

WISCONSIN LANDSCAPES

Citizens United for Responsible Land Use

A Quarterly Newsletter of 1000 Friends of Wisconsin
& 1000 Friends of Wisconsin Land Use Institute

Volume 3, Issue 3
Fall 1999

1000 Friends of Wisconsin's flagship piece of legislation, "Smart Growth For Wisconsin," is positioned for legislative approval this Fall. Smart Growth was approved as part of the 1999-2001 state budget by the Joint Finance Committee and the State Senate, but not by the Assembly. It is now one of about 200 items of disagreement between the houses which are being ironed out in a legislative conference committee. The state budget, already almost three months past due, remains stuck in the conference committee as of this writing.

Smart Growth would be an historic improvement in how we do land use planning and decision-making in Wisconsin. And an improvement is badly needed. A 1998 University of Wisconsin Extension report found that only 29% of all Wisconsin communities had any kind of land use plan and that many of those were outdated, inadequate or ignored. Smart Growth would require communities to have plans that are comprehensive, to follow those plans once adopted and to show how their plans would fight sprawl.

These are the major points of our legislation:

- First, it supplies a uniform definition of what a comprehensive plan should contain. Our current state laws refer to all kinds of plans, but leave the term "comprehensive plan"

Smart Growth Poised to Pass Legislature

undefined.

- Second, Smart Growth would provide 75% state funding for local planning activities, so that this is *not* an unfunded state mandate, yet it does require some local commitment which is important to meaningful buy-in to

environmentally and fiscally responsible.

- Fourth, Smart Growth establishes a set of broad state policy goals for land use planning. Local governments have long been concerned about state policies that seem contradictory. The state, with its enormous financial and policy weight, needs to send consistent signals about land use to local governments. State policy goals would establish a clear direction.

- Fifth, Smart Growth would ask the University of Wisconsin Extension to develop a model traditional neighborhoods ordinance to establish common lot sizes, street widths, building set backs and other development parameters for compact, neighborly, walkable communities. Every municipality in Wisconsin above 5,000 in population would be required to adopt the model ordinance. However, the decision to approve traditional neighborhood developments would continue to be a local one. The ordinance would open

the door to development proposals that are more compact and less auto-dependent than the typical large lot subdivision.

- Sixth, Smart Growth would require communities to designate "Smart

(Continued on page 3)

How to Make An Impact With One Phone Call

Smart Growth is one step away from passage. You can help put it over the top by contacting your legislators. Here's how.

Call the toll free **Legislative Hotline at 1-800-362-9472**. The Hotline will get your message to your legislators, even if you don't know their names.

Want to have a bigger impact? Contact them by e-mail. You can find your legislators and write them by accessing the Legislature's web site at www.legis.state.wi.us.

Finally, a thoughtful letter is still the most effective way to persuade your representatives. You can write your own letter — or call or email us and we'll get you a personalized letter that you can simply sign and mail.

For representatives with last names ending in A-L:

P.O. Box 8952
Madison, WI 53708

For representatives with last names ending in M-Z:

P.O. Box 8953
Madison, WI 53708

For all senators: P.O. Box 7882, Madison, WI 53707

the plan.

- Third, a Smart Growth Dividend would be provided to communities starting in the year 2005. The dividend would be available only to communities with a comprehensive plan in place and only if the community is following its plan and growing in ways that are

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From the Desk of the Director

This summer has seen more activity on the land use policy front than perhaps ever before in Wisconsin. As we report in this newsletter, our Smart Growth legislation teeters only one step away from passage in the Legislature as does our proposal for a dramatically expanded Stewardship land protection fund. The long debate over the land use impacts of new septic system technologies may be headed toward a positive solution. In addition, the stage is being set for progress on reform of Wisconsin's 20 year-old and limping Farmland Preservation Program.

After better than two decades of little or no progress in land use legislation, why is so much happening so fast? The first answer that comes to my mind is self-serving: **us!** When we formed our organization three years ago, 1000 Friends of Wisconsin vowed to put a positive land use agenda before the Legislature and to fight vigorously for its enactment. We're doing exactly that. So, I don't think it's just self-congratulatory to say that a big part of the reason for this progress is 1000 Friends.

