

Dear City Council: This is in response to the "Guest Opinion" written by Councilman Fred Wilson titled, "Moratorium Needed Now" that was printed in the July 12, 2005 issue of the Daily Times-Call.

I wrote a guest opinion too, on the Carnegie Library titled, "We need a Library Plan that makes sense." In it I wrote, "What kind of 'public' library is it or what kind of city government is it that ignores 49.68% of the voters?" That was in response to a City Councilman who claimed "the voters have spoken" on the issue. While the ordinance by initiative to save the Carnegie failed by 62 votes, it garnered 4756 votes. In fact, most voters in two out of three city wards were in favor of the idea and it passed in the inner city precincts. It lost only in outlying precincts. This should tell you something about public support levels.

Perhaps now the question should be what kind of city government is it or what kind of newspaper is it that withholds the facts and obscures the truth? Why is Mr. Wilson not giving us all of the information? Fred makes a valid point about "property rights," but it's the oldest argument in the world. It has also been pretty well established that a city can adopt land use rules and dictate what a place looks like from the street. Historic preservation was supposed to be a part of that concept and the planning process.

Why preserve anything? Isn't it a use and aesthetic issue? It is a concept that is zoning related. I've complained for years about the lack of control in the "transition zones" or areas between the downtown and old residential areas to the east and west. The City has done nothing and this is partially why we have the present mess on Terry Street. And what about the Landmark Ordinance that was passed in 1971? It said we were to "protect and preserve areas of historic, architectural or geographic importance so as to retain the quality of character that is unique to the City of Longmont." Wilson has not told us anything about the INTENT of this Law or said how it is being enforced in this present donnybrook.

Fred seems to be forgetting that big fight to save the old Carnegie Library in 1993. It was the Longmont City Council that tried to sell this building for \$1 to anyone who would "relocate" or move it. Fortunately, no one fell for the scam. People knew moving historic buildings is expensive and is not recommended. And the City Council didn't appear to understand what "demolition" meant in the case of the Project '75 library RNL ripped down for the new one. Council had armed police at the meeting after that debacle!

The Carnegie is a "publicly owned" historic structure and that may be why it is still standing today? In that case it was the Council's incompetence that gave rise to an "ad hoc group" for preservation. We had to create one to do the work some City factions had neglected and to get anything done right!

We don't need a "moratorium." Why should submittals be limited to the Council, the HPC, the owner, or "an organization with experience and expertise in historic designation?" And why is any of this important at all? Nomination of a site to the National Register has no such limitation. Any citizen can submit one. The National Parks Service gives seminars on how to prepare the forms. I had that training and wrote initial forms on several Longmont buildings that are listed in the Register. The Callahan is one of them.

The Federal NHPA of 1966 allows the National Register nomination to go forward if the property has "public" ownership. This happened in the case of the 1912 Carnegie Library. A ruling was made in Washington that it was "public." The listing was approved unanimously by the State Review Board and approved by the National Park Service, despite the letter that the Longmont City Council sent to them objecting to it. The same thing might be done on the old city public works warehouse on 11th Avenue. It is a WPA site with historical importance. After the Carnegie initiative failed the CORPS group was studying a charter amendment that would require the Council to put any demolition or sale of a publicly owned site up for a vote of the people. The disposing of city buildings is still an issue of great concern.

Let's make it clear too that almost no Council vote ever taken on the Carnegie Library was unanimous. Most were narrow split decisions and Fred often voted for saving it. It was a basic issue of who really "owns" a Carnegie Library. Carnegie gave these grants to communities under the agreement that a publicly supported system be created. They weren't just a gift with no strings attached. The objective was public support. Not saving it would have been thumbing our nose at what Carnegie tried to do.

How does Fred figure that a group like HLF is usurping the city's HPC or process? The HPC already recommended designation of the sites in question. Isn't HLF just re-introducing a very similar proposal? It was the City Council that turned it down. Maybe it is worthy if it is coming back? His same argument about HLF could have been made about CORPS in the Carnegie fight, but it wasn't. Why didn't we hear it then? What would have happened to the old Carnegie Library had an "ad hoc group" not stepped in?

The Federal National Register process allows any citizen to submit a nomination, why should Longmont be different? The National Park Service doesn't appear to require any special experience. Nominations are reviewed by the State offices for merit. They want submittals in proper form, but if it's not a valid proposal, then it may not go past the State Office, or it might be greatly modified by that office.

What is the newspaper telling people about this and how is the Public being informed about the matter? And who is representing the Public and where is the Due Process in this deal? One of the reasons we organized CORPS during the Carnegie flap was because most of the City Council was against saving it and the Landmark Commission was ineffectual and being ignored. It's the exact same situation as now, almost. It's different because it's privately owned and the newspaper doesn't support preservation, this time, apparently; But this is also a site that is directly adjacent to obviously historic city-owned property.

