners,

After reviewing the significantly thorough documents prepared by Linda Lehnertz, I find that I can't support the current plan for the proposal for 817 Williamson. The footprint is only 4% smaller than the previously rejected plan.

I believe the precedent this large building will create will drive speculation on many other properties in the neighborhood. There has already been talk of consolidation of properties, some of which have historic and residential buildings on them. However, speculation doesn't require scholarship, study or much knowledge to boost the base prices of living in the area, just the idea of increased profit.

Please reject the plan and support a future project that has more ability to stabilize a neighborhood on the edge.

Thank you for your consideration.

Gary Tipler
807 Jenifer Street

From: Pilar Rebecca Gomez-Ibanez <pilarrebecca@gmail.com>
Sent: Monday, January 11, 2021 3:56 PM
To: Plan Commission Comments <pccomments@cityofmadison.com>; Rummel, Marsha <district6@cityofmadison.com>
Subject: Opposition to 817 Williamson Street, Legistar #63206

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Dear Plan Commissioners,

I oppose the development proposed by Brandon Cook for 817 Williamson Street. Even with the design changes made since you last considered it, the project remains fundamentally too large for its location, mid-block on the south side of the street, surrounded by much smaller homes. It continues to violate the neighborhood's BUILD plan. Though a section of the building behind the driveway has been removed, the massing at the sidewalk has been made slightly worse in width and height. The side setback next to the neighboring residential building has shrunk, eliminating the previous green space that might have provided some buffer. This would be a great location for some of the "missing middle" housing called for in the Comprehensive Plan. The current proposal is just too large for the space, and I believe approving it would set the wrong precedent for future development.

Aside from size, I am troubled that this project fails to consider the bigger picture of our neighborhood's and city's needs. These needs include truly affordable housing, and increased green space and trees to mitigate flooding and the effects of climate change on the isthmus. At an earlier neighborhood P&D Committee meeting, Mr. Cook agreed to look at options for affordable housing. At the next P&D, he said affordable units were not viable because the new stormwater regulations were so costly. At the same meeting, it was pointed out that the costly underground parking also made it impossible to include affordable units. Thus, the units are all market-rate. Though it's argued that any new housing helps lower housing costs overall, I'd argue that this doesn't happen at the neighborhood level, where consistently building high-end or market-rate housing creates gentrification, development pressure, and higher costs.

Not every project will meet every one of Madison's needs, to be sure! But I'm concerned how many larger goals fall by the wayside because they're not "viable." If a project's viability is defined only by the developer's ability to make a certain profit on their investment, that calculation leaves the community perpetually in the hole. How can we achieve the goals we've set, in so many city plans and studies? How can we better incentivize developers to build truly affordable housing? How can we start applying the environmental recommendations in our plans, so, for example, buildings have greater setbacks and more room for trees? How can we balance the need for density with the environmental limitations of living on a flood-prone isthmus? Finally, how can we signal to developers that they have to take community and environmental needs into account if we approve projects that don't?

I apologize for getting these comments to you so late in the day. Thank you for your consideration.

Respectfully,

Pilar Gomez-Ibanez
1326 Dewey Court
Madison, WI 53703

From: mike engel <mik3eng3l@gmail.com>
Sent: Monday, January 11, 2021 1:45 PM
To: Planning <planning@cityofmadison.com>
Subject: 63206 817 Williamson St

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Plan Commission

I urge you to NOT approve the proposal before you in agenda item 7 for 817 Williamson St. You previously did not approve this project because it does not follow neighborhood plans and fit the context of a residential area mid block.

It still does not fit the plan. The developer insists on using examples of his new construction on the corner of this block as precedent for this mid block space sandwiched between 2 story Victorian homes. A large brick building does not belong in this location.

I am a neighbor to this project. I very much want this parcel converted to better use. It is very important that the new use fits the approved neighborhood plan and the neighborhood.

Mike Engel
826 Jenifer St, Madison, WI 53703

From: David Boyden <dboyden@boydenfinancial.com>
Sent: Monday, January 11, 2021 1:08 PM
To: Planning <planning@cityofmadison.com>
Subject: Objection to increase in the street footprint of 817 Williamson Street, Madison

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Dear Madison Plan Commission,

As a Madison property and business owner I would like to register my opposition to the Brandon Cook 19 Unit building proposal. The widening of this structure by six feet on the street does not work for the neighborhood at all. As well the car and truck traffic is very intense (My son and I walk Willy Street 3-5 times/week) and I cannot comprehend the additional pedestrian safety issues with additional vehicles slowing to enter/exit this building.

We routinely see vehicles travelling at above 40mph. As well vehicles are already ignoring the manually operated walk light at the cross walk nearby.

Please do not allow this project to go thru.

Thank you,

David L. Boyden

Financial Consultant/Certified Fraud Examiner

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Plan Commission
Meeting of January 11, 2021
Agenda item #7, Legistar #63206

At the August 24, 2020 meeting, the Plan Commission placed the 817 Williamson project on file without prejudice, finding that standards 4, 7 and 9 were not met. The applicant chose to not appeal that decision, thus accepting the Plan Commission's determination.

In light of this precedent, one way to assess this new proposal is to look at what changes have been made to address concerns expressed by the Plan Commission. Are those changes enough to now create an environment of sustained aesthetic desirability compatible with the historic character? Do those changes bring the project into conformance with applicable regulations? Will those changes result in a project that no longer impedes the normal and orderly development and improvement of the surrounding property? If the changes are not substantial, then the Commission's prior precedent should help clarify the current assessment.

Part I of this letter addresses how the current proposal compares to the prior (8.24.2020) proposal. Should the Plan Commission instead look at this as an entirely new proposal without regard to the prior proposal, Part II of this letter addresses issues raised by the current proposal.

PART I

Changes from 8.24.2020 plans

Although the building footprint has decreased by almost 5% (through removal of the portion of the building behind the driveway), the main portion of the building is one foot taller and six feet wider, which increases the massing at Willy. The building will sit even closer to the sidewalk, due to the building being moved closer to the front lot line (and what appears to be a 3 foot City easement, which had been earlier described as a two foot easement). In addition, the building is one foot deeper.

1. The setback portion (setback 59 feet) behind the driveway has been removed.

This portion was 19.5 feet wide and 50.08 feet deep. The applicant did not deem this portion a primary feature:

"The garage entry is set back 59'-0' from the front façade and is lowered down in grade so it is not a primary feature for this building. By recessing the garage entry almost 60' from the street, the overall massing at the street is reduced and thus compatible with the surrounding structures." Letter of Intent, dated May 6, 2020.