But there's more to it. We have been able to pull together an unusual coalition of groups behind our Smart Growth initiative. That coalition, brought together by our board member and UW professor Brian Ohm, includes groups as diverse as the Realtors, the Sierra Club, the Towns Association and the Alliance of Cities. There is a broader recognition that Wisconsin's population is growing, that growth is not often being managed well, and that in order to protect and enhance our quality of life we need to get a handle on it.

Most importantly, this recognition of the problems and the opportunities for solutions extends beyond interest groups in Madison to Wisconsin citizens everywhere. After all, 1000 Friends wouldn't exist if it weren't for our 1,800 members in 250 communities all over the state. In a very real sense, *we're starting to make progress in reigning in sprawl because of you.*

Soon, maybe even before you receive this newsletter, the state budget will be passed – with or without our Smart Growth and Stewardship proposals. Of course, we aim to win on those issues. But win or lose, we'll be back in the Legislature with more ideas for reform later this fall. We will be there, thanks to you.

Dave Cieslewicz, Director



Wish list

If you have been surfing the web lately, you may have happened upon our website at www.1000friendsofwisconsin.com.

We hope that as more people become concerned about land use, they will seek out our site to learn about what we are doing to protect Wisconsin's landscapes.

We need help updating, maintaining and keeping this website easily accessible to our members and others. If you like working with websites, are comfortable working with Adobe, and would like to volunteer *5 to 10 hours a month* working on the website, please call Andrea Dearlove at 608/259-1000.

Thank you!

As is the case with most non-profit organizations — many of our goals could not be achieved without the help of those individuals who volunteer their time, energy and skills to us. We would like to thank the following folks for all of their work:

Stewardship Reauthorization: A Once In A Decade Opportunity

proposal adopted by the Senate. The \$350 million

A few weeks ago, the Department of Natural Resources announced the "Great Addition," a purchase of 32,000 acres in Wisconsin's north woods. At \$25 million, the Great Addition would account for all of the state's land acquisition money for an entire year and it points at the importance of renewing the state Stewardship Fund at a much higher level.

The Stewardship Fund is a program to protect land for public outdoor recreation and habitat protection. If you ride your bike on the Military Ridge State Trail, camp in Devil's Lake State Park or enjoy natural areas in the Baraboo Hills and the Northern Highland State Forest, you have experienced just a small fraction of the benefits of this program.

But there's a problem. Started in 1990, the Fund has been frozen at \$23.1 million per year ever since, while land prices and the general state budget have been anything but flat. Land prices have nearly doubled since 1990, cutting the Fund's buying power roughly in half while the overall size of the state budget has increased by almost 50% over that same period.

Meanwhile, Wisconsinites are always finding new ways to enjoy the outdoors and our understanding of biological diversity and the need to protect it is increasing. While the total state population was up 5% between 1990 and 1995, state park visitors increased 15%, trail users were up 107%, visitors to state forests rose 19%, registered snowmobiles were up 28% and 13% more deer hunting licenses were sold. The DNR estimates that almost 200,000 acres of sensitive natural areas, home to endangered species of plants and animals, must be protected. Meanwhile, not a penny was added to the Stewardship Fund and its buying power was severely eroded.

Now is the time to act to replenish the Fund. Stewardship is a 10-year program that must be reauthorized by the Legislature this year for the next decade. A conference committee hammering out differences between the Senate and Assembly versions of the budget must decide between 10-year reauthorizations at \$350 million approved by the Assembly or the \$600 million 1000 Friends

program would not even reach the program's 1990 buying power. A \$600 million program would bring it back to its original buying power and add initiatives to meet new challenges and opportunities like the Great Addition purchase.

Is it too much money? Well, consider that if Stewardship had matched the increases in the state prison program over the last ten years, it would be a \$2.5 billion program, instead of the \$600 million program we are recommending. And keep in mind that Stewardship represents only one-tenth of one percent of the entire state budget. Land protection is a permanent investment. Once protected these lands will be available for our children and their children. Even the Devil's Lake and Peninsula state parks purchases were controversial at the time, but today we are all grateful for the foresight of those who created those parks.

The Stewardship Fund is an investment we make for future generations, for our own enjoyment and for the biological diversity that supports and

enhances our lives and

Smart Growth, continued from first page

Growth Areas" to which local and state infrastructure would be directed.

