

From: [Rachel Holloway](#)
To: [Plan Commission Comments](#)
Cc: [Guequierre, John](#)
Subject: Comments in support of Zoning Code amendments
Date: Monday, February 17, 2025 2:25:01 PM

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Dear Plan Commission members,

I am writing in support of the proposed Zoning Ordinance amendments involving housing creation and demolition (Legistar File ID #86649 and #86650).

These are modest, practical changes that would remove some of the regulations that currently pose barriers to the creation of new housing in our community. The rationale is well explained. It is good that these proposed changes are responding to actual homeowner requests, and to “lessons learned” based on experience over time. And it demonstrates the City’s stated desire to see more “missing middle” housing and small-scale development and redevelopment.

Specifically, I appreciate the City’s efforts to simplify the building requirements for ADUs / accessory dwelling units and for buildings of similar size and type (for example using same setbacks for 1- and 2-story buildings). Unless there is a good public-interest reason to have varying requirements across structure types and zoning districts, we should try to keep it simple. For ADUs, we should allow flexibility on how they are built because each property and building is unique. If the zoning allows someone to build an ADU, why get involved in the specific layout within the building (aside from building safety codes, accessibility, or similar). And removing the requirement for “usable open space” is good since it does pose a barrier to new construction, it duplicates other regulations that already exist, and are more practical / less costly ways to achieve the same goals.

Regarding the changes to rules to demolish historic structures, the changes appear reasonable. However I would like to see the City question the value and outcomes of requiring committee-level reviews for “Category B” structures. Since by definition a building in Category B is “not itself historically, architecturally or culturally significant.” While many of us admire the charm of older neighborhoods and buildings, and they can add to the city’s overall image, this is subjective in nature, is a complicated (read: expert) subject, and poses a barrier to new construction within existing developed areas... I am not sure that a building’s “vernacular context” should be grounds to add additional review, especially if a proposed rebuild meets current zoning requirements. Perhaps buildings should simply be designated historic, or not?

Thank you for your consideration,

Rachel Holloway
6438 Shenandoah Way

Plan Commission
Meeting of February 17, 2025
Agenda #12, Legistar 86649

The substitute is better than the original version, but there are still major problems. At the Landmarks meeting staff said the ordinance: "is not intended to put its thumb on the scale or to specify any one outcome in the case of a demolition being reviewed by the Landmarks Commission and ultimately by the Plan Commission. But is really intended to make it clear what our community needs to weigh in terms of the types of considerations that should be made when those demolitions are requested." (minute 1:32)

Intent does not matter. It is the actual words that matter and the substitute's words do put a gigantic thumb on the scale. The purpose statement and the standards of approval significantly shift the existing balance away from historic preservation. And for what reason? Few historic resources are preserved. In calendar years 2023 and 2024, Landmarks reviewed 169 demolition requests. Of those, 43 were found to have historic value. Of those 43, Plan Commission denied demolition of only 5 buildings (2 projects).

Purpose Statement

The existing purpose statement states: "The purpose of this section is therefore to ensure the preservation of historic buildings ..."

- That statement has often been relied upon when Plan Commission makes one of its relatively rare decisions to deny demolition of a historic resource.
- That statement would be replaced with one where there is a "general interest" in preserving historic resources.

The purpose statement ignores "sense of place."

- The listing of all the benefits provided by historic resources only mentions items that have potential economic benefit. The Comprehensive Plan discusses the more intangible benefits provided by historic resources: "historic resources contribute toward establishing a sense of place that makes Madison feel unique and embody the social aspects of the city's history that helped shape Madison." If the benefits of historic resources are to be listed, that language should also be included.

Standards of approval

There would only be two standards of approval. The first would require the demolition to be consistent with or aid in the implementation of adopted plans or with the purpose statement.

The second standard states: "There are factors that are found to outweigh the public interest in preserving historic resources. Such a finding may include, but is not limited to [4 factors]." Placing the factors under the balancing test of subsection (2) does reflect that, ultimately, Plan Commission is using this information to determine whether demolition outweighs preservation.

However, the proposed language, whether or not intended, means that demolition must be approved if any single factor is met. The mere existence of one of these factors should not be

enough to tilt the balancing test against preservation. Rather, these factors should be items that Plan Commission considers in making its decision on the balancing test.

Better language would be:

“Demolition of the existing building(s) outweighs the public interest in preserving historic resources. In making this finding, the Plan Commission shall consider the following factors and any other factor that it may find relevant.”