The applicant now claims the ability to see through to the Jennifer lot behind the driveway helps maintain rhythm of massing:

"The garage access is located along the side of the building and is recessed down, and you are able to see through the lot to the property located behind. This helps to maintain the existing rhythm on this block with buildings with driveways located along many of them." Letter of Intent, dated November 16, 2020.

One could view this as reducing the mass of the building by removing 1,000 square feet of the building footprint and the corresponding three stories of height. However, since the width and depth of the building have increased (see below), the net reduction in the building footprint is approximately 350 square feet. The footprint of this new proposal remains more than 300% bigger than the largest historic resource on the block face – the project's footprint is approximately 7,100 square feet compared to 853 Willy at 2,160 square feet.

2. The width of the building along Williamson has increased.

The prior width had been 60'11". The new width is 66'11", or a 6' increase. (Note: page A-1.1 of the plans shows a 66' width. However, this does not include the brick veneer along the exterior. Page A-1.0, the basement floor plan shows the 66'11" width.)

The sub-area plan adopted by the Council, BUILD II, specifies in bold lettering: **"No building shall be wider than 60 feet"**

The 11" excess width along Willy in the prior plans might be acceptable. However, when the width is an additional 6'11" beyond the permitted width, or 11.5% greater than the permitted width, it raises the question: If this width is permitted, what is the maximum permitted building width? At a minimum, increasing the massing along Willy does not address concerns expressed by Commissioners at the August meeting regarding the mass being too great along Willy.

3. The depth of the building has increased.

The depth of the building had been 107'11". It is now 108'11". It has been moved about 3.5" closer to the sidewalk, and the rear of the building is 8.5" closer to the rear lot line.

4. The building sits closer to the sidewalk

In addition to the applicant moving the building about 3.5" closer to the sidewalk, the required City easement is clarified in the staff report. (I had understood the easement to be 2 feet, but it now seems to be 3 feet.) Condition #25 of the staff report provides:

"The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Williamson Street."

Page C-1.5 of the plans reflect a 3.7' setback of the building and page C-400 shows 3.71'. As is clear on page C-400, this setback is from the property line. The property line appears to be a few inches from the sidewalk, so the building is setback about 4' from the *existing* sidewalk.

When the sidewalk is shifted 3' closer to the building because of the easement, the project setback from the sidewalk would be approximately 1'.

The 817 property line is 11' from the street (from the street edge of the curb), with a terrace width of 5 feet. The ROW/easement of Condition #25 totals to 14'. Thus, it seems that the ROW/easement is 3 feet, reducing the actual building setback from the sidewalk to about 1'.

(And this is a side issue, but the Willy doors are shown opening in rather than out. I thought that this type of use required doors that open outward to aid in emergency egress. If so, the doors would need to be changed and, with the 1' sidewalk setback, would be opening into the sidewalk.)

5. Height has increased.

The prior height was 40' 7.75" (40.65') to the top of the building roofline, including the front parapet of 1'. (Page A2-1 of the 8/24 revised plans).

The new height (page one of the building elevations document) is 38' 11 5/8" (38.97') to the roof bearing truss. To the top of the parapet adds another approximate 2.68', making the comparable height 41.65'.

The second floor added a foot in height. The third story floor is now at 28' 3.75" (old plans were at 27' 3.75").

The total height at Willy is 23% taller than the tallest building on the block face, 803 Willy (applicant's building constructed in 2018) and at least 10 feet, and 33% taller than the roof peaks of the tallest historic resources. The height of the historic mixed-use properties from the ground to the roofline range from 18-24', with their peaked roofs taking the total height up to 30'.

The perception of height could also be affected by the height of the overhanging cornices. The top of the easterly cornice has been raised by about 2-2.5' and the westerly cornice raised by about 1'. The top of the cornices is at about 30' (or at about the top of the peaked roofs).

6. The westerly front corner of 8' has a 7' setback.

The prior version had two setbacks: (1) roughly in the center, just over 5' in width and 6' deep; and, (2) the easterly corner, 8' in width and 6' deep.

The new version has three setbacks: (1) the westerly 8' is set back 7' per page A-1.1 and 6' per page C400; (2) the center setback remains at just over 5' in width and 6' deep; and, (3) the easterly corner, 8' in width and 8' deep.

Whether the setbacks of 6-8' are sufficient to constitute breaks in the façade, creating the illusion of separate buildings and decreasing the perceived mass along Willy, is a matter of judgement.* A fact, however, is that the increase in building width results in essentially the same mass at the sidewalk for the 'two separate buildings.' The prior plans had two segments of 23'11" sitting at the sidewalk (including the brick veneer). Now the two segments are 22'11" in width (including the brick veneer). Or, a 4% decrease in building width sitting at the sidewalk, which is offset by the increased height.

*The center setback, the one argued to give the illusion of a space between the masses, had, and continues to have, the same materials and pattern as the two masses sitting at the sidewalk. However, now windows have been added on the second and third floor, further diminishing any sense of differentiation/space.

7. Third story stepback at the westerly side has increased.

Under the prior plans, the third story had a 5' stepback on the westerly 23'11". The westerly portion now has a 6' stepback for about 17.5' (including the middle setback area) and a 7' stepback for the most westerly 18.5'.

Whether an additional 1-2' third story stepback is enough to decrease the mass along Willy is a matter of judgment. However, the amount of stepback is not related to the lower first two stories, and any illusion of space between two buildings is lost on the third story since that center stepback no longer has any definition.

8. Rhythm of building masses and spaces has decreased.

The building has been moved west, decreasing the side yard setback from 10' to 6.12'. The neighboring structure sits about 3.3' from the property line, thus the proposed structure would sit about 9.4' from its neighbor instead of the 13.3' of separation under the old plan.

The middle setback, described in the Letter of Intent as creating "an appearance of two separate buildings located closely together, as is the case with other storefronts on this street" is approximately 5'1" in width (Page A1-1 of the plans shows 6', but this does not take into account the brick veneer). There is only one location where two storefronts are located that close together – between 803 (applicant's 2018 new building) and 805. Also, this building is not two storefronts: it is a storefront next to residential. The historical space between storefronts and residential was at least 12'. Attachment A is a visual, current and historic, reflecting buildings and spaces.

