



# City of Madison

## Meeting Minutes - Approved

### LANDMARKS COMMISSION

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

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Monday, November 19, 2007

4:45 PM

215 Martin Luther King, Jr. Blvd.  
Room LL-130 (Madison Municipal Building)

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#### CALL TO ORDER / ROLL CALL

**Present:** 7 -

Brenda K. Konkell; Daniel J. Stephans; Stuart Levitan; Robin M. Taylor;  
Michael J. Rosenblum; Randall A. Page and Erica Fox Gehrig

Guests: Mr. Tom Link, Ms. Margaret Stafford, Mr. Al Czecholwski, Mr. Tom Stafford, Ms. Kathy Fleming, Mr. Harvey Temkin, Mr. Joe Lusson, Mr. Ed Freer, Mr. Phil Hees, Ms. Carol Crossan, Mr. Bill White, Ald. Marsha Rummel

#### APPROVAL OF MINUTES

There were no minutes submitted for approval.

#### UNFINISHED BUSINESS

##### Referrals from Other City Agencies

1. [07834](#) 1015 Hillside Avenue - referral from Plan Commission staff for Landmarks Commission opinion on demolition of existing house for expansion of yard for adjacent house

A motion was made by Levitan, seconded by Konkell, to advise the Plan Commission to Deny the demolition of the Pyre house until after November 1, 2008. The approval of demolition should be subject to the parties making a good faith effort to sell the property.

Later in the discussion a substitute motion was made by Konkell, seconded by Stephans, to advise the Plan Commission to Deny the demolition. The motion passed by the following vote:

**Ayes:** 4 -

Brenda K. Konkell; Daniel J. Stephans; Randall A. Page and Erica Fox Gehrig

**Noes:** 3 -

Stuart Levitan; Robin M. Taylor and Michael J. Rosenblum

*Mr. Harvey Temkin spoke first as a representative of the Bakkeses, who have an accepted offer to purchase the property. He noted that the family wished to purchase the property to add a small section of it to their adjoining property. The rest would be sold as*

a single-family home site. His clients are not interested in being landlords of the house on the site and the offer is contingent upon their being able to demolish it. Ms. Rankin suggested to them that they try selling the property as is, with the house on it, to see if someone would buy the house to fix it up. This is okay with his clients provided that they are assured that after a specific amount of time, if it hasn't sold, they could demolish the house. He said that the report on the condition of the house may very well be just the tip of the iceberg. The house had already been on the market for a year-and-a-half.

Ms. Margaret Stafford spoke on behalf of the estate that is trying to sell the property. She said that the inspector's report did not cover all of the work that had to be done. She noted that the Stafford family lived in the house for six decades and it is in terrible condition. She said that the house was built as a summer home and lacks insulation, has deteriorating windows, very high heating bills, including one month when the bill was over \$1000, has a non-functional garage which is no longer used and that there was no way to attach a garage to the house. She said the house had been altered with enclosed porches and the inside has had more radical changes. The fireplace can no longer be used, the basement is wet and moldy and there is exposed knob-and-tube wiring in the attic. She noted that the general public cannot see the house from the road. She said that they put it on the market in May of 2006. She said that if the current offer fell through it would damage the family financially and emotionally.

Ms. Kathy Fleming said that she is the realtor for the property and will be happy to show it to anyone who might be interested in buying the house.

Mr. Tom Link spoke as a neighbor to the property. He said that he looked at the house recently and was struck by its historic nature. He said that fact that it has been seriously neglected should not be an acceptable excuse to permit demolition. He noted that the house would demand considerable work, but to lose it would be very sad, adding that you don't see houses like this often.

The commission then discussed the proposed demolition. Mr. Levitan said that the owners should advertise it on the MLS, and the internet and notify historic groups of its availability. He noted that it should be sold at less than \$600,000 because that was an unreasonable asking price for the house in its current condition. Ms. Fleming noted that the property had been listed initially for \$620,000 to \$670,000 and the price was later reduced to \$595,000. Mr. Temkin said he had no idea what it should be listed for since he hasn't talked to his clients or any one else yet. His client wants to clean up the property dispute he has been engaged in and sell the property cleanly and with as little hassle as possible. Their offer expires on December 15.

