



Agenda Item #: 2
Project Title: 3706 Nakoma Rd – Land Division of a Designated Madison Landmark Site (Old Spring Hotel); 10th Ald. Dist.
Legistar File ID #: 72243
Prepared By: Heather Bailey, Preservation Planner
Members: Present: Richard Arnesen, Molly Harris, Katie Kaliszewski, Maurice Taylor, and Ald. Bill Tishler. Excused: Edna Ely-Ledesma and David McLean.

Summary

David Gordon, registering in support and wishing to speak
Margaret Baudhuin, registering in opposition and wishing to speak
Andrew Schroeder, registering in opposition and wishing to speak
Jill Davis, registering in opposition and wishing to speak
Janet Swain, registering in opposition and wishing to speak
Mary Alice Van Gemert, registering in opposition and wishing to speak
Cynthia McKenna, registering in opposition and wishing to speak
Drew Vogel, registering in opposition and wishing to speak
Kevin Pomeroy, registering in opposition and wishing to speak
Thomas Kuech, registering in opposition and wishing to speak
Melissa Schutten, registering in opposition and wishing to speak
James Van Gemert, registering in opposition and wishing to speak
Margaret Maroney, registering in opposition and wishing to speak
Stu Levitan, registering in opposition and wishing to speak
Rick Chandler, registering in opposition and wishing to speak
John Mix, registering in opposition and wishing to speak
Joseph Bartol, registering in opposition and wishing to speak
Alex Saloutos, registering in opposition and wishing to speak
Lesley Numbers, registering in opposition and wishing to speak
Juli Aulik, registering in opposition and wishing to speak
Please see the attached public comment registration list for additional registrants not wishing to speak.

Also present: District 10 Alder Figueroa-Cole

Kaliszewski opened the public hearing.

David Gordon, applicant, spoke in support of the project.

Andrew Schroeder, Jill Davis, Janet Swain, Mary Alice Van Gemert, Cynthia McKenna, Drew Vogel, Kevin Pomeroy, Thomas Kuech, James Van Gemert, Margaret Maroney, Stu Levitan, Rick Chandler, John Mix, Joseph Bartol, Alex Saloutos, Juli Aulik, and Lesley Numbers spoke in opposition.

Kaliszewski closed the public hearing.

Bob Birmingham spoke about the archaeological survey they completed on the property.

Bailey provided background information on the project and the applicable standards for review.

Tishler referenced the cultural landscape, which is constantly evolving over time as the building has, and said the tree connects the land throughout this time period. Bailey pointed out that the Landmarks Commission does not have regulatory authority over the tree. Tishler said he was opposed to reducing the size of the property because it sets a bad precedent for areas identified as landmarks. He was impressed by the number of people who registered to speak about the project. He pointed out that when the building was nominated as a landmark, it included the entire property, and he found it hard to separate the structure and the land. He was concerned that dividing up the property may make it less attractive to any future owners of the landmark. He said the land division would adversely impact the historic character of the house, including potential issues with flooding on the property if another structure were to be built on the proposed second lot.

Arnesen said that it isn't a foregone conclusion that a new structure on the proposed adjacent lot would affect flooding, and it could actually improve flooding issues depending on how it is handled.

Arnesen referenced Bailey's earlier statement that there is a 35' rear setback required for each property, so any new structure would be at least 70' from the landmark structure. Regarding the standards, he said that the proposed lots are clearly compatible with adjacent lot sizes. He said that whether the land division would adversely impact the historic character of significance of the landmark is highly subjective.

A motion was made by Tishler, seconded by Taylor, to deny the request for the Certificate of Appropriateness for the land division and keep the property intact. The motion failed by the following vote:

Ayes: 2 - Ald. Bill Tishler and Maurice Taylor

Noes: 3 - Richard Arnesen, Molly Harris, and Katie Kaliszewski

Excused: 2 - Edna Ely-Ledesma and David McLean

Kaliszewski said she was conflicted because setting is a difficult thing; aspects of integrity to a property are both tangible and intangible and she could see both sides to this. She said that she was having difficulty with "adversely impact" not being defined in the ordinance. While it would be a change to the setting, it was difficult to decide if it would be an adverse impact.

Arnesen said that the lot sizes are clearly compatible, so the applicant meets that standard. He didn't think they could find that it adversely impacted the property to a point where they could deny the request.

Harris agreed and asked if they should request more information on how changing the lot line would impact the drainage. Bailey said that any new construction would need to meet building code requirements, part of which is site drainage.

Tishler reiterated that separating the two lots could make the historic site less attractive to future buyers. Bailey pointed out that there is already a legally platted lot that could be conveyed as a separate parcel without Landmarks Commission involvement, if the applicant chose to do so.

Kaliszewski said that setting is an important part of the historic character or significance of a landmark, so they need to look at the residence's historic and current setting and assess whether this would adversely impact the character. She said the commissioners all agreed that the proposed lots were compatible with adjacent lot sizes, but there was a difference of opinion on whether it would adversely impact the historic character of the landmark.

Ald. Figueroa-Cole said that it seemed fair to allow the land division and maintain the landmark designation on the new lot so that the Landmarks Commission has an opportunity to provide input in the future.

Tishler said that the reason for the Landmarks Commission is to preserve historic landmarks, and he didn't see how dividing the lots helped that. He said that preserving the existing lot is a way of preserving the existing structure, and they are enabling a larger development by dividing the lots.

Taylor said that he would like to see the owner get the most out of the property, and he didn't think they should require the applicant to come back for approval for new construction on the second lot.

Kaliszewski said she wanted to have the ability to review what will go onto the new lot, and she thought this was one of the best ways to allow for the sale of the second parcel while still being able to comment on the potential development next to the historic landmark. She pointed out that the lot is zoned single-family residential, so that limits what can go on the lot. She suggested that staff amend the landmark nomination as it is woefully missing information about this property, add information from the archaeological record. Staff should explore amending the nomination after a new structure is constructed on the currently vacant lot.

Action

A motion was made by Arnesen, seconded by Harris, to approve the request for the Certificate of Appropriateness for the land division with the conditions that the landmark designation remain on the newly configured lots and the applicant submit an archaeological monitoring report for an excavation of the buildable area on the proposed western lot/parcel. The Commission found that the proposed lot sizes are compatible with adjacent lot sizes and retaining the landmark designation on the western lot will ensure preservation of the historic structure on the eastern lot by allowing for review of potential adverse impacts of the new construction on the historic structure. The motion passed by the following vote:

Ayes: 3 - Richard Arnesen, Molly Harris, and Katie Kaliszewski

Noes: 2 - Ald. Bill Tishler and Maurice Taylor

Excused: 2 - Edna Ely-Ledesma and David McLean