PART II

Landmarks versus Plan Commission Standards of Review

The staff report "believes that this standard [#9, sustained aesthetic desirability compatible with the historic character of the area] can be found met" because the Landmarks Commission deemed the proposal "visually compatible." It is important to note the difference between Landmarks and Plan Commission review standards with respect to standard #9

The Landmarks Commission and the Plan Commission apply different standards of review. This has been explained by planning staff in connection with the 702-706 Williamson proposal:

"[T]he historic district was established in 1979 based on a historic preservation plan that is referenced in the Ordinance. The BUILD II plan was completed after the historic district was created. The Landmarks Commission, as part of a larger development review process, is aware of the neighborhood plan, but is only charged with interpreting the words of the Ordinance. **The Plan Commission will review this project against the BUILD II plan.**" (emphasis added)

<https://madison.legistar.com/View.ashx?M=F&ID=3184092&GUID=79FF587C-F383-4CFC-B667-2FF8AA0B7976>

Although Landmarks approved 702-706 Williamson, it included in its motion: "The Commission discussed the importance of the review of the BUILD II plan including the 54 foot prescribed

height and the MNA opposition in the approval process by bodies other than the Landmarks Commission.” Planning staff has also made clear that the historic ordinance “language says “visually compatible” not mathematically compatible.” (see above link.)

In sum, Landmarks does not have authority to use BUILD II requirements in its review, but thinks those requirements are worthy of consideration, and does not have authority to apply mathematical principles during its review (e.g., for 702-706, whether a building 13 feet taller than its neighbor affected the historic district).

In contrast, the Plan Commission does consider BUILD II. BUILD II, officially known as *Design Guidelines and Criteria for Preservation: Williamson Street 600-1100 Blocks*, was adopted by the Council as a supplement to the Marquette-Schenk-Atwood Neighborhood Plan. (Legistar 00296, January 18, 2005). The 2018 Comprehensive Plan specifically recognized the role of sub-area plans (see below).

It is clear that Landmarks’ approval on visual compatibility does not control the Plan Commission’s review and assessment of whether the project creates sustained aesthetic desirability compatible with the existing or intended character of the area. Unlike Landmarks, the Plan Commission can look at numbers, such as maximums under BUILD II.

Precedent for exceeding BUILD II height maximums

The staff report cites two examples as “precedent for approving buildings that exceed the BUILD height recommendations.” And I will add one more, 739 Williamson. 801 was approved in 8/2017, 702-706 Willy in 5/2014, and 739 Willy in 9/2014.

What all of these buildings have in common is that they were approved prior to adoption of the new Comprehensive Plan. Prior to the adoption of the new Comprehensive Plan in 2018, BUILD II criteria/requirements were referred to as recommendations or guidelines. The Comprehensive Plan states that sub-area plans, such as BUILD II, provide more detailed planning recommendations and should be given substantial weight. In fact, if an inconsistency exists between a sub-area plan and the Comprehensive Plan, one of the plans should be amended to eliminate the inconsistency.

- “These related plans can provide detail and specific implementation actions, fine tune larger concepts, and react to rapidly developing issues, and provide in-depth analysis not possible at a citywide level.” (page 7)
- “Sub-area plans frequently offer more detailed height and design standards, and should be referred to in addition to this Plan.” (page 17)
- “In many instances, the recommended land use pattern is refined in sub-area plans that may include more detailed land use categories that generally fit within the broad categories within this Plan, as well as design guidelines that respond to the specific surrounding context.” (page 17)
- Sub-area plans adopted as a supplement to the Comprehensive Plan “reflect their function and status in providing more detailed planning recommendations than are often needed to effectively implement the Plan.” (page 124)
- “If an inconsistency is identified between this [Comprehensive] Plan and a reasonably contemporary sub-area plan, substantial weight should be given to the sub-area plan.” (page 125)

The Imagine Madison process originally designated Williamson Street as a growth priority area. However, the Comprehensive Plan removed Williamson from that category: "The Growth Priority Areas Map on the following page shows Activity Centers and corridors prioritized for mixed-use infill development and redevelopment. ...All corridors, *with the exception of Williamson Street* and portions of the Monroe/Regent corridor, are (or will be) transitioning from their current auto-oriented development to more transit-, walk-, and bike-friendly styles of development." (Page 15, emphasis added.)

In addition to the new Comprehensive Plan elevating the role of sub-area plans and deleting Williamson as a growth priority area, these three projects also have different characteristics.

801 Willy was approved by the Plan Commission in connection with a demolition, not as a conditional use. Of particular importance, Landmarks had capped the height (including parapet) of this 3 story building at 33', and the building width was approximately 28.5'. In addition, Landmarks had based its decision on location, recognizing that corner buildings along Willy were historically more substantial. (If this 817 proposal was 3 stories and 33' tall rather than 41.65', the project would be more compatible with neighborhood character.)

739 Willy was a planned development that involved rehabilitation of a historic resource on Jenifer Street in addition to constructing an 11 unit building. Interestingly, the staff report recommended against Plan Commission approval because the project was "inconsistent with a number of specific design guidelines and criteria in [BUILD II], including the height of the building..." The developer said the building was "only 2'11" taller than what is now, and was then, the predominate height on that block." Contrast that to 817, which is at least a 10' taller building than the historic resources. Unlike the 817 proposal, 739 is composed of angles, not a solid mass. In addition, Landmarks required that a 9 foot wide living wall be maintained, a living wall which divided the project into a 20 foot and 17 foot segment separated by a green space. (The Plan Commission, as part of its approval, required the applicant to prepare a maintenance plan for the living wall.)

702-706 Williamson was approved as a conditional use, but its context differs.

- 706 is designated community mixed-use on the Generalized Future Land Use map. 817 is neighborhood mixed-use.
- 706 is on a corner. 817 is midblock.
- 706 neighbors include the Gateway Mall and the Olds Building. 817 neighbors are 2 story homes (plus attics), and four 2-story properties with commercial on the first floor and residences on the second floor. (One of the homes is being converted to an office for at least the first floor.)
- 706 is on the north side of Willy, where much of the historical fabric is fragmented. 817 is on the south side of Willy where the historic fabric is more intact. Attachment B shows how the south side of the 700-900 blocks of Williamson have more historic primary structures. Although maintaining historic character is important for the whole street, it could be argued that character is even more important on more intact block faces.
- Historically, the north 700 and 800 blocks had larger, more commercial, buildings such as warehouses because of the railroad. Commercial on the south side of the 700 and 800 blocks consisted of dwelling units with first floor businesses, and various merchants.

BUILD II Violations of Criteria

1. Height

- a. Zone I. New buildings shall be no higher than 2-1/2 stories, except for the following:
 - On the north side of the 800 and 900 block of Williamson Street, flat-roofed three story structures shall be permitted.
 - *Flat-roofed three story structures are not permitted on the south side.*
 - *The building is 3 stories per zoning, or even 3½ stories (using BUILD II).*

2. Massing

4. Massing all zones. New buildings shall be designed to reflect the patterns and rhythm of masses and spaces within the visually related area. The total mass of a new building shall be compatible with that of surrounding buildings. A building of larger than typical mass may be appropriate if it is broken into elements that are visually compatible with the mass of surrounding buildings.

