

Bailey, Heather

From: [REDACTED]
Sent: Sunday, August 29, 2021 9:57 AM
To: Furman, Keith; Heck, Patrick; Martin, Arvina; Vidaver, Regina; Evers, Tag; Marsha Rummel
Cc: Bailey, Heather; Fruhling, William
Subject: Madison Alliance statement for LORC's September 1 meeting
Attachments: Proposed Historic Prservation Ordinance (LORC).docx

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Dear LORC members,

Attached is a statement from the Madison Alliance for Historic Preservation regarding staff's latest draft of Chapter 41. As you know, it was released just five days before your meeting, which forced us to focus only on a few fundamental issues as opposed to details.

As you also know, we have delivered to each of you a copy of our ring binder and Heather has provided the document as a Legistar electronic file. It contains a full draft of Chapter 41 that we spent many months preparing and we believe that it and the other items in the ring binder deserve your careful attention.

Thank you,

Dave Mollenhoff, Chair

DATE: August 30, 2021
TO: Landmarks Ordinance Review Committee (LORC)
FROM: Dave Mollenhoff and James Matson,
Madison Alliance for Historic Preservation (Alliance)

SUBJECT: **Proposed Historic Preservation Ordinance**

At its meeting on September 1, LORC will once again consider the city staff proposal to *repeal all of Madison's current historic district ordinances*, and replace them with a single "one size fits all" ordinance for all current *and future* historic districts.

The Alliance has profound concerns regarding this proposal, which it has repeatedly expressed over the past 2 years and 29 LORC meetings. We have not had time to review the staff's latest "one-size-fits-all" proposal (9-1-21) in depth. We believe that there have been some improvements, based in part on Alliance suggestions. But overall, based on our initial review, we are deeply disappointed in the latest proposal for several reasons:

- It fails to protect the unique character of individual historic districts.
- It fails to provide clear standards for development in historic districts. In particular, it fails to provide clear standards for new construction, which is *the* primary existential challenge for historic districts. This is a recipe for future "train wrecks."
- It fails to account for important differences between historic districts, and between different properties within historic districts (e.g., commercial vs. residential, and historic vs. non-historic properties). The same cookie cutter is applied to all properties.
- It sweeps away all current district ordinance standards – often substituting voluntary "design guidelines" which, when divorced from underlying legal standards, have no interpretive or legal weight.
- It ignores current city plan requirements – most notably the "Build II" preservation standards for Williamson St., which the full Common Council *directed* staff to include.
- It fails to provide the clarity and confidence that are needed, in order to ensure sensitive new development and ongoing historic preservation investment.
- It fails to define critical terms, and leaves key decisions to administrative whim.
- It misses opportunities to improve overall ordinance organization and clarity.
- It requires *more* cumbersome cross-referencing than the Alliance proposal, not less.

Our concerns focus on a flawed overall approach, not minor details. The Alliance has offered a "win-win" approach that addresses these concerns, while also meeting LORC's overall goals. We have provided you with a ring binder that clearly summarizes our proposal (the contents are also posted on Legistar). We urge you to read it and compare. For example, you might compare the Alliance standards for new construction with the vague "non-standards" proposed by staff. You might also compare the impact on current historic districts, such as Third Lake Ridge (including the Williamson St. corridor covered by the "Build II" plan).

The Alliance has offered you a common sense approach to a complex challenge. We urge you to give it the serious attention that it deserves. We would like to know what objections, if any, you have. If we get the framework right, the substantive details can be worked out without undue difficulty.