



February 21, 2024

To: City of Madison Plan Commission

Re: Land Use Application – First Amendment to Letter of Intent – Demolition Permit

Dear Commissioners,

The Applicant's original proposal sought to demolish five single-story buildings located at 117 W. Mifflin, 119 W. Mifflin, 121 W. Mifflin, 123 W. Mifflin, and 125 W. Mifflin, and one three-story building located at 15 N. Fairchild Street. Based on extensive discussions with the WHS and our own consultants, as well as a desire to limit demolition to only what is absolutely necessary to accommodate the safe delivery of the WHS' new History Center, the Applicant hereby requests to amend the original proposal to remove from consideration the demolition of the three-story building located at 15 N. Fairchild Street. Additionally, the Applicant would like to provide supplementary background/reasoning (updates in blue) to City staff and the Plan Commission to aid in their review and consideration of this application:

Below is a description of how the proposed demolition complies with the Standards of Approval for Demolition as set forth in Zoning Code Sec. 28.185.

1. *The applicant has included information related to any efforts to relocate the building, including but not limited to the costs of relocation, the impact of relocation on city terrace trees, and the structure soundness of the building.*
 - a. The Applicant has not attempted to relocate the 117-125 W. Mifflin St. buildings and the 15 N. Fairchild St. building. They are zero lot line buildings and of such a size and well beyond their useful life that relocation is impractical and not feasible.
2. *The applicant has received a Certificate of Appropriateness from the Landmarks Commission under GMO Secs. 41.09(1)(c) and 41.12(3), if applicable.*
 - a. The 117-125 W. Mifflin St. buildings and the 15 N. Fairchild St. building are not designated as City of Madison landmarks or adjacent to a City of Madison designated landmark building. Receipt of a Certificate of Appropriateness is not applicable.
3. *The applicant has received an approved reuse and recycling plan from the City Recycling Coordinator.*
 - a. The Applicant will coordinate with the City Recycling Coordinator and will obtain an approved plan prior to commencement of the demolition. The Applicant is currently working with its general contractor and environmental consultants on an appropriate mitigation plan for the removal of the buildings.
4. *The Plan Commission has received and considered the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.*
 - a. The City's Preservation Planner issued a report for the Landmarks Commission on December 4, 2023 (Legistar File # 75031) for property. For the 117-125 W. Mifflin buildings the Landmarks Commission found that the buildings have historic value for "their architectural significance, as buildings that the Keeper of the National Register determined are contributing to a proposed National Register historic district, represent the work of an architect of note (Philip M. Homer), and as an intact example of arcade-style building that is rare in Madison." The Landmarks Commission further recommended that the Applicant preserve as much of the terracotta as possible for future reuse if the building is approved for demolition.

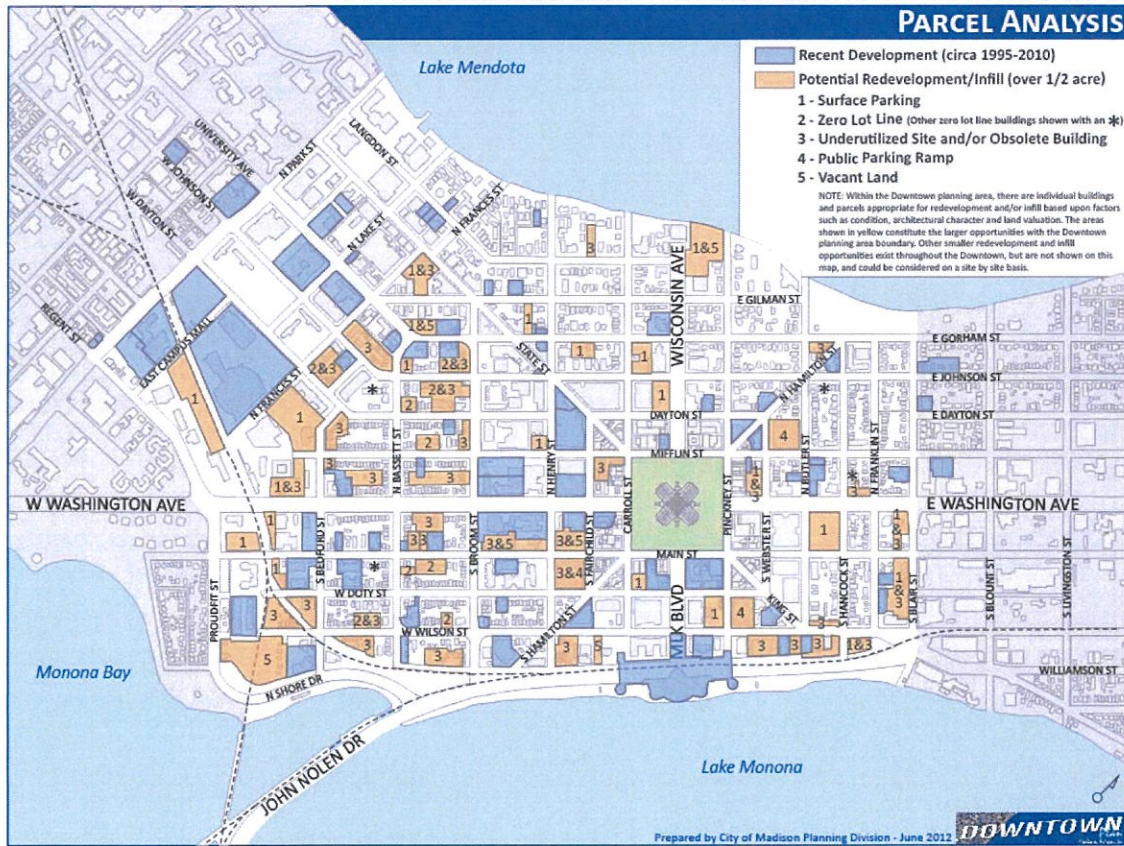
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HOVDE PROPERTIES