Ald. Konkel noted that the Plan Commission's current policy is typically to not allow a demolition until the future use of the site is known. She said that what the City needs is a good faith effort to sell the house with the intent of restoration. Mr. Stephans noted that summer homes that are historic are worthy of preservation, also. Mr. Page said that if the building is worthy of being saved now, it still will be worthy of being saved in a year's time. He said that he understood the desire to move the issue along by compromising, though. Mr. Levitan said that he didn't think that Pyre was a professor of long-lasting historical significance. He asked that if the building is not visible from the street, then what is the public interest? He said that the building was in very bad condition and that he could live with its demolition.

Ms. Taylor said that she didn't want the City to jeopardize the sale of the property, noting that it had been on the market for a long time. The new owner should recognize that the property is not necessarily as valuable as what he plans to pay for it. Ald. Konkel said

*that the fact that a building is neglected did not justify allowing it to be demolished. Mr. Levitan countered that the neglect was not deliberate, as in the case in which a developer purposely allows a property to deteriorate.*

*Mr. Lusson said that this was the first time that he had heard of the theory of demolition by runaway brush. Commission members noted that the Lamp house by Frank Lloyd Wright cannot be seen from the street, and yet it is a landmark of great significance. Mr. Stephans said that based on the quality of the building he could not support demolition.*

**Note: The Commission will consider a motion to reconsider the following item. If the motion passes it will be reconsidered.**

*Ms. Rankin explained that the Downtown Historic Preservation Plan was passed with an amendment, followed by actual language in the Landmarks Commission's ordinance, that the Steinle house at 321-323 N. Hamilton could not be considered for landmark designation after a development proposal had been submitted. Mr. Levitan said that he had asked for consideration mainly because the alder for the district was not at the last meeting when this item was considered. Mr. Page said that typically the Landmarks Commission does not reconsider an issue unless pertinent new information had arisen after the meeting. He said that he thought the Landmarks Commission did a good job of deliberating the issue at the last meeting.*

*Mr. Freer, representative for the developer, noted that the neighborhood plan calls for redevelopment of the block for high density housing. He said that, of all the blocks in the downtown, this one seemed best suited for redevelopment rather than preservation. He noted that other blocks along Hamilton have already been redeveloped for high-rise condominiums. He showed pictures he took around the block to show that the house on Hamilton does not have a particularly imposing presence on Gorham Street because it is set back from that street.*

*Ms. Crossan said that she was content with the discussion from last week.*

*Ald. Rummel said that she sits on the Urban Design Commission. She said that the Downtown Historic Preservation Plan should not be used to make decisions because it was flawed; the Woman's Building was not included in the plan, and she understood that owners were allowed to opt out of the plan. Mr. Rankin replied that the Woman's Building was not in the plan because it was considered part of the Mansion Hill-Langdon area, which was specifically not studied, and that owners were not allowed to "opt out." She added that the plan was adopted as part of the comprehensive master plan for the City and therefore was considered public policy.*

*Mr. White, attorney for the owners, said that he thought it would be highly unusual for a commission, when asked for comments by another body, to decide to reconsider its action. He noted that if there are more issues of concern they can be brought up at the Plan Commission. Mr. Lusson said that he believed that Steinle house was a beautiful building, even with the enclosed porch and vinyl siding and had original woodwork in the interior. He suggested that the Common Council consider amending the ordinances to remove the list of buildings that cannot be considered for landmark designation.*

*Mr. Stephans said he was satisfied with the previous discussion. Mr. Page said that if the Steinle house was picked out for preservation it would have a serious adverse effect on the new project. He said that he believed the Steinle house was not significant enough to stand in the way of the whole project. Ald. Konkell said that she didn't ask for the reconsideration. She disagrees that the project could not go forward if the Steinle House were retained. She is also concerned that this will set a precedent for the wholesale*

*demolition of other parts of her neighborhood, but she did not believe that reconsideration at this point was necessary. Mr. Page asked if someone wished to move reconsideration, but no motion was forthcoming.*

2. [07833](#) 301 North Hamilton Street, Redevelopment of Block 258 - referral from Plan Commission staff for Landmarks Commission opinion on demolition of existing buildings at 318 E. Johnson St., 324 E. Johnson St., 308 N. Hancock St., 310 N. Hancock St., 303-309 N. Hamilton St., and 321-323 N. Hamilton St.

**No vote to reconsider was forthcoming, so this item was not discussed.**

#### **OTHER BUSINESS**

3. [08176](#) Communications

*Ms. Rankin explained that the City Attorney had advised that it was best if the commissioners did not communicate with more than one other commissioner via email. The members may send an email to Ms. Rankin and Ms. Rankin could send it to the Commission members.*

4. [07804](#) Secretary's Report

#### **ADJOURNMENT**