

Scanlon, Amy

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**From:** Rummel, Marsha  
**Sent:** Thursday, July 02, 2015 1:26 PM  
**To:** Scanlon, Amy  
**Subject:** Fw: Tonight's Meeting of LORC

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**From:** JDS [REDACTED]

**Sent:** Thursday, July 2, 2015 10:03 AM

**To:** Rummel, Marsha

**Cc:** Bert Stitt - Canal Place; Zane Williams; Steve Rubin; [REDACTED], David Mollenhoff

**Subject:** Tonight's Meeting of LORC

Dear Alder Rummel,

I'm writing to you on behalf of the *First Settlement Neighborhood* to express concerns with the draft *Preservation Ordinance* that you're helping rewrite as a member of LORC. We have been providing you feedback and suggestions through our participation in the *Alliance for Historic Preservation* and we appreciate your careful consideration of the issues that the Alliance has and continues to bring forward. There are several issues of critical importance that we would like to specifically call to your attention and ask you to support at tonight's LORC meeting:

1. Inclusion of "gross volume" in the historic district standards and definitions: Some objective measure of a building's volume is critical and the recent removal of "gross volume" is worrisome. Call it "mass" if "gross volume" is not preferred (though the scientist in me dislikes using mass when volume is the correct term). "Massing" and "bulk" are not sufficient since both are subjective terms in their normal use. An objective term for a measurable volume needs to be part of the new ordinance definitions and district standards. A key concern is that a preservation ordinance without gross volume would enable and encourage smaller lots in our local historic district to be amassed to create a larger footprint so a building with disproportionate volume can be constructed.

2. Modification of the *Policy and Purpose* section (41.01) to state "*Create a confident investment climate for the preservation, rehabilitation, restoration, and reconstruction of historic resources.*" We strongly support this change because one of the most important goals of the new ordinance is to create confidence among property owners in our local historic districts. Also *preservation, rehabilitation, restoration, and reconstruction*, which are extensively used treatment approaches recommended by the *National Trust for Historic Preservation* and by the *Secretary of the Interior*, deserve to be an integral part of Madison's preservation vocabulary and should be included in the new ordinance definitions.

3. Continued focus on the the Variance section (41.19) so that it provides desired flexibility without creating loop holes that will undermine confidence in the new ordinance's ability to foster preservation. We ask that you strike the language indicated in 41.19(4)(a): "~~Strict literal application of the standard would deny the property owner a reasonable rate of return on investment, or would impose upon the property owner an unreasonable and unnecessary financial hardship.~~" Purchasing a landmark or a property in a historic district

can indeed be a profitable investment but the ordinance shouldn't allow or encourage investors to seek variances to maximize their rate of return. Owners of landmarks and properties within historic districts would still have flexibility to seek a variance if strict application of the ordinance results in an unreasonable and unnecessary financial hardship.

4. Involvement in Phase 2: We also appreciate being informed when and how phase 2 will be done for rewriting the *First Settlement Local Historic District* and ask you to ensure that it includes significant engagement and opportunity for residents within our historic district to participate in the rewriting of our district's ordinance.

*you to continue to work for a document*  
We want to thank you for your skillful representation of the interests of the *First Settlement Local Historic District*. We encourage you to continue to work for a document that is not just good, but is one that will be successful at providing clarity, consistency and confidence for those of us that have chosen to invest our time and money preserving Madison's heritage.

Jim Skrentny  
Chair - First Settlement Neighborhood