...

b. Massing of commercial, and mixed-use buildings in Zones 1 and 1a.

Articulation and breaks in the facade of commercial and mixed-use buildings must be sufficient to maintain the rhythm of masses and spaces of existing commercial and mixed-use buildings in the visually related area.

No building shall be wider than 60 feet.

- *The building is 66'11" wide.*
- *The building does not maintain rhythm of masses and spaces of existing commercial and mixed-use buildings on the south 800 Willy block.*
- *The total mass is not compatible with that of surrounding buildings.*
 - *The total mass is 350% bigger than 853 Willy, the largest historic resource on the south 800 block (about 258,000 cubic feet to about 57,250 cubic feet).*
 - *The total mass is about 700% larger than the average mass of the historic mixed-use properties (an average volume of about 35,000 cubic feet; 805 is about 20,000, 811 is about 30,000, 831 is about 34,000, and 853 is about 57,250).*
 - *Even just the front brick portion has a volume of about 94,000 cubic feet, almost double 853 Willy, the largest historic resource and about 170% bigger than the average mass of the historic mixed-use properties.*
 - *In addition to BUILD II criteria, MGO 28.060, General Provisions for Mixed-Use and Commercial Districts provides: "New development shall relate to the design of traditional buildings adjacent to the site, where present, in scale and character." Is there any way a building that is 350-700% greater in scale than its neighbors can relate to the scale of its neighbors?*

3. Front Setback

a. Commercial and mixed use buildings in the 600 through 1100 blocks: The setback of street facades for such buildings shall be two (2) feet from the property line.

- *The setback is about 1' from the sidewalk. True, there is a 3.7' setback from the property line, but when BUILD II was written property lines were basically at the sidewalk along this stretch of Williamson, and easements were not being required by the City. So if one interprets "property line" literally, then the*

building is set too far back. If one interprets "property line" to mean the line at which the owner controls the property, then the setback is too little.

4. Façades on Mixed-Use Buildings

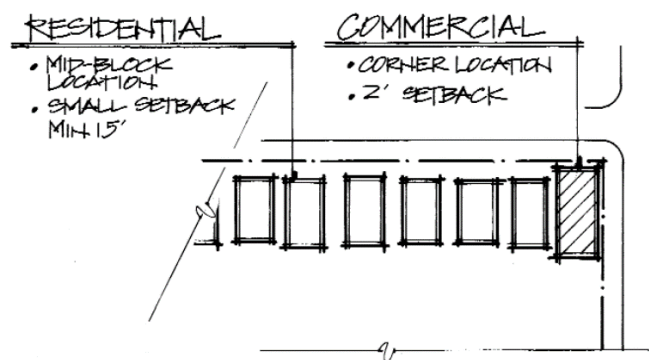
c. Kick panels High quality materials and special focus on design details is encouraged. It is recommended that this area utilize higher quality materials and design. The first floor window sill height shall be 18" to 36" above grade.

- *The cast stone base is 2' in height. Under the windows is 6"-8" kick panel. The four easterly side windows in the now commercial space also have been extended down to this 6-8" kick panel rather than terminating at the cast stone base.*

In addition to violating new construction criteria, the proposal is also not in accordance with BUILD II design guidelines and principles, including the following.

- While the plan does not encourage the construction of brick flat-roofed commercial and mixed-use buildings outside the commercial nodes, those that are built should occupy the corners of the blocks. (Design Guidelines, page 29.)
 - All visible building surfaces should carry the basic design motif of the front façade. Side and rear elevations should be more subtle in overall design in relation to front elevation. (Design Guidelines, page 29.)
 - Where larger commercial developments adjoin groups of residential buildings, it is important to transition the scale of buildings to reduce the perception of mass and height that are out of character with the street. ... *Avoid drastic changes of scale between buildings on the same block.* ... Step back taller buildings (and the upper stories of street-front buildings) away from the street-edge. (Principle #1, Preserve Transitional Neighborhood Scale, page 12, emphasis added.)
 - Commercial and mixed-use buildings are built directly on the lot line, and are often constructed of brick. These brick commercial buildings are further distinguished by their flat roofs that strongly contrast with the gabled roof forms and set back development pattern of adjacent residential structures. When they occur in largely residential blocks, they are *usually found on the corners.* (Principle #7, Preserve the relationship between commercial and residential uses, page 15, emphasis added.)
- The following BUILD II illustration demonstrates this point.

RELATIONSHIP BETWEEN CORNER AND INTERIOR-BLOCK BUILDINGS



Conditional use: less than 75% non-residential ground floor area

This proposal was filed as a mixed-use building. When there are dwelling units in a mixed-use building in TSS, conditional use approval is required if less than 75% of the ground floor use is non-residential. This proposal has 775 sq.ft. of non-residential ground floor use, per the Letter of Intent. That is a mere **11%** of the ground floor use.

This building's uses do not require that it be a mixed-use building. MGO Table 28D-2 allows for multi-family dwelling units as a conditional use in TSS. A "management office, restaurant, limited retail, recreation facilities within multi-family building" is allowed as a permitted accessory use. Thus, rather than seeking conditional use approval for the small commercial space as a mixed-use building, conditional use could be sought for a multi-family building.

The Plan Commission has certainly approved other mixed-use buildings with only small commercial spaces (I found 6 in 2020 that had commercial under 15% of the ground floor). It may generally not matter whether a building is deemed residential (with a small commercial space as an accessory use) or deemed mixed-use. However, it matters on Willy because of BUILD II. BUILD II has different standards for residential structures than it does for commercial/mixed-use structures (e.g., building setback, or that a residential building shall be articulated with dormers, bays, porches, and other architectural details to visually reduce the apparent mass of the new building). The residential criteria are better suited to this block than the mixed-use criteria.

Of particular note is the staff report comment that BUILD II "calls for flat roofs on all new mixed-use buildings." True, but as noted above, the maximum height in Zone 1 is 2½ stories, with flat-roofed mixed-use buildings listed as a specific exception to this requirement for the north side of the 800 and 900 blocks. Thus, read together, a 2-story flat roofed mixed-use building might be fine on the south 800 block, but a 3 story building is not. And, as stated in BUILD II Guidelines: "While the plan does not encourage the construction of brick flat-roofed commercial and mixed-use buildings outside the commercial nodes, those that are built should occupy the corners of the blocks." The proposed 817 building is mid-block.

Other Miscellaneous Issues

Forestry requires protection for street trees (conditions 52-58). There are two large trees in the back yard, at the property line, with trunks that could extend over the property line. Similar conditions should be imposed to protect these trees.