The ordinance should provide a clear understanding to all readers – one should not have to ask staff for an interpretation. Please read the proposed section and form your own opinion as to whether the second standard is clear.

Factor #1 is deteriorated condition.

The demolition applicant often claims deteriorated condition. Yet the quality of evidence provided by applicants varies widely, sometimes a professional report, sometimes photos. In 2022, Plan Commission denied an application for 114 N Blount. Landmarks had found this building had “historic value based on its status as a contributing structure in a National Register Historic District and its significant role in the African-American settlement of Madison and Wisconsin.” The applicant claimed the building “was truly beyond saving” and that the house was house visibly tipping over and caving in. After denial, the home was sold to a local resident and rehabilitated.

As to repair not being “economically feasible,” how will economically feasible be defined? If an applicant needs to spend \$100K, it may not be economically feasible for a building worth \$200K, but is not economically infeasible for a building worth \$1M. (State statutes allow a municipality to raze a deteriorated building if the cost to repair is over 50% of the building’s value, and also require the Building Inspector, or some other designated official, to sign off on the cost of repairs.)

This factor should not only define “economically feasible” but also define what kind of report is required to prove deteriorated condition. For example, require the applicant to support a claim of deteriorated condition with a report prepared by a licensed architect or engineer certifying and providing reasons that the building needs to be demolished for Category B applications and for Category A applications require that the report must be prepared by a licensed architect or engineer with experience in historical methods of construction. This would add clarity and ensure the quality of materials provided to Plan Commission.

Factor #2 is the building has been so altered that historic meaning has been lost

Landmarks, in its advisory recommendation, comments when historic value is lost. Plan Commission should not be second guessing the experts. Further, it should be made clear that it is only the exterior of the building that matters, and, like for City designated historic resources, the exterior that is visible from the public right-of-way. Instead of having this as a condition of approval, proposed section 41.28 should add a paragraph (3) which says something like:

(3) Loss of Historic Value. In assigning a Category, the Landmarks Commission shall consider whether the portion of the exterior of a building with historic value which is visible from the public right-of-way has been so altered that it cannot convey its historical association or architectural significance. When applicable, each finding shall also note such loss of historic value.

Factor #4 is creative mitigation

This is the worst factor. The proposed language bears repeating:

“The applicant will implement a plan to mitigate the loss of the building with historic value, to include but not limited to relocation, salvage of historic materials, adaptive reuse of portions of the existing structure, interpretive installations at the site, or other creative mitigation measures.”

This factor, when read with the sub. (2) introduction, means that any “creative mitigation” requires Plan Commission to approve demolition. A historic resource could have significant history and be in perfect condition, but Plan Commission would need to approve demolition if the applicant proposes creative mitigation. Sometimes mitigation is appropriate, sometimes not. To take it to the absurd, if the State Capitol was proposed to be razed, a plaque with an etching of the State Capitol which stated “here once stood ...” would meet the definition of mitigation, thus allowing for demolition.

At a minimum, this subsection should say: “The applicant will implement a plan which sufficiently mitigates the adverse effect to Madison’s cultural landscape caused by the loss of the historic resource.” Unlike the current language, this would allow Plan Commission to assess the value of the particular historic resource and determine whether or not the proposed mitigation is adequate.

It is important to remember that mitigation can be a good bargaining tool. When 609 E Dayton, the Reynolds warehouse, first came before Plan Commission, the demolition was denied (based on the statement of purpose language ensuring preservation). In the letter of intent, the applicant had this to say about the warehouse’s façade: “the façade’s location is not functional or efficient for the design as a hotel, and relocating it is not feasible.” Less than three months later the applicant submitted a new demolition/redevelopment plan – one which retained the original Dayton Street facade of the Reynolds warehouse.

Not a factor: Landmarks advisory recommendation

Under the existing standards of approval, Plan Commission is required to consider “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.” Under the substitute, that consideration is in a separate paragraph, (6)(b), which is titled “submitted materials.” Consideration of the Landmarks advisory recommendation should be standard of approval. Otherwise, it is not a factor that must be weighed in Plan Commission’s decision to approve/disapprove a demolition.

Past Process

The original staff report states: “Approaches to amend the demolition ordinance have previously been discussed with the Plan Commission at their special meetings.” There was one Plan Commission special meeting on possible ordinance changes in March of 2024. There was not any further Plan Commission update/discussion. The only thing that came of that special meeting was a general consensus that buildings with no historic value could be administratively approved.

