

**From:** [John Rolling](#)  
**To:** [Plan Commission Comments](#)  
**Subject:** Plan Commission Work Session 3.14.2024-- Agenda Item 82404  
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I am writing to comment on the "Demolition Process Considerations" document that the Commission will discuss today.

First let me establish my qualifications to address the topic. I have been a Madison resident since 1974. I hold a PhD in History, specializing in Urban History, from UW-Madison. I have prepared successful National Register of Historic Places nominations. I was a licensed real estate appraiser for 40 years. I have appraised several properties involved in high-profile downtown Madison development projects-- including the Dane County Public Safety and Courthouse projects, the Overture Center, and Monona Terrace. Since retiring in 2022, I have been photographing every Madison building for which a demolition permit application has been submitted. My photo collection now exceeds 100 buildings.

In short, I have a unique perspective on Madison's built environment-- past and present.

On its face, the Demolition Process Considerations document appears to suggest reasonable steps to streamline procedures. Currently demolition permit applications for virtually any principal structure requires full Plan Commission review regardless of whether or not the Landmarks Commission judges the structure to have historic value.

The proposal would shortcut the process by routing application permits for structures found (by the Landmarks Commission) to have "no historic value or significance" directly to City staff for administrative review only. Based on my photography project, I agree that most of the buildings proposed for demolition lack historic significance. Reducing the permit application review requirement for these to a staff function would pose little threat to Madison's historic resources.

But the proposal also offers an "alternative threshold for administrative review" that would similarly route buildings that the Landmarks Commission finds to have "some" historic value (for example as a contributing structure within a neighborhood, or as an example of a vernacular architectural style), without having stand-alone significance. This alternative goes way too far in delegating a policy-making role to staff-- who should be limited to implementing policy.

It is important for commissioners to understand that the Landmarks Commission determination of "historic significance or value" is made along a continuum.

Some determinations are easy because the building has had prior formal recognition, e.g., is a City of Madison Landmark, is on the National or State Register of Historic Places, or as a contributing structure within a designated Landmarks or National Register district. These properties normally receive the Landmark's Commission's "A" finding-- implying that the Plan Commission should reject the demolition application.

But many other structures in Madison that deserve such recognition lack it. There are a

variety of reasons for this that have nothing to do with the architectural or historic merits of a particular building. Among these are: 1) lack of budgeted funds that would support an historic survey; 2) landowner indifference/hostility; or 3) simply the lack of sufficient historic research that would unearth an important story or architectural detail. (My own 2023 Landmarks nomination of Filene House at 1617 Sherman Avenue, early home of the international credit union movement, is an example of all three of these factors.) It is for this second group that the Landmarks Commission gives its "Type B" recommendation-- a finding of historic value that the Plan Commission is invited to consider. Under the current process, placing the "B" properties on the Plan Commission's agenda allows time for additional research and for public comment, resulting in a more supportable basis on which the Plan Commission can make a policy decision.

I urge you to reject the "Alternative Threshold for Administrative Review." Let Planning staff carry out the commission's well-considered decisions. Do not abdicate your decision-making role to staff.

Plan Commission  
Special Meeting of March 14, 2024  
Agenda #3, Legistar #82404

The staff presentation, page 11, question 2 asks whether just "green light" or "green & yellow light" demolitions should be administratively reviewed.

From 1/1/2023 through 2/12/2024, Landmarks reviewed demolition requests for 101 buildings: Landmarks determined that 76 of those buildings had no known historic value (green light) and 25 had historic value (yellow and red light).

In 54% of the green light demo applications, Plan Commission concurrently reviewed conditional use and/or rezoning requests. For yellow and red light demo applications, 68% had a concurrent review of conditional use and/or rezoning. When there is concurrent review due to conditional use and/or rezoning, administrative review of the demolition will not simplify, nor speed up, the process. Plan Commission should retain jurisdiction over these demolitions.

Plan Commission should also retain jurisdiction over yellow light demo applications. For example, last year the Plan Commission denied a demolition request for buildings on the 400 block of State Street. Landmarks found that two of the buildings had historic value based on their status as contributing structures in a potential National Register Historic District. Though not fully clear, this was likely a yellow light application (red light requires the building to be a contributing structure in a National Register Historic District, not a potential district). If yellow light applications were administratively reviewed, Plan Commission would have been unable to assess the value of retaining the last intact block of State Street.

