



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved LANDMARKS COMMISSION

Monday, May 24, 2010

4:45 PM

215 Martin Luther King, Jr. Blvd.
Room LL-110 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

Present: 5 -

Christina Slattery; Bridget R. Maniaci; Daniel J. Stephans; Robin M. Taylor and Erica Fox Gehrig

Absent: 2 -

Stuart Levitan and Michael J. Rosenblum

APPROVAL OF May 10, 2010 MINUTES

A motion was made by Slattery, seconded by Gehrig, to refer the minutes from the May 10, 2010 meeting so that Mr. Rosenblum and Mr. Levitan could review the draft minutes. In addition, Ms. Gehrig noted a spelling correction for Ms. Juli Aulik's name. The motion was approved by a voice vote/other.

PUBLIC COMMENT

Mr. Joe Stark, 755 Braxton Place, Apt. 510, registered to speak about an idea that he has for Wisconsin Avenue. He asked how he could share that idea and be hired as a consultant. Staff directed him to submit his ideas to either Planning or Engineering Division staff, depending on what type of idea it was.

CONSIDERATION OF ISSUANCE OF CERTIFICATE OF APPROPRIATENESS

- 1.** [18566](#) 1819 Van Hise Avenue - University Heights Historic District - Removal existing rear porch, and construction of new screened porch.
Contact: Eric Donovan, TDS Custom Construction
Eric Donovan, 302 W Main St, Mt. Horeb, WI, briefly described the project.

Mr. Stephans asked if all of the repairs would be using real stucco, if the railing was inside or outside of the screen, and about the materials being used for flashing the roof. Mr. Donovan replied that all repairs and replacements will use real stucco, and the screen will be placed outside of the railings. He also said that the rubber roof will be flashed with clad aluminum.

A motion was made by Gehrig, seconded by Taylor, to Approve a Certificate of Appropriateness for the project as submitted. The motion passed by voice vote/other.
- 2.** [18567](#) 744 Williamson Street - Third Lake Ridge Historic District - New projecting sign for Ground Zero Coffee Shop.
Contact: Lindsey Lee
Lindsey Lee, 731 Williamson Street, briefly presented the project.

Mr. Stephans asked about the material and placement of the mounting plate, saying that he

preferred that the fasteners be stainless steel mounted in the joints and not in the brick. Mr. Lee said that he wasn't sure how it will be mounted, but that he would talk to the sign erector about those issues.

Mr. Stephans asked about other commercial signs in the District. The Crystal Corner and the Eldorado Grill signs were the only projecting signs that staff could remember. Ms. Taylor added that the MacExperts sign is also projecting.

A motion was made by Slattery, seconded by Taylor, to Approve a Certificate of Appropriateness for the new sign with the following conditions:

- 1. The mounting hardware is to be stainless steel, and mounted in the joints.**
 - 2. The sign must meet all sign code requirements including a 10-foot clearance above the sidewalk, not projecting more than 24 inches into the right-of-way.**
- The motion passed by voice vote/other.**

OTHER BUSINESS - DISCUSSION

3. [17835](#) Landmarks Ordinance Revisions

Jason Tish, 2714 LaFollette Ave., registered neither in support nor opposition, but did not wish to speak.

Fred Mohs, 512 Wisconsin Ave., registered neither in support nor opposition. Mr. Mohs stated that if people let their buildings deteriorate and then claim hardship for demolition or to build a new high rise, the whole neighborhood will decline. He stated that we need a tough appeals process. He added that the power should be kept within the Landmarks Commission and not let it get swayed by the political process that is made up of Common Council members who are not experts in historic preservation.

Ledell Zellers, 510 N. Carroll St., registered neither in support nor opposition. Ms. Zellers said that if the goal of this discussion is not to cripple the Landmarks Ordinance, but to make it clearer, she would be in support. She added that she doesn't believe that the appeals process was correctly applied at the Common Council, and if the language was clearer, then it would be better followed. She also said that allowing for an appeal because of a self-created hardship should not be a valid excuse if people are over-paying for buildings that require a lot of repair.

Joe Lusson, 627 E. Gorham St., registered in opposition. Mr. Lusson said now should be an opportunity to strengthen, not weaken the ordinance. He reminded the Commission that it is not only important to save individual historic structures, but also to save the appropriately sized buildings that are adjacent and in the same neighborhood.

Ms. Gehrig wanted to clarify for the audience that looking at the language of the Ordinance was the Commission's idea. She added that she would like to keep the 2/3 majority appeal Common Council language intact, but would like to clarify the remaining language.

Ald. Maniaci said that after looking at staff's memo, the 2/3 majority language does seem to be in keeping with similar land use appeals to the Council of decisions made by the Plan Commission.

Ms. Slattery added that she was glad to see so many other uses of the 2/3 supermajority, which really put the language in perspective. She added that she is comfortable with keeping that, and asked staff to look into other appeals language of historic preservation ordinances, adding that she will also contact the National Association of Preservation Commissions to see if they had similar language.

Ms. Taylor also agreed to keep the 2/3 appeal language and said that the Commission should work on clarifying what language the Common Council should use during an appeal. She suggested that the appeal should be based on the criteria under which the project was reviewed by the Commission in the first place. Ms. Slattery said that we should make it more specific.

