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**Subject:** Comments on Legistar 78192 and 78428  
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## Greetings Plan Commission members-

Please accept my comments on these two items. I will probably miss the first item as I have Finance Committee but will join you later. Thank you for your service.

Marsha

### **2. 78192 18-30 N Carroll Street; District 4: Consideration of a demolition permit to demolish two commercial buildings and a museum**

The staff report supports the demolition of the three historic buildings in favor of the development of a five-story history museum.

I do not believe the Plan Commission should find that the demolition standards are met since the proposal does not preserve historic buildings with cultural and historic significance or aid in the implementation of adopted city plans.

The staff analysis of relevant adopted plans fails completely to mention the key value of preservation of historic and cultural resources downtown identified in the Downtown Historic Preservation Plan (1998), the Downtown Plan (2012), the Comprehensive Plan (2018), and the Historic Preservation Plan (2020).

In the **2012 Downtown Plan**, Key 7 is titled "Build on Historic Resources" and notes the majority of historic buildings are downtown and contribute to the uniqueness of downtown. Unfortunately, the Downtown Plan is silent on the historic value of the buildings on the Capitol Square since they are not in a local or national historic district. And while the Downtown Plan mentions updating the Downtown Historic Preservation Plan in one of its recommendations, the 1998 plan is not available on the city's planning page with other adopted plans for the public to easily review the buildings it considered. [Downtown Plan](#) (page 89)

The **2018 Comp Plan** calls for preservation: Strategy 2 Preserve historic and special places that tell the story of Madison and reflect racially and ethnically diverse cultures and histories. ...The preservation of a city's historic and cultural resources can have significant economic benefits to a community. Heritage tourism is a fast-growing economic sector in many cities. As

visitors spend more money on trips and experiences, many are traveling to experience the history and culture of different cities. Heritage tourists often stay longer and spend more money than other tourists. This is a largely untapped opportunity for Madison and the surrounding area. Promoting Native peoples' history in the region and the Madison area's association with Frank Lloyd Wright are a couple examples of opportunities to grow and enhance tourism. Historic preservation also has many other benefits. It contributes toward establishing a sense of place that makes Madison feel unique and embodies the social aspects of the city's history that helped shape Madison.

... c. Retain Older Buildings. Old buildings, even if they are not formally recognized as landmarks or part of a historic district, often establish the character of a place. These buildings often have a level of design, detail, materials and craftsmanship not typically found in newer buildings. They also often represent connections between certain segments of the community to the history of a particular neighborhood. Reuse or rehabilitation of these buildings can extend their life beyond the originally intended purpose and achieve many sustainability goals, such as keeping materials out of landfills and not wasting the embodied energy contained within the existing building. In addition, older buildings are often less expensive for residential and commercial tenants than new construction. Sub-area planning efforts should identify the older buildings that should be retained and recommend the most appropriate means for doing so. [Comp Plan part 2](#) (page 32-33)

The **2020 Historic Preservation Plan** identifies the top two goals as Promote Historic Preservation in Madison and Preserve Buildings and Places that Represent Architecture, Events and People Important to Madison's History. (Page 36-37) "Historic preservation is about more than saving architectural landmarks or sites of significance. Today preservation contributes to neighborhood revitalization, sustainability, and awareness of historical and cultural events. The reuse of a building can create a unique gathering area that spurs additional investment in the area, while preventing a structure from being lost." (Page 12) [Historic Preservation Plan](#)

The city's adopted plans clearly articulate a public interest and benefit in preserving our cultural and historic assets.

**The statement of purpose in the demolition standards Ch 28.185** states: It is hereby declared as a matter of public policy that the careful consideration of requests to demolish or remove existing principal buildings is a public necessity and required in the interest of the health, prosperity, safety, and welfare of the people. ***The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans***, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances, and require the use of safe and orderly demolition or removal methods. [italics mine]. There are seven standards that

must be met, one that includes a report from the Preservation Planner or Landmarks Commission.

According to page 7 of the [Staff Report](#) “Regarding the buildings at 20 N Carroll Street and 22 N Carroll Street, while City Preservation staff recommended a finding that the building “historic value related to the vernacular context of Madison’s built environment, but the buildings themselves not to be historically, architecturally, or culturally significant”, **at their May 15, 2023 meeting, the Landmarks Commission found that the buildings “have historic value based on cultural and historic significance and as the work/product of architects of note.”**

The Landmarks Commission is recommending to the Plan Commission that 20 and 22 N Carroll have historic value based on two factors (cultural and historic significance and the work of architects of note) and they do not recommend demolition. You must consider this report in order to meet demolition standard #4. I

Per the staff report, the Wisconsin Historical Society “... notes that the Society determined that while the 20-22 N Carroll St. buildings have had a presence on the capitol square for a century, the historic nature of the buildings did not rise to a level of significance that would outweigh the Society’s plan to develop a new History Center.”