The second staff report states: "When the demolition process was last discussed by the Commission, staff received feedback that the approval standards could be clarified to better reflect the key questions that the Commission weighs when it considers demolitions - particularly about a property's historic value and relationship to implementation of adopted plans." The relationship to implementation of adopted plans was addressed a year ago when the ordinance was amended to explicitly include that relationship: "For properties determined by the Landmarks Commission to have any historic value or significance, the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans

Plan Commission "feedback" to clarify approval standards was, at best, minimal. The feedback consisted of one Commissioner saying that the standards were too subjective. The response of the Preservation Planner is instructive:

"It is always going to be subjective. It's a decision about what we value. Yes, there is a technical process for how Landmarks Commission evaluates what we consider historically or culturally or architecturally significant and they have a lot of experience with that, and they have expertise and they can go through their review process. But ultimately, at the end of the day, it's a decision about what we as a City are deciding that we want to value and want to continue to have integrated into our identity as Madison. It is a value decision. It would be, on the one hand, easier if we could make it into a totally black and white situation where we say here's our criteria and you do or don't and the end. But, particularly for these ones where we are saying they're really significant, it's going to be a struggle. And I don't think there's any way around that and we have to decide what way we want our City to evolve and take shape. And it's likely not going to be an easy decision. It's a value choice."

The Chair then said to the extent Plan Commission can better define the standards, great, but there's always going to be things that people need to talk about and make a decision on. And another Commissioner said: "There is subjectivity in our standards of approval for good reason. If it did just take a rubric, each Plan Commission meeting would be 20 minutes long and we'd have nothing to discuss."

The materials for the special meeting of the Plan Commission did not even suggest that the purpose statement or approval standards would be changed, except for adding one new standard: "Staff would suggest an additional standard that in order to approve a demolition, the Plan Commission would need to find that the benefits of a demolition outweigh interest in preserving historic resources." (That suggestion was not discussed.) See page 10 of: <https://madison.legistar.com/View.ashx?M=F&ID=12740713&GUID=2BA722CD-682D-4FE4-9E73-CF7589E9002B>

Respectfully Submitted,
Linda Lehnertz

From: [Harald Kliems](#)
To: [Plan Commission Comments](#)
Subject: Public comment agenda items 12 and 13 (support)
Date: Monday, February 17, 2025 7:54:53 AM

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Dear members of the Plan Commission:

I am writing in support of items 12 (Repealing and recreating Section 28.185 and creating Section 41.28 of the Madison General Ordinances related to demolition of buildings to update the approval processes) and 13 (Amending Sections in Chapter 28 of the Madison General Ordinances related to single-family homes, accessory dwelling units, and small residential infill projects) on your agenda.

Both of these are small, common-sense changes that reduce needless friction in the process of building much needed new housing.

In some of the comments by alders and the public, the term "naturally occurring affordable housing" has come up as a reason to oppose the ordinance changes. Let's please stop using the misleading term. Naturally occurring affordable housing is even less "natural" than "natural gas" (the oil/gas industry's preferred term for fossil gas). Housing exists because a developer, an individual, a housing authority, or a city, at some point built it! The ordinance changes make it a little easier to build housing, and more housing is what we need, in Madison and in the whole nation.

Thank you for consideration,
Harald Kliems

6 N Allen St
Madison, WI 53726



Robert C. Procter
Government Affairs Director
Axley Brynelson, LLP
rprocter@axley.com
(608) 283-6762

Re: **Legistar File ID # 86649 and # 86650**
 Accessory Dwelling Units, Accessory Structure Size

TO: Plan Commission

FROM: Realtors® Association of South Central Wisconsin¹
 Robert C. Procter, Government Affairs Director

DATE: February 16, 2025

The Realtors® Association of South Central Wisconsin (RASCW) supports the proposed amendments to Madison’s zoning ordinances. These proposals represent a significant step forward in addressing our urgent and ongoing housing crisis. They are modest, common-sense changes that will make the zoning code easier to understand, streamline the small residential infill development process, and make it easier to build the type of housing the city wants and needs.

While these changes won’t solve the housing crisis overnight, they will have a significant and positive impact over time. It took more than 20 years for this crisis to develop, and it will take time for these solutions to work. Yet with continued focus on reforms like these, we will create more housing options across the city.

Allowing more flexibility for homeowners to build and modify their homes, expanding options for Accessory Dwelling Units (ADUs), and simplifying the demolition review process for non-historic buildings are practical steps that will help address the city’s growing demand for housing.

We urge the Plan Commission to support these amendments and continue the city’s efforts to make Madison a more accessible and affordable place for everyone. We appreciate your time and consideration of these important solutions.