Where will the garage exhaust be located? As has been experienced since installation of the garage exhaust at 902 Williamson, these can be very noisy.

One purpose of 28.065(1) is to: "Maintain the viability of existing residential buildings located within or adjacent to these corridors." Does a 35-40' high wall just 9' feet away from 813 Willy help maintain the viability of this residential building?

The trash area is unclear. It looks like it will just be in the basement area, with soil/grass above. Yet the renderings (page 27 of 29 of the plans) reflect a couple of trees growing over that trash area – trees roots would need some depth.

There is a large balcony at the back of the building – 66’11” wide and 7’ to 9’ deep all along the back. Plus, the balcony wraps around the sides at a depth of 5’ and length of about 19’. It is not clear where the access to this area may be – floor plans reflect the stairs and the apartments using symbols representing windows rather than doors. Nor do the loft apartments show a means to access to a space that is close to 12’ feet higher than the floor level. Also, is this communal party space or space solely for the tenants of the loft apartments?

Although the commercial space has been changed from the westerly end of the building to the easterly end, the exterior façade has not changed. Awnings had designated the residential entry, now they are the commercial entry. The area with the cornice had been commercial, now it is residential.

Condition #46 addresses screening along the back of the lot. The location of this screening is important, not only for privacy of Jenifer residents but also for the health of the trees on the property line. MGO 28.142(8) allows the Plan Commission to modify the screening requirement for conditional uses. Perhaps a 8’ fence set into the retaining wall would be an option.

The back stairs show as an exit on page L-1.1, but not on page A-1.1 or A-2.2. Will this be any sort of exit, whether just an emergency exit or a full entry/exit? The walkway is only 3.5’ from the residences at 813 and 813 has windows on that side, so a lot of foot traffic could impinge on their privacy.

Conclusion

This project would place a large building on the south side of Williamson, one with (1) a footprint more than 300% bigger than the largest historic resource on the block face, (2) a volume more than 350% bigger than that largest historic resource, and (3) a height 33% taller than the roof peaks of the tallest historic resources.

This would not only be incompatible with the historic character of the south side of Williamson, but would also violate standards in the neighborhood plan and set the stage for other infill of disproportionate size. (As was noted in the staff report, decisions by the Plan Commission can be cited as precedent.) Mid-block building were not historically larger than corner buildings – rather, corner buildings tended to be larger along Williamson and serve as anchors.

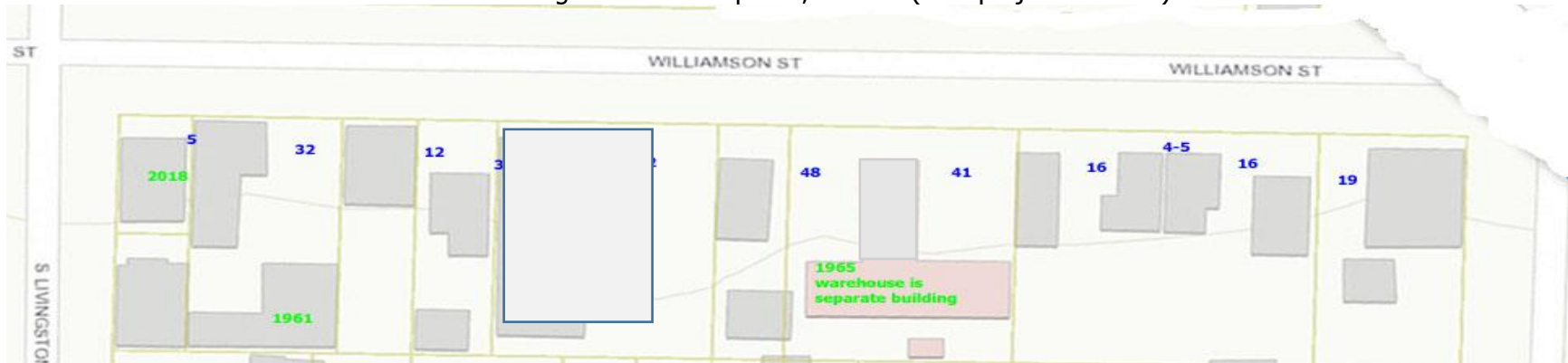
The Plan Commission decided last August that the 817 project did not meet three conditional use standards. That decision can also serve as precedent. The changes that have been made to the 817 project increase the massing along Williamson instead of addressing Plan Commission concerns about that massing. The width and height of the massing along Williamson is increased, the project would sit closer to the sidewalk, and instead of only having one narrow space there would be two narrow spaces since the project is moved closer to its neighbor.

There are certainly options that could work at this site if some creativity was applied. For example, rather than having loft apartments at the rear of the building, the third story could be moved back 22’ and the loft space removed. Alternatively, this could be a 3-story residential building with the miniscule commercial space as an accessory use. The BUILD II residential

standards could result in a 2-story building with a peaked roof (2½ stories under BUILD II) in which dormers constitute more than 50% of the attic space (thus, 3 stories under the Zoning Code), with a greater setback and residential features such as front porches. A building along those lines would blend much better into the historic fabric even if it was somewhat larger than the historic resources.

Respectfully Submitted,
Linda Lehnertz

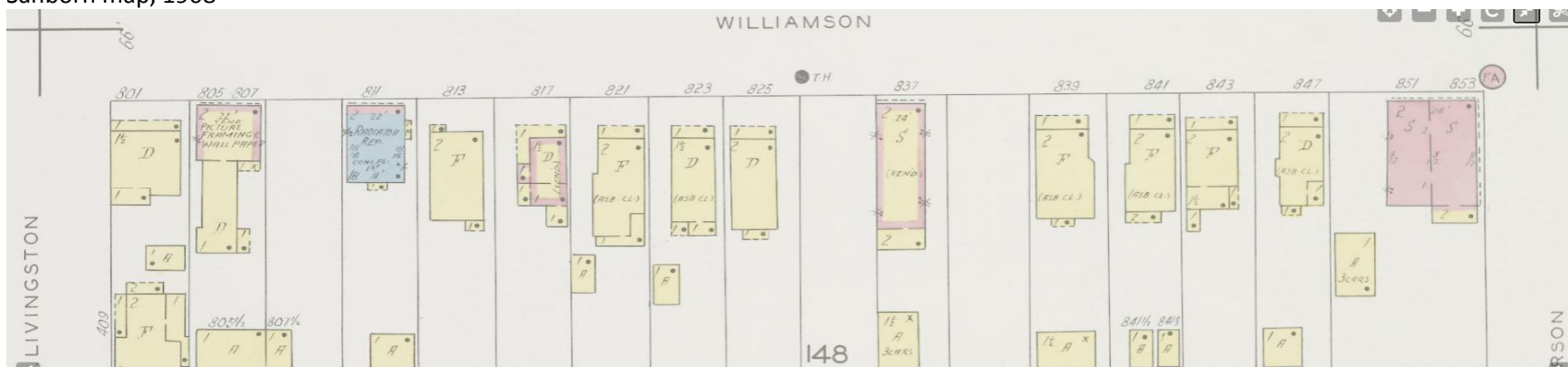
ATTACHMENT A: Building masses and spaces, current (with project outlined) and historic



Building massing and estimated gaps between buildings.



