

Date: July 13, 2020  
To: Members of the Landmarks Committee  
From: David and Leigh Mollenhoff  
Subject: Legistar 59708, agenda item #2  
Continuing problems with the 817-821 Williamson Street project

We sent you our first letter on this project on May 31 and now we find it necessary to send a second. Based on our combined 16 years of service on the landmarks commission and as real estate developers (The Fauerbach Condominiums), we want to make the following points:

1. You referred this proposal at your June 1 meeting, but allowed the developer to come back with a significantly revised proposal that would meet Third Lake Ridge Historic District (TLRHD) ordinance requirements for height and volume.
2. However, the developer has returned with tweaks so trivial that it cannot meet ordinance standards. The developer's decision to submit trivial tweaks means one of two things: either he has no interest in satisfying the ordinance requirements or he does not understand it.
3. The developer has decided to ignore the clear and compelling *ordinance-based arguments* provided by numerous neighbors.
4. Staff's primary job is to demand compliance with the ordinance. Citizens like Linda Lehnertz should not have to prepare a veritable legal opinion to demonstrate that this building does not meet TLRHD criteria. The ordinance (41.05) clearly protects the independence of the preservation planner against the pressures of others in the plan department.
5. The commission should not allow this approval process to become a classic example of standards creep. Each new building cannot be a little bigger than the last and, falsely, become a precedent for still another bigger building. Here's why: As the standards get ratcheted up the integrity of the historic district will inevitably be lost.
6. This constant fight by citizens to demand compliance with ordinance standards is not sustainable. Citizens are volunteers and don't get a penny for their efforts. By contrast, project architects and developers have compelling financial incentives to come back again and again and again to persuade you to approve bigger, more profitable buildings. Money almost always trumps volunteer efforts. Developers know this.
7. Because the integrity of the TLRHD has been under great developmental pressure for many years, it is imperative that the commission demand compliance with the ordinance. And if the project fails to meet the criteria, then the only right decision is to reject the project.

cc: Heather Bailey