- Finally, by 2010 Smart Growth would link comprehensive planning to most local land use decisions. One of the major failings of our current system is that some communities invest significant resources in planning processes which produce fine plans only to have them ignored when it comes to on-the-ground decisions. Under Smart Growth, plans would have to be taken seriously.

An unprecedented coalition of groups has come together in support of the Smart Growth initiative. In addition to 1000 Friends, organizations in support of Smart Growth include the Wisconsin Builders Association, the Sierra Club, Citizens for a Better Environment, the Wisconsin Association of Planners, the Wisconsin Realtors Association, the Wisconsin Towns Association and the Alliance of Cities. It is probably not inaccurate to say that these groups have never agreed on any one proposal in the past.

The catalyst for this agreement is a common recognition that growth is occurring in our state and that this growth can be better channeled through intelligent planning and decision-making based on the best information available. Projections are that Wisconsin will add about 400,000 new households over the next 20 years. The question is not whether those households will come, but where to put them. Smart Growth is only one part of our 40 point WisConservation agenda, but it can be a big part of the solution to sprawl.

How a Community Group Saved a Movie Palace

This is another in a series of occasional articles by successful community organizers. We hope these stories will inspire and inform others fighting for a sense of place in their communities.

By Joe Lusson

Last fall, a group of six citizens, one visionary businessman, and innumerable allies stopped developers from destroying Madison's historic Orpheum Theatre. Today that businessman owns the theatre. He is giving it new life and embarking on an ambitious restoration effort. This effort successfully preserved a piece of historic Madison while maintaining a centrally located movie theatre for downtown residents, employees and

Over the decades, the Orpheum has showed countless movies and has hosted performers such as Benny Goodman, Houdini, Ginger Rodgers, and Bob Marley. In recent years it has exclusively shown first-run movies.

By 1998, the theatre was still in remarkably good shape, yet most people had no idea what a treasure it was. The out-of-town owner, who had done little to maintain or promote it,

had quietly entertained purchase inquiries for years. A local non-profit foundation eventually purchased a legal option to buy the theatre. They planned to remove the balcony and all the seats, level the floor and install a five-

story box to house an IMAX theatre. This would destroy or obscure the Orpheum's unique interior.

By the time our group -- *Preserve the Orpheum* -- formed, the foundation claimed to have raised \$2.5 million of the \$4.5 million they needed to purchase and remodel the theatre. Financial commitments, press coverage, no apparent opposition and an option to purchase made our group's task seem impossible. We had reached the often feared "it's a done deal" point.

Yet we knew we had a worthy fight.

Strategies

- **Meet the opposition.**

Before taking a public stance, I met with the people who supported the IMAX plan in order to accurately understand their plans and to ensure a more civil debate.

- **Positive image.**

We chose the name "Preserve the Orpheum" because it indicated our specific and positive goal of preservation.

- **Spokesperson.**

We chose one person to handle media interviews, giving the group an accessible, recognizable face and single voice.

- **Correspondence and press releases.**

Another person handled press releases, thank-you notes and distributed fact sheets to people who wrote to our post office box.

- **Public education.**

In the press, the IMAX proposal came across as a harmless "theatre to theatre" transformation that would draw hundreds of thousands of annual visitors. Most of the public and media were unfamiliar with the Orpheum's beauty and grandeur and the damage that would be done through the IMAX transformation. So we informed the public through an attractive brochure and a publicity campaign explaining the threat to the ornate interior.

- **Petition campaign.**

photo by Julie Chambers

students.

Hopefully, our example can provide inspiration to others faced with the daunting task of influencing land use and historic preservation decisions.

Circumstances

Madison's Orpheum Theatre opened in 1927, as a combination vaudeville/movie house. Designed by renowned Chicago architects Rapp and Rapp, the 1,800 seat palace features an ornate French Renaissance interior and art deco exterior.

"We had reached the often feared "it's a done deal" point. Yet we knew we had a worthy fight."

Soliciting petition signatures gave us exposure, insights to public sentiment, historic anecdotes, valuable contacts, a priceless mailing list and an e-mail network. It represented momentum and strength. Ironically, we never had to present our 4,000 signatures to anyone.

- **Historical research.**

Details from the state historical society, public library and landmark nomination papers fueled our public statements.

- **Interior photos.**

We obtained stunning current photos of the Orpheum's interior. Displayed at public events, these countered false claims that the theatre was "in tatters."