Sanborn map, 1908

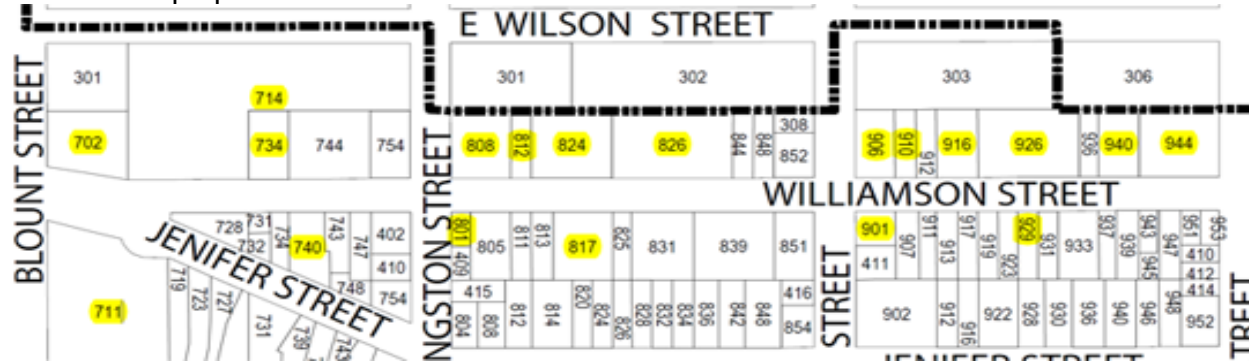


Sanborn map, 1942

Attachment B
700-900 blocks of Williamson

Non-historic properties (those build after 1929 that are not deemed historic resources under Chapter 41) are highlighted.

Non-historic properties



Notes:

714 has the Olds Building at the front of the lot.

734 is a parking lot.

740 was divided into two lots, the Jenifer side has a historic home

808 has a 2-story corner building, once part of Schlitz Brewing.

The 800 south block is intact, other than this applicant's development at 801, and 817.



PO Box 8474
Madison, WI 53708

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January 6, 2021

Department of Planning and Community & Economic Development
215 MLK Jr. Blvd, #017
Madison, WI 53703

Dear Commissioners:

Brandon Cook presented a new design for 817-821 Williamson Street that was reviewed by both the Preservation and Development (P&D) committee and the board of the Marquette Neighborhood Association (MNA). Mr. Cook attended the September 2020 P&D committee meeting to share information on the new design. He then returned for formal approval at the December 8, 2020 P&D committee meeting. The committee voted against the proposal with 7 members opposing, 5 supporting, and 2 abstaining.

Following this, the committee motion was discussed by the MNA board at its December 21 meeting. The board reviewed the proposal, noting the adjustments the design team had made to the proposal in accordance with committee recommendations from the September meeting, which included:

1. A more compact design, featuring a reduction of building width fronting Williamson St. and the elimination of the eastern patio additions in the original design
2. The preservation and expansion of backyard green space to provide a greater buffer for homeowners on nearby Jenifer St.
3. The inclusion of parking stalls to provide for some much needed off-street parking
4. A redesigned brick facade to keep the character of the building more compatible with historic schemes

The MNA board voted to approve the project, with 7 members supporting and 4 opposing. The board's discussion did not focus on the dimensions of the design and the compliance with City plans such as Build II, as we defer to Planning Department officials whose expertise exceeds

that of MNA in this capacity. Rather, the board focused on the fact that this development will make a positive addition to the Williamson Street corridor because (1) the scale provides balance to the existing apartments on the north side of the block; (2) it keeps a small woman-owned local business in the building, continuing the pattern of maintaining small retail spaces on the block; and (3) the style of the apartments will appeal to many.

MNA has had an ongoing discussion about the need to provide more housing in the city. While we would prefer to see this design include affordable units, we understand that additional stories will not be acceptable to many in the neighborhood. This project represents a compromise that we believe is a step in the right direction.

We look forward to the addition of the Cook project to Williamson Street.

Thank you,

Anita Krasno
President, Marquette Neighborhood Association

From: [Kathryn Pensack](#)
To: [Plan Commission Comments](#)
Subject: Comment in mild support of 817-820 Williamson Project, #7 on the agenda and legistar #63206 for PC meeting 1/11/21
Date: Sunday, January 10, 2021 7:40:03 PM

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

To the Plan Commissioners,

As a member of 350Madison my interest in building projects is primarily in how environmentally sustainable the project is.

The above project has some good qualities in this regard. It is close to good public transportation, is mixed use and close to many consumer amenities. However, the data I could find in the Plan Commission forms mentioned nothing about its environmental sustainability. If solar panels, green roof, efficient building envelope and similar environmental elements are here they are not easy to find in the legistar.

I look forward to more accessible information on project submissions in the future.

Thank you for your time and consideration,

Kathryn Pensack
207 n. Dickinson
Madison WI 53703

From: [Kate Sandretto](#)
To: [Plan Commission Comments](#)
Subject: PC Meeting 1/11/2021, Agenda item #7, Legistar File ID #63206, Neither support or objection
Date: Sunday, January 10, 2021 7:39:44 PM

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

Re: 817-821 Williamson St Mixed Use Development, PC Meeting 1/11/2021, Agenda item #7, Legistar File ID #63206, Neither support or objection

January 10, 2021

Dear Plan Commission Members,

The proposal for a mixed use development at 817-821 Williamson Street will be an improvement to the sustainability of our city due to its nature as an infill development along bus, bike, and pedestrian corridors. Given the ample bike parking and the ideal location for car-free living, I would encourage the city to approve the parking reduction so the project can be built as proposed with 17 parking spaces instead of 19 as required.

However, it's disappointing to see no sustainability plan or carbon footprint reduction plan for this building. The improvement to our city's sustainability could be so much greater. The building has an ideal flat roof with largely unobstructed southern access for solar. And additional insulation, energy efficiency, or water efficiency would undoubtedly be a selling point for renters on the near East side of Madison.

Given the disastrous recent impacts of climate change, both worldwide and in our own community, I would urge the plan commission to require the owner to consider further sustainability improvements.