- i. We respectfully disagree with the Landmarks Commission advisory report because the buildings themselves have no historical designation, nor are the buildings located in any historic district, municipal or national. Notwithstanding, the Applicant restates its willingness to incorporate any salvageable terra cotta into its future redevelopment of the property.
- ii. In its letter dated February 20, 2024 to the Miffland District of CNI, the Wisconsin Historical Society explained: “In deciding to work together on the construction staging plan, WHS took into careful consideration the status of the West Mifflin Street Arcade building (117-125 West Mifflin Street). *The Arcade is not designated under the City of Madison’s historic preservation ordinance, nor is it a part of any listed historic district.* Although it was determined to be a contributing building to the eligible (but not listed) State Street historic District, *its integrity is not strong enough to make it individually eligible for the National Register of Historic Places.* Even if it were, there are better examples in Madison of the arcade property type that was popular at the time.” [Emphasis Added]
- iii. Further, the 2012 Downtown Plan recommends these sites for redevelopment and infill, determining the structures to be “Underutilized” and/or “Obsolete” based on factors such as condition, architectural character, and land valuation. (See Below; Downtown Plan, pg. 25)





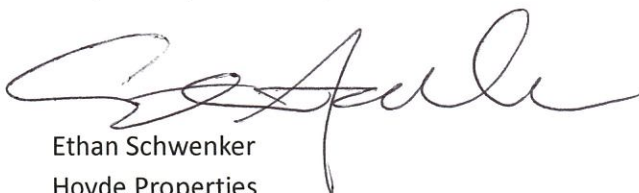
5. *The Plan Commission has received and considered the report of the City Forester regarding the impact a proposed building relocation could have on City terrace trees, if applicable.*
 - a. The Applicant has discussed with City Forester the impact of the proposed demolition on the city terrace trees.
6. *The Plan Commission shall consider the condition of the building or buildings proposed for demolition or removal. In order to find this standard met, the Plan Commission may consider a report of the Madison Fire Department, Police Department, and/or Building Inspection Division regarding the proposed demolition, including whether any evidence of a potential fire hazard, unlawful use of the property, public nuisance, or other public health and safety concern supports demolition or removal.*

The Applicant has met with City staff, the Miffland District of CNI, the Fire Department, and our Alder numerous times (including three public meetings) to explain the site dynamics and constraints that make this demolition absolutely necessary. Those meetings have been informed by a careful, detailed, and thorough review of the proposed WHS History Center's plans. To that end, WHS has consulted with three separate general contractors and the Applicant has engaged numerous consultants and construction experts, all of whom, individually, have concluded that only way to maintain the life safety standards and functionality of the Churchill Building for its tenants, tenant's customers, and the public-at-large is to proceed with demolition of the single story buildings. Moreover, as WHS representatives have explained, unlocking WHS' ability to close off the alley and access critical laydown/staging area, allows WHS to reduce their impact on the Mifflin Plaza (less tree removal and wider pedestrian/bike access lane).

After the Wisconsin Historical Society's use of the site, in conformance with the Downtown Plan, the Applicant expects to redevelop the site into a high-quality, mixed-use project (including residential, retail and potentially hospitality) with a focus on activation of the Mifflin/Fairchild intersection. The forthcoming project is being designed to interconnect to the Churchill and Hovde buildings to share in new limited underground parking, which we feel will be a tremendous downtown asset and the ideal complement to WHS' new History Center.

In conclusion, WHS and the Applicant have worked closely with multiple, independent construction experts to come up with this plan to address the challenges of redeveloping this site. The solution before you is the safest and least disruptive plan to address the difficult site dynamics at play. This solution is also consistent with the City's own plan for the sites, both in terms of redevelopment, but also in terms of unlocking future density. Without approval, the WHS History Center may need material redesign which could compromise the well-received vision of the site. Most importantly, without approval, we risk needlessly imperiling the safety and wellbeing of the residents, tenants, and workers who live, patron, and navigate this critical block of downtown Madison.

Respectfully submitted,



Ethan Schwenker
Hovde Properties