¹ RASCW represents more than 3,400 members of the housing industry in South Central Wisconsin. RASCW supports the housing industry through advocacy for its members and consumers.

From: [Bill Connors](#)
To: [Plan Commission Comments](#)
Cc: [Tuttle, Meagan](#)
Subject: Smart Growth's Comments on Demolition Ordinance (Legistar 86649)
Date: Sunday, February 16, 2025 7:20:55 PM

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Chair Gnam and Members of the Plan Commission:

On behalf of Smart Growth Greater Madison, I am writing to express support for version 1 of Legistar 86649, the proposed changes to MGO section 28.185 regarding demolitions of principal buildings. This is item 12 on the agenda for your meeting on Monday, February 17.

In addition, Smart Growth has no objection to most of the clarifications in version 2. However, Smart Growth strongly objects to part of the text that would be added to the statement of purpose section by version 2.

Furthermore, Smart Growth recommends additional changes because neither version of the ordinance goes far enough toward creating the predictability needed to meet Madison's housing goals and to avoid potential legal challenges.

Smart Growth supports noting in the statement of purpose section in the demolition ordinance that the legitimate interest of the city in preserving historic structures should be balanced with the city's strong interest in increasing the construction of housing units so that the growing population of the city has someplace to live and so that house and condo prices and apartment rents do not continue to escalate at some of the highest rates in the nation year after year. Smart Growth recommended that an explicit statement of the imperative for such balancing be included in the comprehensive update of the landmarks ordinance, which was adopted in 2022. Unfortunately, such an explicit recognition of the imperative for balancing was not included in that ordinance.

In version 2, the assertion in the statement of purpose section that preservation of historic resources stimulates business and industry has no basis in reality. This assertion is particularly erroneous when preservation of historic resources prevents more housing units from being constructed. Increasing housing density in an area stimulates business and industry, because it puts more residents within walking distance of businesses, while stifling increasing housing density does the opposite. Smart Growth urges the Plan Commission to strike "stimulate business and industry" from version 2 of the statement of purpose section of the ordinance.

Smart Growth urges the Plan Commission to make two further amendments to the proposed ordinance to increase its impact in helping address the city's chronic housing shortage and to avoid potential legal challenges.

First, the proposed ordinance requires the Plan Commission to find that the demolition is consistent with or will aid the implementation of adopted plans--including a situation where the redevelopment project that would be facilitated by the demolition is consistent with or will aid the implementation of adopted plans (OR that the demolition is consistent with the

purpose statement of this ordinance). But the proposed ordinance doesn't explicitly say that. If applied literally, the only demolition that would be consistent with or aid in the implementation of adopted plans would be where the building to be demolished is on land that has been identified for a future park or open space.

Furthermore, if a property owner or developer is proposing demolition of a building to facilitate a redevelopment project that is a permitted use under existing zoning but is not consistent with the applicable adopted plan(s), and the Plan Commission denies granting the demolition permit because the proposed demolition is not consistent with the adopted plan(s), the city government will be thwarting a land use that it has declared in its zoning code to be a permitted use, which likely would be struck down by the courts if challenged (according to written advice from the Madison City Attorney's office). To clarify this provision and to avoid potential future legal action, Smart Growth recommends that his provision be amended to read as follows (starting from version 2):

(6)(c) Standards of Approval. The Plan Commission shall not approve an application for demolition unless it finds that both subs. (1) and (2) are met:

(1) Demolition of the exiting building(s) (a) is consistent with or will aid in the implementation of adopted plans, (b) would facilitate redevelopment that is consistent with or will aid in the implementation of adopted plans, (c) would facilitate redevelopment that is a permitted use for the zoning district in which the site is located, or (d) is consistent with the purpose statement of this section.

Second, Smart Growth urges the Plan Commission to amend the proposed ordinance to eliminate all references to category B demolitions. Denials of category B demolitions by the Plan Commission happen often enough to make any project that would require demolition of an older building to be risky. Having to spend tens of thousands or hundreds of thousands of dollars to get to the point where a project is approved or denied is a substantial financial risk that many investors are not willing to take. This risk decreases the number of housing development projects that are proposed. Smaller developers in particular cannot take this risk because a denial after spending tens of thousands or hundreds of thousands of dollars would wipe them out. Smart Growth suggests that continuing to have a category of demolitions like category B is a luxury that Madison cannot afford during a chronic housing shortage.