The Wisconsin Historical Society’s opinion about the proposed value of the new development outweighing the historic value of the buildings is not before you. The demolition ordinance does not allow you to consider future use as part of the demolition standards.

In my opinion removing the buildings would frustrate the public’s interest in preserving historic structures. I do not believe the demolition request meets the standards or statement of purpose.

**18. 78428 1609 S Park Street; District 13: Consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for a vehicle access sales and service window to allow a restaurant to be converted into a coffee shop with vehicle access sales and service window in Urban Design Dist. 7**

You have received many excellent letters from the alder, neighbors, and community members regarding the proposed conditional use at 1609 S Park for a vehicle access sales and service window and its inconsistency with the zoning code, the intent of the TOD overlay district, and UDD 7 requirements.

I do not believe the proposed conditional use meets the standards and request that you place

it on file.

When I reviewed this proposal as a UDC member, I was shocked by a couple of things.

First, when UDC staff explained they believed the proposed drive through window met the TOD overlay standards, I was confused. The TOD overlay ordinance states vehicle access sales and service windows are to be **“located under the building in which they are located.”** The proposed service window is not under the building. The UDC and PC staff report indicates the TOD overlay standards do not apply to this proposal. Ok, but staff argues the proposal is consistent anyway: “As determined by the Zoning Administrator, the proposed vehicle sales and service window, as designed, is consistent with both the TOD Overlay requirements in that it is within the existing building structure as a result of the canopy roof addition, and the Supplemental Regulations because the vehicle sales and service window is screened from view by a wall.”

I strongly disagree. Allowing a drive through sales window under a canopy structure does not meet the spirit of the ordinance and would set a precedent in other TOD overlay districts.

Under the building is not the same as under a canopy addition. If you and policymakers think having a service window under a canopy with screening is okay then the ordinance should be amended, it does not say that and it was not the legislative intent.

Secondly, MGO 28.104(8) prohibits drives, drive aisles, and vehicle access sales and service drives between the primary street-facing façades and the primary street. That is a straightforward standard, and this proposal violates it.

A dedicated vehicle drive aisle in front of the building also contradicts the UDD 7 goal to enhance the visual and pedestrian character of the street.

Thirdly, the UDD 7 Windows and Entrances requirements state that, “...non-retail buildings should have at least 40 percent of the street wall devoted to windows.” Per the 8/16/23 UDC staff report, “staff have estimated the window coverage is roughly 32 percent. While this is undoubtedly an improvement from the previous iteration with 25 percent window coverage, the street facing elevation still does not appear to meet this requirement, which the UDC does not have the ability to waive.”

UDC can't waive the requirement, but apparently, we can still approve a proposal that does not meet the “requirement” for windows intended to enhance the visual and pedestrian character of the street.

As noted in the PC staff report, to meet concerns raised at UDC to separate pedestrian areas and drive through areas, the applicant is now proposing to eliminate pedestrian walk-up

access to the building.

In my opinion, the proposed use is no longer a coffee shop with a drive through but a drive through use only, with several hundred feet of a dedicated vehicle access and service drive that requires access across two parcels and the use of a primary and secondary street to operate the business.

The project doesn't meet the following standards, in my opinion: The need for queuing across several parcels raises questions whether the drive-thru could impede the orderly development of the adjacent parcels per CU standard 4, adequate circulation across parcels and two egresses on secondary streets per CU standard 5, and the inconsistency with MGO 28.104(8) and intent of TOD overlay district language that service windows be under the building does not meet CU standard 7.

The staff report advises the PC that the re-use of the existing drive-thru is okay since "Staff believes, on balance, that because the applicant proposes to re-use a building with existing drive-thru facilities, and the proposed project complies with the Transit Oriented Development Overlay District, it may be possible to find the applicable standards met."

I disagree that the project complies with the TOD Overlay District or is merely reusing existing drive-thru facilities per the public testimony you have received. Please place this proposal on file.

Marsha Rummel

District 6 Alder

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