The scope of a project might influence the need for Plan Commission approval. For example, on this past Monday's agenda was a yellow light demo application for the side wall of a single family home (which could not be heard due to notice issues). Approval is required because the home is on a corner lot and that side wall faces a public street. This seems simple and may end up on the consent agenda. One might think Plan Commission review for a mere demolition of a wall is not needed. But in 2013 an auto dealership on Odana Road submitted a green light application to demolish 60 feet of a street facing wall. Would Plan Commission wish to retain jurisdiction over demolition and rebuilding of that wall?

Notice of a demolition is not required if applications are administratively approved. MGO 28.185(6). Landmarks does not send notices when a demolition is on its agenda for purposes of an advisory recommendation to Plan Commission. (Nor can one find a demolition on Landmarks agenda by searching for the address on Legistar – one needs to know that there is a Legistar item created in the prior year titled "buildings proposed for demolition.") Administrative approval would deny a voice to the public should a person have a demolition concern that is not related to historic preservation. For example, 20 renters in naturally occurring affordable housing that has no known historic value might object to their long-term home being demolished. But they may not even know demolition is on the table with administrative review. Preserving that housing might be in the best interest of the health, prosperity, safety, and welfare of the City of Madison, but with administrative review that factor would not be taken into account.

Though it is rare, Landmarks can be completely wrong in saying a building has no known historic value. For example, 15 N Fairchild Street was recently found to have “no known historic value due to a dramatic loss of historic integrity.” This building is an extension of 122 W Washington, the Wisconsin Power & Light Company Building, and at that meeting the extension was compared to the main building saying the extension was a blank building at street level, that the historic value lies in main building facing E Washington, and there is a loss of integrity with the main building. What was not brought to the Commissioners’ attention was the fact that this extension was built as a bus station and, in fact, the exterior retains a very high degree of historic integrity.

<https://www.wisconsinhistory.org/Records/Image/IM133664>

<https://www.wisconsinhistory.org/Records/Image/IM121197>

<https://www.wisconsinhistory.org/Records/Image/IM58785>

### **Data and Comments**

The following is data with respect to the 101 buildings for which Landmarks provided a historic value advisory recommendation during the period of 1/1/2023 through 2/12/2024.

#### No Historical Significance

76 of the 101 buildings were found to have no historic value.

- 58 merely said the building had no known historic value
- 2 said no known historic value due to a loss of historic integrity
- 4 said no historic value, but the human burial site has historic significance
  - 1 required a Request to Disturb from the Wisconsin Historical Society due to the presence of un-catalogued burial sites
  - 2 recommended notification to the Ho-Chunk National Tribal Historic Preservation Officer
  - 1 said a portion of the property has archaeological and tribal significance relating to the Mound Street mound group.
- 12 said no known historic value, but the growing loss of this type of building has the potential to impact the vernacular context of Madison’s built environment

At a minimum, any ordinance change should ensure processes are in place to properly address burial grounds. This may require a condition of approval regarding obtaining a request to disturb or notification (unless that condition can be administratively enforced).

It may be of value for Plan Commission to at least be aware of Landmarks’ concerns about the loss of vernacular buildings.

Of the 76 that were found to have no historic value:

- 41 had to come before Plan Commission for conditional use approval and/or rezoning (done at the same meeting)
- 25 came before Plan Commission for only demo approval
  - 11 would demo and rebuild with a permitted use
  - 2 would demo and would likely rebuild with a permitted use
  - 1 was a request from Dane County (only about 30% of the parcel was in Madison)
  - 4 would demo and rebuild with a single family home (one of which was just adding an addition)

- 3 were referred to a future meeting at applicant's request (Voit farm)
- 4 would demo and reseed
- 9 have not come before Plan Commission
  - 2 have been issued demo permits
  - 1 was the razing of a nonconforming structure, which was required before the CSM could be filed
  - 1 has not come before Plan Commission yet, but Plan Commission had already approved rezoning and there may be a future CU
  - 1 was just reviewed in February, so it is not clear whether it will come before Plan Commission
- 1 was withdrawn by the applicant (otherwise would have been part of the arcade demo)

### Historical Significance

25 of the 101 buildings were found to have historic value. I have included my assessment of whether the proposed demolition is a yellow light or a red light recommendation from Landmarks.