Thank you so much for your work to improve our city,

Kate Sandretto
2130 E Dayton St
Madison, WI 53704
Member, 350 Madison

From: peter wolff <peterwolff@yahoo.com>
Sent: Monday, January 11, 2021 11:41 AM
To: Planning <planning@cityofmadison.com>
Subject: 817 Williamson 1/11/21 opposition

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Plan Commission Members:

(Based on the project history) On August 24, 2020, the Plan Commission reviewed a demolition and conditional use request to demolish the existing one-story commercial building at 817 Williamson Street and construct a three-story, 27,605 gross-square-foot mixed-use building with 24 residential units, 833-square feet of commercial space, and 17 underground parking stalls..... At that meeting, the Plan Commission found that the Conditional Use Standards were not met and voted to place the land use request on file without prejudice. In making their motion, the Plan Commission found that the conditional use request did not meet 3 standards in MGO §28.183(6)(a). One of these, #9, reads:

“When applying the above standards to any new construction of a building or addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district....”

This requirement is especially relevant here because the proposed building is located in the Third Lake Ridge Historic District where a primary concern of redevelopment is the ability of the project to fit in with the surrounding buildings in a manner that does not violate the historic feeling of the district.

To help developers and architects in this effort several attempts were made to develop a plan for Williamson Street. After several unsuccessful plans were produced, two BUILD plans were developed by committees that included neighborhood residents, city planners and consultants - BUILD I for the major commercial 1200 – 1400 Williamson area, and later BUILD II for the 1100 – 700 blocks. These plans are detailed, block face by block face, and are designed specifically to help preserve the integrity of the historic district.

There are a number of redevelopment projects on Williamson Street that, using the BUILD guidelines, resulted in buildings that enhance the historic feeling of the street without copying it. Unfortunately the feeling of many residents is that the present project will not have this effect. Even with the nominal changes that have been made, the remaining size, material, roof structure, and placement has resulted in a building that has no relationship to the surrounding buildings. To

suggest that there is a building like this across the street or two blocks away in order to justify its placement in the proposed location seems to demonstrate an ignorance of visual esthetics. In my opinion the only visual effect this building will have in its proposed location is to neutralize the very charming historic feeling that the 800 south block face currently has.

This situation goes farther than the mere decision about a project that a developer wants to gamble on. Right now the Plan Commission is the biggest official source of support for the Third Lake Ridge Historic District in Madison. I was lucky to buy my house (built two years after the Civil War) when I did. I and other residents have put a lot of time and effort into maintaining the neighborhood as a historic district. I hope you will continue to deny approval of the 817 Williamson Street project as it currently stands.

Thank you,
Peter Wolff

From: John Beck <jb.fireal@gmail.com>
Sent: Sunday, January 10, 2021 8:00 PM
To: Planning <planning@cityofmadison.com>
Cc: Rummel, Marsha <district6@cityofmadison.com>
Subject: 817 Williamson

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I would like to add my opinion to oppose the current plan for development of 817 Williamson St. The proposed building is too massive for the surrounding neighborhood. I feel that any plan for development of this lot follow the recommendations put forward in Build II.

Sincerely,
John Beck
814 Jenifer St.

Sent from my iPad

From: annewalker@homelandgarden.com <annewalker@homelandgarden.com>
Sent: Sunday, January 10, 2021 4:53 PM
To: Planning <planning@cityofmadison.com>; Rummel, Marsha <district6@cityofmadison.com>
Subject: [MarqNA] 817 Willy St-- Plan Commission 1/11--- From a Tree's Perspective...What Does a 'Good' City Look Like?

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I posted this to our neighborhood list serve. Please take into account when considering the proposed development for 817 Williamson St as well as all developments in our isthmus neighborhoods.

Respectfully,

Anne Walker

I love trees. I love them in winter, when I can much more clearly see the 'bones' of the tree. The frost on the tree's just a few days back was magical. I love when the buds start to swell, and I can see Spring taking hold. I love the Spring colors of foliage, and how tender the leaves are, much like a new butterfly's wing..... and, I love the smell of trees....and the blooms. The smell of a basswood tree is heaven to me. The smell of maple leaves, underfoot in the fall.....yum.

I appreciate the shade from a canopy tree, especially on a hot afternoon. I love the sound of the wind through the leaves. And I feel awestruck by how much wind the branches can handle when a storm rolls in. I love overcast fall days, when the color of the leaves are blazing. I love when the leaves fall, and I discover where birds had built nests and raised their young.

Our City (really...all levels of our government....), but, our City has a lot of documents that highlight why trees are an important part of our urban environment. They don't mention many of the things that I love listed above, but they highlight why they are a good fit based on science and economics. They discuss how trees make business districts more successful and why trees make sense, especially at a time when it's pretty clear that our weather is not behaving 'normally,' and heat waves are predicted to be a challenge we need to address.

Urban trees need our help. They die sooner in more urban areas. A lot of the reasons they die are manageable. Canopy trees also particularly need more help in areas like ours that have power lines that criss-cross the neighborhood. When a tree gets pruned near power lines.....it's not really the best thing for the tree, it's just the best you can do in a challenging pairing. I have a Black Locust

tree in my front yard, just shy of the power lines. Every so many years, Hooper comes along and prunes the tree away from the wires. The guys try to scalp the tree the least amount possible, and I appreciate that, but the tree, after it is pruned, is quite lop-sided. Branches to one side and a buzz cut close to the wires. Undergrounding, Partial Undergrounding, and creative planning are a good fit for a better forest in our neighborhood

Our neighborhood helped to implement a change in how street reconstructions value existing canopy trees. Important changes were made to improve the likelihood that trees would survive street reconstructions. When tree's were lost, as one was on the Merry St reconstruction, companies are fined for the loss. The tree we lost on Merry was just outside my kitchen window. One of the big earthmover's swung around, and the arm whacked the tree in the trunk and it split. That was sad, especially since canopy trees are no longer allowed under the wires. I love the crab trees that were planted, but I miss the maple, with it's tall branches and shade on a summer day.

The City of Madison *Downtown Plan*, in the section that discusses urban forestry, and I'm paraphrasing.....it says that often, in regards to new development, buildings are being built so close to the property line, that there isn't much room left for a tree. That is a real problem. Wilson St, just up from Blair is a 'good' example of that type of planning. When the problem was featured in a local paper, regarding the newly published City of Madison Urban Forestry Report, Wilson St was the picture on the front page illustrating the problem. Willy St and other area's of our neighborhood are also experiencing that same planning problem.