They say the sites being considered for demolition on Terry Street are privately owned, but one of them is adjacent to the Callahan House, which is "publically" owned and it is listed in the National Register of Historic Places. Yet we have seen no plans of what is to be built adjacent to the Callahan House and seen no Environmental Impact Assessments on this. There are recommended ways of building things. The Colorado Historical Society published a booklet in 1980 titled "Good Neighbors; Building Next To History" that gave design concepts very well. <http://www.historichomeworks.com/hhw/pbriefs/pb14.htm> And there is a very good list of basic reference material at: <http://www.uvm.edu/~vhnet/hpres/bib4.html>

Wilson says the Council made it clear to the HPC that it was "unlikely to designate properties over objections of the owners unless there were extraordinary circumstances involved." Well, DUH, Fred: it looks like circumstances are pretty extraordinary in this case, at least to me! It's not often that we might see a big commercial development being proposed next to a National Register site that the city owns. If this isn't a situation that is "extraordinary," then I wish Fred would tell me what he thinks is extraordinary. I would want to see elevation views, a site plan, an engineer's report on impacts on Callahan stability from any excavation that is being planned, risk hazards and specific detail plans of any "redevelopment" proposal. Where is this information? Would you approve "a pig in a poke" on this "development?"

This entire charade has the appearance of a con game, or the old carny shell game of confusion and distraction. While you are watching a shell game someone picks your pocket or starts a war in Iraq or demolishes an old building. It's a dog and pony show with footdragging. They are obscuring the real issues with gibberish and burying the facts in red tape to delay it; with the hope that people will tire of the goofiness and just go away. As one wise old sage told me about Carnegie, "Don't let them do it!"

Wilson uses the word "redevelopment" in his piece. He doesn't say what this is, but he says "historic designation" has been used to "stop redevelopment." Preservation laws can seldom "stop" this, in my experience, because the laws have no teeth. Even a listing in the National Register will not, by itself, protect a site from demolition. And there are many "endangered" and demolished sites to prove it.

I wrote a news piece long ago that said what we are doing is "revitalization" in preservation rather than "redevelopment." The words have two very different meanings. The word "redevelopment" means "to develop again." To some this may mean a "scorched earth policy" of replacing the old with the new? Preservation is a different philosophy. It's a conservative approach promoting adaptive reuse of existing buildings and conservation of materials, energy and natural resources by not doing much demolition.

Wolf von Eckhardt, the critic for the Washington Post, stated the need for historic continuity demands an "urban conservation policy" rather than "urban renewal." The notion that preservation and economic

development are somehow incompatible is just a distortion. The State of Colorado published a lengthy report on the "Economic Benefits of Historic Preservation" in 2002 and the topic is very well documented on the web and in many studies. See the site <http://www.coloradohistory-oahp.org/publications/1620.htm> Other web sites have more, such as at <http://www.ncshpo.org/HPFPreservation/EconomicImpacts.htm>

The City needs a more "green" approach and conservation. And we need better preservation laws with teeth in them, not a watered down joke that kowtows to some developer. I'm opposed to any quick 11th hour changes to the Code to suit a special interest or an alleged crisis. The HPC Ordinance underwent over 20+ years of refinement. Yet some people now suddenly consider it problematic. Why is that? Every branch of government has a preservation Law: The City, the County, the State and the Federal Government. Why were these laws all adopted? The laws were implemented for one basic reason: to ENCOURAGE preservation. If preservation is not achieved, then the process is broke and not working! Some big development flap here and shenanigans with subverting the landmarking process could make the City look like a bunch of incompetent bozos. It's a "black eye" that we should really try to avoid.

The City of Longmont has had the status of a Certified Local Government (CLG) for many years. It was a reason to improve our process. It requires State oversight, use of the Secretary of Interior's Standards for Rehabilitation to evaluate rehab projects and appropriateness of building alterations. And it requires seeking qualified "professionals" for the local HPC or preservation commission to help do these reviews. <http://bookstore.gpo.gov/dynamic/actions/GetPublication?stocknumber=024-005-01091-2>
<http://www.coloradohistory-oahp.org/crforms/pdf/1416.pdf>

Fred's right about there being nothing "new" in this. It's the same old thing we've fought for years. Big biz has often dragged in shyster lawyers to bully, harass and intimidate legitimate planning processes. Property rights or the "right to develop" idea is often cited in an attempt to subvert historic preservation. What really happens though is that through having a board looking at these proposals, better plans often emerge. It's a protective process, not a restrictive one, in reality. The smart developer will seek board advice and listen. I've seen many bad projects that were improved by scrutiny by a board of experts.

I should know. I've served on preservation boards at the city and county level for 20 years. And I can tell you it took a lot of hours and work to create the process we have. And I personally resent attempts to flush the work we did down the drain. We were led to believe, by this city government, that historic preservation is important, that the work we did was needed and that the Law should apply to everyone. It shouldn't be something that can just be swept under the rug to suit a newspaper, or some city faction.

I wrote a letter to the HPC last year recommending that the demolition permit for the Bemis House and the Ahlberg Chapel be DENIED. While on the Boulder County HPAB, I made the motion to impose a demolition delay on Johnson's Corner. It was only good for 180 days, but we do these things to generate more discussion and negotiation and to draw public attention to the issue. It doesn't always work, but at least we have then done our duty in trying to get some kind of deal facilitated. Preservation requires cooperation and dialogue. If we don't give it our best efforts, then we are being negligent.

Councilman Wilson's comments in his "opinion" are disappointing; Because as a person of experience and a former mayor, he should know better. His comments will not be well received in the preservation community. It's poor leadership and this kind of hostile attitude could damage the city's grant status.



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