- **Public appearances.**

We reserved tables at the Dane County Farmers Market and neighborhood festivals, spoke to neighborhood associations, preservation and political groups.

- **Positive attitude.**

We tried not to attack developers personally, nor the owner of the theatre, nor the IMAX product. We focused on the beauty and value of the Orpheum. When asked to participate in an anti-corporate march from the new Starbucks coffee shop to the Orpheum, we declined.

- **Allies.**

We sought strategic and symbolic allies to boost our credibility. We approached business owners, preservation groups, politicians and the campus film community.

- **National resources.**

We gained valuable information from the League of Historic American Theatres, the National Trust for Historic Preservation and others.

- **Advisory board.**

In order to lend further credibility to the effort, we formed an advisory board including politicians and respected business, cultural and preservation leaders (including 1000 Friends). In addition to their valuable advice, their names on our letterhead carried symbolic weight. Equally important were a few unpublicized advisors who provided tips on the art and business communities.

- **Town hall meeting.**

We were fortunate to have piqued the interest of the Madison Trust for Historic Preservation who decided to host a town hall meeting at which both sides would be presented. We mailed 2,000 postcards inviting our supporters and packed the 250-seat hall.

- **Viable alternative.**

Fortunately, we had a strong and committed ally in Henry Doane, a longtime Madison resident who owns two restaurants downtown and cares deeply about historic preservation. Thorough preparation led to his announcement at the town hall meeting that he would offer to purchase and *preserve* the Orpheum. This finally gave the media and public reason to doubt that the IMAX was inevitable. The initial "conventional wisdom" that the movie palace was doomed began to erode. Mr. Doane followed through by making the purchase offer and proceeded to develop a positive relationship with the owner.

Results

Our positive publicity began to turn public sentiment in our favor. This was likely a significant factor in cutting off the IMAX developers' fundraising. As the developers

tried to respond to rising public concerns, they co-opted many of our preservation themes, but couldn't produce drawings or details. As the time ran out on their option to buy, Henry Doane remained in contact with the owner.

Finally, in December, the IMAX developers' option ran out and their largest private donor withdrew his money. The next day, the owner began negotiations with Henry Doane. By mid-April 1999, the purchase was finalized and the Orpheum was in safe hands.

The theatre has remained open the entire time as a movie house. Renovations are under way to tastefully and sensitively add a restaurant to the lobby, while restoring original chandeliers and sconces that have been in storage for 30 years. Plans include a mixture of live music, foreign, vintage

New Heritage Trust Program Approved

The state budget will contain a new program to help preserve Wisconsin's historic buildings and places. The Wisconsin Heritage Trust is a ten year \$20 million program to provide grants and low interest loans for historic preservation efforts.

The Trust, a 1000 Friends *WisConservation* agenda item and the result of efforts of the Wisconsin Historic Preservation Partnership (a coalition of groups who support historic preservation), was included in both the Senate and Assembly versions of the state budget and will be included in the budget sent to Governor Thompson. The program will be administered by the State Historical Society.

Assuming budget passage this Fall, the program could be up and running by early next year.

"We tried not to attack developers personally, nor the owner of the theatre, nor the IMAX product. We focused on the beauty and value of the Orpheum."

Welcome New Members ... and Thank You!

We would like to recognize those who have joined our fight to promote sound land use decision making in Wisconsin. We also thank those members who have increased their investment in our organization's work. The following list includes the names of our new members, followed by their membership numbers, who have joined us since March. Welcome!

Friends Circle Members

Friends Circle Members support our organization at levels of \$1000 or higher.

Earley, Emily, 10

Friends Society Members

Friends Society Members support our organization at levels of \$500 to \$999.

Beutner, Grant, 1616
Dermond, Max & Sandra, 1547
Bader, Daniel & Linda, 1606

Friends

Friends support our organization at levels of \$100 to \$499.