Trees really can do quite well in urban environments, but there does need to be space for them to grow and we need to intentionally plan for that. One of the very real ways trees also need our help, is how they are planned for in a reconstruction in new development. As a neighborhood, we are often assured by the developer/development team that trees will do quite well in the process. That has often not been the case in practice. Mature trees add a huge amount of value to our lives, our neighborhoods, and our business districts, and, a greater priority needs to exist for a successful urban canopy to thrive, especially in the Downtown and isthmus neighborhoods.

The issue is being discussed at the City level and neighbors can let our Alder and Alder-elect know how important good planning is for our neighborhood to have a healthy urban forest. It can also be helpful to let our Mayor and City Commissions, i.e. the Plan Commission, know how important good planning is.. Adequate set-back for successful canopy trees is essential.

From: annewalker@homelandgarden.com <annewalker@homelandgarden.com>
Sent: Sunday, January 10, 2021 4:36 PM
To: Planning <planning@cityofmadison.com>; Rummel, Marsha <district6@cityofmadison.com>
Subject: I do not support the proposed development for 817 Williamson St at present, Plan Commission agenda, 1/11, item 7

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I do not support the proposed development for 817 Williamson St. The project is too large based on BUILD and its mid-block location. One of the reasons so many people state that they want to be a part of the neighborhood is because of what we are now and a part of that is our historic buildings. That 'magic' can be lost. This building is not the correct fit. I do not support the proposed development for 817 Williamson St.

Respectfully,

Anne Walker

From: [Jack Kear](#)
To: [Plan Commission Comments](#)
Subject: Cook project at 817-821 Williamson St
Date: Monday, January 11, 2021 12:52:01 PM

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

Dear Commissioners:

A new proposal for a housing development at 817-821 Williamson Street by Brandon Cook is before you and I write in support of the project.

Mr. Cook worked closely with the Marquette Neighborhood Association in the two years since this project was first proposed in its original form and I have participated in most of those discussions. I have been impressed by Mr. Cook's determination to adapt the design to the concerns of neighbors and City offices.

Much of the neighborhood discussions debate how closely the design adheres to the Build II plan. The district teams that seek rigid adherence to this plan and those that have more elastic interpretations of it clash. In the State Journal article on planning and equity dated January 5, 2021, I agree with Heather Stouder in that some plans "vary in content and level of detail, often including too many recommendations." In my opinion, the new Cook design before you has more in line with Build II than opposed to it.

Critics argue that different elements of the proposal do not fit the block but, in fact, the whole block is already a conglomerate of what is and is not accepted by Build II:

*Housing development is already present with the larger development at 804-808 on the north side of Williamson and the existing Cook project at 801 as well as housing cooperative spaces at the east end of the block.

*Retail is already situated on the block with the Willy Tech Shop, Meraki Salon, La Kitchenette restaurant, Wisco Pub and Grill, and Screen Door studio.

*Setback is already positioned closer to the sidewalk throughout the block including the 801 apartment units and Meraki Salon, La Kitchenette restaurant, the forthcoming taco eatery at 811, Screen Door studio, and Wisco Pub and Grill.

The Cook development team has also made significant adjustment to their designs to meet neighborhood requests including:

1. A reduction in the mass of the project especially the elimination of the entire eastern wing that was originally proposed over the garage entryway.
2. A reconception of the rear units into loft dwellings to allow for the rear of the building to step further back from Jenifer Street homes and provide more green space.
3. A redesigned facade with less building width, windows styled more to neighbor requests, and a Landmarks-endorsed brick exterior.

Neighborhood positives that I have noticed from the larger discussions include the inclusion of underground parking, underground garbage facilities to diminish the threat of noisy collection, and, most importantly, the preservation of a retail space for an already established woman-owned retail business, Saints Juice Company, that is fighting for its life to survive this pandemic.

Please approve this project.

Thank You,

Jack Kear
1045 East Wilson St.

From: [Scott Thornton](#)
To: [Plan Commission Comments](#)
Subject: Support for Project at 817-821 Williamson Street
Date: Monday, January 11, 2021 3:00:52 PM

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

January 11, 2021

Dear Plan Commissioners,

I am writing to express my support for the proposed apartment building by Brandon Cook at 817-821 Williamson Street.

The proposed building will replace a non-conforming commercial building and surface parking lot mid-block. It will provide additional housing that our walkable neighborhood can support and our local businesses need. Additional housing and residents in our neighborhood is a good thing.

I have attended our Marquette Neighborhood Association (MNA) Preservation and Development Committee (P&D) meetings where the project has been discussed and Mr. Cook has addressed many of the concerns that neighbors have brought up, as well as those brought up by the alder at the last Plan Commission meeting appearance. The building has been refined since this summer and I think it is time for it to move forward with approval. **The MNA Board approved the development project at its December 2020 meeting.**

Back in August when the project was at Plan Commission it had the support of Planning Staff. Their report indicated "The Planning Division recommends that the Plan Commission find the standards met and approve the demolition and conditional use request in order to construct a three-story mixed-use building with approximately 830 square-feet of commercial space and 24 apartments..."

They indicated that they reviewed the 2018 *Comprehensive Plan*, 2004 *Williamson Street BUILD Plan*, and the 1994 *Marquette-Schenk-Atwood Neighborhood Plan* in making their recommendation.

Planning Staff further noted that the Landmarks Commission approved the demolition and land combination of the existing building/property at their June 1, 2020 meeting. "At their August 18, 2020 meeting, the Landmarks Commission found the standards met and approved the CoA [Certificate of Appropriateness] request for new construction."

The neighborhood plans and comprehensive plans overlap and certainly are subject to interpretation and opinion. Subjective opinions will always be a factor. **I remember when moving into the neighborhood over 20 years ago that some of my neighbors were upset with the Third Lake Ridge Condominiums on the South side of Williamson in the 1000 block. Several years ago the Landmarks Commission and Plan Commission allowed the demolition of a contributing structure in the National Historic District at 1112 Spaight Street. I happen to still like the condominiums and find the inconsistencies in demolishing historic buildings troublesome.**

The city Planning Staff found that the 817-821 Williamson project generally conforms to the Williamson Street Build Plan, which is the plan mostly brought up in opposition by some in the neighborhood. I think it is important to review

their recommendation, as a whole. City staff in the plan department and certainly Landmarks do not take these issues lightly when it comes to our historic districts.

The Planning Staff report dated January 11, 2021 continues to support the project.

The project proposed for 817-821 Williamson Street is a good addition to our neighborhood. The project does not harm the historic district or demolish an historic structure. It has the approval of the Landmarks Commission. It will improve a property in our neighborhood that is blighted and provide additional housing that we need on the Near East side.

I urge the Plan Commission to support this project.

Sincerely,

Scott B. Thornton
1104 Jenifer Street