Finally, Smart Growth would oppose any attempt to amend the proposed ordinance to prohibit demolition of a structure if someone believes it is "naturally occurring affordable housing."

The owner of an older, heavily worn building which contains housing units that have lower rents is not legally obligated to keep the rents relatively low if demolition of their building is denied. The owner could respond to a denial of a demolition permit by investing in upgrading the building and increasing rents to a level that would not be considered "affordable."

Furthermore, it is likely that any definition of "naturally occurring affordable housing" will be subjective and lead to unpredictable application of the definition. Unpredictable results discourage developers from proposing housing projects.

Thank you for your consideration.

Bill Connors
Executive Director
Smart Growth Greater Madison, Inc.

608-228-5995 (mobile)

www.smartgrowthgreatermadison.org

25 W Main St - 5th Floor, Suite 33
Madison, WI 53703



February 14, 2025

To: City of Madison Plan Commission

Re: February 17, 2025, Plan Commission Meeting
Legistar File 86649
Proposed Demolition Ordinance Changes

To the Members of the Plan Commission:

Extensive changes to the demolition ordinances have been proposed in Legistar File 86649, both in an original draft of legislation and in a substitute amendment drafted after Landmarks Commission action on the original proposal on February 10. The Madison Trust for Historic Preservation, with more than 500 members throughout the city, opposes some of the changes and supports some of the changes.

We had serious concerns that the original draft legislation would have significantly reduced protections for historic properties. Our biggest concerns involved the Statement of Purpose and the Standards of Approval, but there were additional concerns as well.

After the Landmarks Commission meeting, a substitute amendment has been drafted and circulated. We appreciate the effort to draft an amendment that addresses some of the concerns raised at the Landmarks Commission meeting.

Many of the changes in the substitute amendment are good. However, we believe additional amendments are needed to assure that the legislation is neutral compared with current law and that it adequately protects historic properties.

Denials of demolition requests have a very minor impact on housing and development, but provide major benefits to the city by preserving the best parts of our heritage.

Several of our members testified at the February 10 Landmarks Commission meeting. The Landmarks Commission approved the proposed changes in Sec. 41.28, but asked for re-referral of the proposal to the Landmarks Commission by the Common Council to allow for additional time to consider the other changes.

(Continued)

Background

The proposed changes have the stated intent of supporting housing creation, revising the city's review process for demolition requests for historic buildings, and streamlining the review of demolition requests for non-historic buildings. City staff members have said that the proposed changes were intended to be neutral compared with current law.

The key elements of the proposed changes are:

- Changing the Statement of Purpose in the demolition ordinances (Sec. 28.185(1) of the proposed changes).
- Changing the Standards of Approval in the demolition ordinances (Sec. 28.185(6)(c)). We are concerned that these changes would lower the threshold for approval of requests
- Allowing demolition requests for non-historic buildings to be processed administratively by staff after review by the Landmarks Commission (Sec. 41.28 and 28.185(4)).

General Comments

Denials of requests for demolition permits have not had a significant impact on the supply of new housing.

- According to city staff, from October of 2021 through November of 2024, there were 143 demolition requests and 96% of them were approved. That means that 6 were denied, or an average of 2 per year.
- The number of proposed housing units affected by these denials is very small, as compared with the large number of housing units constructed on property where building demolitions were approved plus the very large number of housing units constructed on vacant property.
- In fact, in some cases, denials of demolition permits resulted in more housing (Edgewood Avenue houses), and in others approvals of demolition permits resulted in less housing (225 W. Gilman St.).

While the changes to the review process have been described as neutral, some of them are in fact detrimental to preservation of our most important historic properties. It has been stated that the changes are not intended to “put a thumb on the scale” in favor of demolition, but unfortunately some of them could do that, as explained below.

Proposed Changes to Review Process – Statement of Purpose

Both the current Statement of Purpose in Sec. 28.185 and the proposed new statement begin by saying that the careful consideration of requests to demolish buildings is a public necessity and required in the interest of the health, prosperity, safety and welfare of the people.

(Continued)

- We were concerned about some of the wording in the original proposed changes to the Statement of Purpose. In the substitute amendment, that language has been changed to say that the City should balance its general interest in preservation with its general interest in growth.
- This change is appropriate. The City's Comprehensive Plan lists 59 strategies, including "preserve historic and special places that tell the story of Madison" and "increase the amount of available housing." Preservation and housing are both given weight as strategies. The revised Statement of Purpose in the substitute amendment recognizes this.
- Also, language has been added in the substitute amendment that says that the city recognizes that historic resources are cultural and economic assets. This is also appropriate.