- 17 came before Plan Commission in connection with conditional use approval and/or rezoning
  - 3 had historic value based on their status as contributing structures in a potential National Register Historic District. (Yellow or red light?)
  - 1 had historic value as a contributing resource to the E Wilson National Register Historic District, although the building has had a loss of historic integrity. (Yellow or red light?)
  - 6 had historic value as related to the vernacular context of Madison's built environment, but the building itself is not historically significant. (Yellow light)
  - 1 had historic value as a contributing structure in a National Register Historic District, as an intact example of a rare remaining resource (early Italianate Commercial), and due to the cultural and historical significance to the LGBTQ community. (Red light)
  - 1 had historic value due to cultural significance, but the building itself is not architecturally significant. (Yellow or red light?)
  - 1 had historic value as the product of an architect of note, F. Kronenberg, and as an example of an early filling station in the Spanish Revival style, which is rare in Madison. (Red light)
  - 2 had historic value based on cultural and historic significance and as the work/product of architects of note. (Red light)
  - 2 had historic value as the product of an architect of note, but the buildings themselves are not historically, architecturally, or culturally significant. The Commission went on to say it regrets the growing loss of the city's historic fabric, which has the potential to impact the vernacular context of Madison's built environment. (Yellow or red light?)
- 8 only came before Plan commission for demolition approval
  - 2 had historic value related to the vernacular context of Madison, but the building itself is not historically or architecturally significant. (Yellow Light)
  - 5 had 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. (Red Light)

- 1 had historic value related to the vernacular context as a 1897 Victorian house high historic integrity, but the building itself is not historically, architecturally or culturally significant. (Yellow or red light?)

Allowing yellow light demolitions to be administratively handled would only have saved Plan Commission from reviewing 2, perhaps 3, demolition requests (assuming Plan Commission retains approval is there also is a CU/rezoning).

#### Yellow or red?

The staff report calls these “red light” and “yellow light” recommendations. It is not always easy to distinguish between red and yellow lights. The Landmarks Policy Manual provides three actions for the Commission to take when providing a historic value advisory recommendation.

One is no known historic value, the other two are:

- (Corresponds to staff’s “yellow light”) The Commission finds that the building(s) has historic value related to the vernacular context of Madison’s built environment, or as the work/product of an architect of note, but the building itself is not historically, architecturally or culturally significant.
- (Corresponds to staff’s “red light”) The Commission finds that the building(s) has historic value based on architectural significance, cultural significance, historic significance, as the work/product of an architect of note, its status as a contributing structure in a National Register Historic District, and/or as an intact or rare example of a certain architectural style or method of construction.

Language used by Landmarks Commission is not always clear enough to distinguish between yellow and red lights.

3 buildings had historic value based on their status as contributing structures in a potential National Register Historic District.

- This is based only on a *potential* National Register Historic District. Potential districts are not directly addressed in the Landmarks Commission Manual.

1 building had historic value as a contributing resource to the E Wilson National Register Historic District, although the building has had a loss of historic integrity.

- Being a contributing structure in a National Register Historic District would qualify as a red light, but does the lack of historical integrity downgrade it to yellow?

1 building had historic value due to cultural significance, but the building itself is not architecturally significant.

- Cultural significance makes it a red light. But if “cultural” were changed to “vernacular”, it would only be a yellow light.

2 buildings had historic value as the product of an architect of note, but the buildings themselves are not historically, architecturally, or culturally significant. The Commission regrets the growing loss of the city’s historic fabric, which has the potential to impact the vernacular context of Madison’s built environment.

- The work/product of an architect of note can be either be a red or yellow light.

1 building had historic value related to the vernacular context as a 1897 Victorian house high historic integrity, but the building itself is not historically, architecturally or culturally significant.

- Does a house with high historic integrity qualify as a red light due to being a rare example (due to high historical integrity) of a certain architectural style?

### **Miscellaneous comments**

Page 8 suggests an applicant-initiated submittal process for the Landmarks review phase instead of Landmarks review being initiated by staff after the applicant submits an online notice. If staff timely forwards the notice, this change would not save any time. Plus it also creates a parallel process – residents can sign up for the “demolition listserv” to receive demo notices. If applicants submit directly to Landmarks another notification process would need to be created, otherwise residents would not know that Landmarks would be considering a demolition until the meeting agenda became available.

Page 8 also suggests clarifying/standardizing submittal requirements. The City’s website appears to be clear as to the requirements, so I am unsure what is being proposed.

Page 8 also suggests giving Landmarks authority to advise on creative mitigation measures. Landmarks already does this – do they need to be given explicit authority? Would Landmarks also need explicit authority to bemoan the growing loss of Madison’s vernacular architecture?

Page 10 says some standards could become part of administrative sign-off and would not need to be considered by the Plan Commission. Standard #3, reuse and recycling plan, is the only check-box type of standard – the other standards require the Plan Commission’s consideration. Standards which require the Commission’s evaluation should not become part of an administrative sign-off.

Respectfully Submitted,  
Linda Lehnertz