Brick, Ed & Lois, 1618
Carlson, Karen, 1629
Church, Charles, 1580
Daub, Ed & Liba, 1524
Dennis, Barbara, 1587
Droste, Sabine, 1605
Duersten, Nancy, 1633
Eaton, Helen & Stevenson, 1636
Fish, Art & Virginia, 1595
Goetz, Gene, 1632
Goodman, Idy, 1557
Grauer, Curt & Ruth, 1540
Gruder, Sherrie, 1559
Hakanson, Karl & Terri Colamatteo, 1614
Heideman, Robert & Carroll, 1563
Hill, Emily J., 1584
Hodgman, Suzanne, 1521
Karlson, Trudy, 1576
Kaster, Pat, 1578
Knight, James & Lisa Ferin, 1620
Krueger, Ron, 1565
Lawton, Barbara, 1527
Leah Ritz, Esther, 1567
Lightfoot, E.N., 1575
Lubbers, Joel & Mary, 1622
Maclay, Tod, 1591
Mink, Lisa, 1617
Moede, Hans, 1609
Mohs, Thomas & Nancy, 1581
Progressive Designs, 1608
Schapiro, Renie, 1641
Schwalbe, Laura, 1522

Simonsen, Skip & Joedy, 1545
Sinderson, Steve, 1520
Slesinger, Doris & Ed Wellin, 1550
Soffa, Marguerite, 1603
Spring, Steve & Sue, 1635
Statz, David & Denise, 1552
Stieg, Scott, 1628
Winkle, Jim & Bonnie Schmidt, 1536
Zagozen, Judy, 1642
Zauner, Richard, 1637
Zeller, Reynold, 1555

Basic Membership

Basic Membership supporters give \$35 to \$99 annually.

Alpine, Amy, 1611
Anibas, Robert, 1573
Baskfield, Jerry & Mary Ann, 1526
Bennett, Jesse, 1023
Boone, Vera, 1592
Brabender Mattox, Shirley, 1615
Brady, Maureen, 1528
Christofferson, Bill, 1625
Ciepluch, David, 1543
Craig, Jane, 1538
Danielson, Rob & Terese Agnew, 1515
Danielson, Lynn & Tim Chapman, 1553
DeBardleben, Helen, 1571
Dettinger, Glenn, 1541
Dodd, Eugene, 1593
Dolan, Linda, 1519
Dugan, Cathy, 1619
Ebbott, John, 1577
Finet, David, 1562
Frey, Mary, 1533
Greenfield, Susan, 1594
Greulich, James, 1569
Haggie, Woody & Inga, 1597
Haines, Dorothy, 1596
Hansen, Kathleen, 1598
Harris, Grandon & Dorothy, 1525
Hutnik, Brad & Mary, 1561
Hutsick, Martha, 1585
Ihm, Mark, 1582
Jahn, Heidi, 1621
Jensen, Kris, 1546
Johnson, Frances R., 1539
Kerwin, Bob, 1604
Kilmer, Richard, 1523
Kinney, Michael, 1631
Klawitter, Sharon, 1568
Korpela, Ernest, 1638
Krings, Steve, 1639
Landscape Alternatives, Lynn Marsh, 1574
Langer, Mark & Anita, 1516
Lindquist, Perry, 1590
Lotz, Robert, 1607
Lynn Haasl, Mary, 1537
MacKie, Sally, 1572
Madison, Jerry & Nelda, 1599
Malone, Bill & Barbara, 1518
Martin, Lisa, 1532
Merkes, Donald, 1610
Meyer, Mina, 1600
Miller, Tom, 1623
Mossman, Mike, 1601
Muench, Dave, 1586
Nussbaum, Mitchell, 1602
Olson, N.F., 1531
Oppedahl, Ruth, 1589
Penn, Randall, 1644
Poppe, Tom, 1534
Ptacek, Mara, 1566
Railey, Linda, 1549
Rand, Robert, 1529
Robertson, Sylvia, 1554
Rohan, Joan, 1634
Salway, Mary Kay, 1560
Schalch, Don & Joanne, 1588
Scheberle, Denise, 1630
Shively, Neil & Jacqueline Ann, 1517
Shumway, Bernice & Dean, 1640
Sloniker, Susan, 1613
Stanley, Terri & John Hibbard, 1583
Stark, Sandy, 1542
Stix, Sally & Michael McDermott, 1612
Stone, Andrew, 1626
Stueber, Jerome, 1544
Szymanski, Steve, 1643
Thomas, Ron, 1570
Thompson, Linda, 1579
Toulmin, Charles, 1564
Uhrinak, Jim, 1535
Wade, Joe & Cathy, 1624
Wagner, Richard, 1530
Webster, Mark, 1556
Wilson, Beth, 1558
Zanzi, Jim, 1627

This list should include all our new members from March 1999 to the date of this printing. If we have inadvertently missed your name, please call us and we will note it in our next newsletter.