Ms. Gehrig said that the purpose and intent language is too vague, and that people interpret it differently. She added that she would like the Commission to come up with its own language before they have the City Attorney review it. Mr. Stephans added that if the Ordinance doesn't have a clear definition of hardship, perhaps the Commission should create one, or look to other ordinances to find better language.

Mr. Stephans stated that as Chair, for the record, he believes that after hearing the Commissioners views that it is the sense of the Landmarks Commission that the 2/3 supermajority requirement in the appeals language is consistent with how other City Ordinances operate, and that it doesn't seem to be an in-ordinate obstacle.

Ald. Maniaci also asked that the Commission create more definitions to help clarify parts of the five Historic District criteria, such as gross-volume and environment since some district standards have much less information in them than other districts. Ms. Slattery said that she agrees that the Commission should be consistent, but that they need to respect that the neighborhoods worked on their specific districts, and when the criteria were created, some neighborhoods were willing to accept more specific standards and criteria than other neighborhoods. Mr. Stephans said that the Commission did vote not to look at the specific historic district criteria as part of this ordinance language review, but agreed that there are some definitions that could clarify intentions.

Ms. Taylor said that she thinks the Commission should either remove or re-write 33.19(1)(f) in the purpose and intent section since strengthen the economy of the city' in not a main goal of the Commission. Ald. Maniaci said that whatever language the Commission proposes has to get support at the Council and be approved by a simple majority. She added that the Council can also make amendments and change any part of the Ordinance when it is before them. Mr. Stephans suggested that the language of 33.19(1)(f) could be amended to read "strengthen the economy of the City through appropriate preservation of irreplaceable historic and cultural resources." He added that the open spaces are just as important as the buildings.

Ms. Gehrig said that the Commission should invite the four alders of historic districts to be involved in the discussion about language changes to get their support. She added that when the Commission is finished reviewing the Ordinance, that she would like the "handbook guide" version of the ordinance to be updated and reprinted for easier reading and outreach to property owners of historic buildings.

Ald. Maniaci said that in Sec. 33.19(4) there is no discussion about contributing and non-contributing buildings, and wondered if the Commission should look into that. Mr. Stephans replied that currently the Ordinance does not recognize the difference, but that looking at it would gain bring in the issue of looking at specific historic districts and that it would affect the neighborhoods. Ms. Gehrig thought that it would be interesting to talk former Preservation Planners to find out why that wasn't considered when the districts were created. Ald. Maniaci said that she believes that it is important to look at these issues, even if it is difficult. Mr. Stephans repeated his earlier statement that the Commission had decided to look at the general Ordinance language, but not the districts at this time in order to make some changes in a reasonable amount of time.

Ald. Maniaci said that the Landmarks Commission is the keeper of the Historic Districts, not the neighborhoods. She added that she also has issue with how the Visually Related Area is drawn and that if a building is outside of the district that it can't be considered even if it is directly across the street. She cited the Holy Redeemer project from a few months ago.

A motion was made by Gehrig, seconded by Maniaci, to Refer the discussion to a future LANDMARKS COMMISSION meeting. The motion passed by voice vote/other.

4. [17150](#)

Buildings proposed for demolition - 2010

There was one building listed, and there was no discussion.

5. [07804](#) Secretary's Report

Ms. Slattery asked that the Commission discuss a potential application for a CLG grant with the State at the June 14th meeting. Mr. Stephans agreed and asked staff to put it on the agenda and said that they could discuss the possibility of an archeological survey, other than mounds, of targeted areas of the city, as he believes that the State would like to be able to catalogue potential additions to the National Register. He added that the City only discovers archeological resources during construction projects, and that such a survey would be helpful. Ms. Slattery said that due to the limited amount of money available, the survey would have to be targeted. Mr. Stephans noted that perhaps it could be limited to public lands. Ms. Gehrig asked who could prepare the application? Ms. Slattery said that she hoped that the new Preservation Planner could work on it.

Staff gave a brief recap of the status of the Edgewater, noting that the Landmarks Commission will review and approve the proposed rehabilitation of the 1940's tower. Ms. Gehrig said that she feels that the historic districts really took a beating over this project, and wondered how the Commission could better defend the historic districts. She asked if the Commission thought that it may be good to do some public relations to show the Community what positive impacts the Commission has had on the city, perhaps highlighting some good redevelopments. Mr. Stephans agreed that some good news stories that show how preservation contributed positively to economic development would be helpful. Ms. Gehrig added that also they need to counter the idea that historic districts are hurting the buildings, as discussed in the memo that the Commission received from Gary Peterson. Mr. Stephans said that the economic development argument is an important one to discuss.

Ms. Gehrig said that the process under which the appeal was discussed was a disgrace, including the length of the two council meetings and the treatment of the public when they were testifying. She added that she thought it was impossible for the Council to have a good substantial discussion of the issue at 5 or 6 o'clock in the morning. Ald. Maniaci said that the actual Council deliberation itself, after all of the public testimony took about the same length of time as what is normal on difficult issues. She added that she tried to get the meeting scheduled over two nights, but that the Council leadership did not want to do that due to logistics.

ADJOURNMENT

**A motion was made by Maniaci, seconded by Slattery, to Adjourn at 6:30 p.m.
The motion passed by voice vote/other.**