Proposed Changes to Review Process - Standards of Approval

The current ordinance has seven Standards of Approval, some of which refer to procedural steps. The substantive standards that are most important are:

- Standard 4. The Plan Commission has received and considered the report of the City's Preservation Planner as well as any report from the Landmarks Commission.
- Standard 6. The Plan Commission shall consider the condition of the building proposed for demolition.
- Standard 7. The proposed demolition is consistent with the Statement of Purpose and with the health, prosperity, safety and welfare of the City.

The proposed revisions set forth new Standards of Approval. They refer to adopted plans and the new Statement of Purpose. They then list four new factors, any one of which can outweigh the interest in preserving historic buildings. These are:

- Factor i. The building is found to be in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it.
- Factor ii. If the building has historic value, it has been so altered that it cannot convey its historical association.
- Factor iii. There is evidence of a potential structural or fire hazard, unlawful use of the property, public nuisance, or other public health and safety concern.
- Factor iv. The applicant will implement a plan to mitigate the loss of the historic building, including relocation, salvage of materials, adaptive reuse, interpretive installations at the site, or other creative mitigation measures.

Here are some comments on the proposed new factors:

- Proposed Factor i (deteriorated condition) refers to information that is currently covered under existing Standard 6.
- Proposed Factor ii (altered so that it cannot convey its historical association) refers to information that is currently covered under existing Standard 4.

(Continued)

- Proposed Factor iii (structural and fire hazards and similar concerns) is largely covered by existing Standard 6.
 - It is unclear why the proposed revisions add language saying that demolition should occur if there has been unlawful use of a property. If there's unlawful use, the solution is to end the unlawful activity, not to tear down a historic property.

The inclusion of Proposed Factor iv (mitigation plans) is a major concern.

- Mitigation plans have been implemented under the current ordinances. They can be appropriate if a decision has been made that demolition is warranted based on other factors. They should not be used to argue in favor of a decision to demolish that would not otherwise be approved based on the other factors.
- If mitigation steps that are as minor as an interpretive installation can be used to justify demolition, applicants for demolition permits will heavily rely on this factor, with serious consequences for preservation.

The first three factors provide that demolition can be approved if there is serious deterioration, major alterations that remove historic associations, or hazardous conditions. These factors for the most part replicate the existing Standards of Approval in current law and are appropriate reasons why demolition may be necessary.

However, Factor iv regarding mitigation significantly expands the list of items that can justify demolition. Mitigation plans are not referred to in the existing Standards of Approval.

Mitigation plans should be discussed only if there is a decision to demolish based on other factors. A mitigation plan in and of itself should not be a justification for demolition if the other factors aren't present.

If there is a desire to add language about mitigation, it should be in a different section.

- One possibility would be to place it in Sec. 28.185(6)(d), which says the Plan Commission may stipulate conditions for a proposed demolition, or in Sec. 28.185(6)(e), which says the Plan Commission can approve, approve with conditions, or deny a demolition.
- Language could be added saying that one of the conditions that could be stipulated would be a mitigation plan, which could include the list of mitigation measures in Factor iv in the proposed changes.

Proposed Streamlining Changes for Non-Historic Buildings

The proposed changes to the review process for non-historic buildings would allow demolition requests for these buildings to be processed administratively by city staff after review by the Landmarks Commission, rather than going to the Plan Commission.

(Continued)

This would have reduced the number of requests going to the Plan Commission by 79% over the past three years, according to city staff. These streamlining changes raise some concerns and some revisions to the language might be desirable.

We will provide additional comments about suggested amendments to selected provisions at or before the February 17 Plan Commission meeting.

Conclusion

The proposed changes to the review process for demolitions of historic buildings in the substitute amendment, although an improvement over the original draft, would still diminish protection for historic properties compared with current law. It is important to maintain current protections so that Madison can retain the character that residents value. As mentioned, current law results in only a handful of denials of demolition requests each year and does not create significant impediments to growth.

The proposed changes are extensive. It would be ideal if the Plan Commission and Landmarks Commission could have more time to review them, as the Landmarks Commission requested.

Whenever it takes action on these proposed changes, we urge the Plan Commission to recommend additional amendments, including changes to the language regarding Standards of Approval and mitigation measures for demolition requests for historic buildings. We believe further improvements to the proposed changes are needed to maintain the protections for our most important historic properties that exist in current law.

Sincerely,

Rick Chandler

Rick Chandler
President
Madison Trust for Historic Preservation