Around Wisconsin...

The PROTECT THE KICKAPOO Gathering October 1-3, Ontario, Wisconsin

The scenic and peaceful beauty of the Kickapoo Valley will be destroyed by the WI Department of Transportation's plan to cut a new *major truck route* through the narrow valley along the Kickapoo River. Their plan calls for cutting the hillsides, filling the valleys and wetlands and widening the clearing of the present road 4-10 times its present width.

Local residents, environmentalists and sportsmen and women will come together to draw a line in the sand the weekend of October 1-3. Please join them by canoe, bike, horse, buggy, or foot for the trek down the valley five miles from Ontario to the old Billings Creek School for an important rally to fight this road. This weekend rally is intended to send a message to the governor and legislature that we will not tolerate paving over any more of our precious natural lands.

Weekend activities include: a rally, fly fishing, guided nature hikes, a SPECIAL SATURDAY CONCERT with Larry Long, speakers including Ben Logan, local music artists, food and more.

For information on how to register or how to support this effort, please call 608/625-2042.

Leopold Conference comes to the Monona Terrace in Madison, October 4 - 7

Conservation leaders from across the continent will celebrate the legacy of Aldo Leopold and look forward to conservation's next century at a conference titled, "Building on Leopold's Legacy: Conservation for a New Century." Confirmed speakers include Leopold family members, Natural Resources Conservation Chief Pearlie Reed, Abenaki elder Joseph Bruchac, and U.S. Forest Chief Michael Domback. To register, visit the conference website at www.wisc.edu/wesacad/landethic/ or call Michael Strigel at 208/263.1692.

Now Available from UW-Extension Publications: "Guide to Community Planning in Wisconsin"

Written by UW Assistant Professor in Urban and Regional Planning Brian W. Ohm, this book is an invaluable resource guide for planners, developers, attorneys, citizens and local officials interested in planning issues. It is 275 pages long and includes information about plan commissions, community design, zoning, subdivisions, transportation, housing, agriculture, natural resources and many other issues. To obtain copies, call 608/262-3346. Outside Madison call toll free 1/877-WIS-PUBS (947-7827). The cost is \$20 plus shipping and handling.

New State Policy Would Open 9 Million Acres to Development

Some of Wisconsin's most cherished landscapes would be opened to increased development pressure under an administrative rule being pushed by developers and the Wisconsin Department of Commerce. This rule, known as "Comm 83" referring to its placement in the department's code book, would allow the use of experimental septic system technologies in new construction.

Millions of acres have been off limits to development because of natural limitations in soil depth or because of steep slopes. This has been a lucky coincidence because much of this land – places like the Baraboo Bluffs and Door County -- is also some of the most sensitive and beautiful in the state. Many wildlife species have taken advantage of the refuge provided by the lack of development in these places. Comm 83 would wipe out these natural limitations by allowing technologies that might work with only six inches of natural soil beneath them. The department's own study admits that nine million acres (25% of the Wisconsin landscape) would be open to increased development pressure by the rule. The department's response is that land use impacts should be left to planning and zoning. But **only 22% of the areas most heavily impacted by the rule have any land use plan at all** and one out of three has no zoning.

1000 Friends has asked the Legislature to stop the rule until: **1)** Land use plans and zoning in accordance with our Smart Growth proposal are in place; **2)** Independent studies have been done to prove that the new systems are safe for groundwater; **3)** Local governments have the resources they need to protect land and groundwater under this new, more complex code.

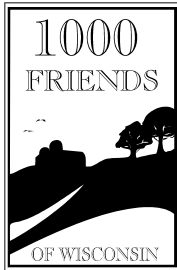
As of this writing, the department had agreed to consider slowing the rule and making modifications, but no agreement had been reached. 1000 Friends has committed to join other organizations in a law suit to stop the rule if the department will not reach a negotiated agreement, but we hope to avoid going to court.

www.1000friendsofwisconsin.com
friends@1000friendsofwisconsin.com

608/259-1000

1000 Friends of Wisconsin

Your 1000 Friends of Wisconsin Fall 1999 Newsletter is here!
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How a Community Saved a Movie Palace^q



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16 North Carroll Street
Suite. 810

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