

AGENDA # 1

City of Madison, Wisconsin

REPORT OF: LANDMARKS COMMISSION	PRESENTED: November 25, 2013
TITLE: 121, 123, 127 West Gilman Street – Mansion Hill Historic District – Construct new apartment buildings. 2nd Ald. District Contact: Dan Seeley (32027)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Amy Scanlon, Secretary	ADOPTED: POF:
DATED: November 25, 2013	ID NUMBER:

Members present were: Stu Levitan, Chair; Erica Fox Gehrig, Vice Chair; Christina Slattery, Jason Fowler, David McLean, Marsha Rummel, and Michael Rosenblum. Fowler left during the discussion of Item 3.

SUMMARY:

Levitan opened the public hearings for Items 32027 and 32076.

Margaret Watson, representing Steve Brown Apartments, registering in support and wishing to speak. Watson provided 2 handouts for consideration and introduced the project team, the approach to this project, and the company's involvement in the neighborhood.

Dan Seeley, registering in support, wishing to speak and available to answer questions. Seeley briefly explained the rationale of the project. Seeley explained the history of the property at 127 West Gilman and described the condition assessment reports. He explained that SBA believes that it is not economically feasible to repair this building.

Seeley described the other 2 buildings at 121 and 123 West Gilman. He noted that the Highlander at 121 does not enhance the neighborhood. The building at 123 is proposed for relocation to 113 West Gorham.

Shane Fry, representing Brown House, registering in support and wishing to speak. Fry described the proposed new development and the architectural character of the chosen style. Fry described that taller multi-family buildings are currently located next to smaller buildings. He explained that the project team is using effective height to place elements of the design.

Seeley explained the gross volume of the largest proposed building is 217,000 cubic square feet.

Levitan asked if improvements were made to 127. Watson explained that in order to rent it after being acquired, money was spent on structural and cosmetic repairs.

Levitan asked the project team for gross volume information for buildings in the VRA.

Seeley explained that Egge movers provided an email statement that they would not be willing to move 127 and that there is a similar verbal statement from Heritage movers.

Jason Tish, representing Madison Trust for Historic Preservation, registering in opposition and wishing to speak. Tish explained that MTHP appreciates the efforts of the project team, but takes a conservation approach which means looking for guided change to avoid unnecessary loss. Tish explained that the loss of 121 is not detrimental to the historic district, that the relocation of 123 would result in the loss of integrity for no reason other than to assemble adjacent parcels for redevelopment, and that the demolition of 127 due to poor condition rewards neglect and sets a bad precedent. He explained that the proposed design does not meet the VRA test and is not appropriate to meet criteria of the ordinance.

Levitan asked Tish to explain the negative effects of relocation in a district. Tish explained relocation means the loss of integrity due to loss of site, loss of elements like foundation and porches that would be removed for ease of relocation, and loss of context.

Gene Devitt, Mansion Hill Neighborhood – Capital Neighborhood, registering in opposition and wishing to speak. Devitt provided photos of buildings in the district (VRA) and noted that the buildings in the context are 2-3 stories high with a single family residential character. Devitt explained that numerous demolition requests have come through the process over the years and been denied. Since the creation of the historic district, numerous properties have been restored.

James McFadden, registering in opposition and wishing to speak. McFadden provided a rendering of 127 as a restored building. McFadden explained that the building has a vernacular form and retains elements that are appropriate to the character of the district.

Robert Klebba, registering in opposition and wishing to speak. Klebba explained that he hopes the Commission reviews this proposal with the same level of evaluation as was used on the window replacement discussions earlier in the meeting. Klebba explained that the Commission is charged with retaining the character and appearance of the historic district.

He explained that the standard for maintenance is a city-wide issue and that the demolition of 127 would remove another single-family residence option from the downtown.

Fred Mohs, registering in opposition and wishing to speak. Mohs explained that he opposes the demolition of 127 and the relocation of 123 based on policy. Mohs explained the importance of consistency of interpretation of policy in historic district. He explained that the conditions of 127 could have been repaired and the building rehabilitated. Mohs provided the Preservation Plan for Mansion Hill and requested that the Commissioners review the redevelopment standards that were originally put in place to respond to loss of buildings by fire or disaster, not demolition by neglect.

Mohs explained that 121 could be renovated or a different building could be constructed on that site which would not require the redevelopment of the large property as proposed.

David Mollenhoff, registering in opposition and wishing to speak. Mollenhoff explained that he and his wife have owned the neighboring property since 1966. He explained the definition of a contributing structure as one that is intact and has importance to the district during the period of significance. He explained that contributing buildings provide richness and integrity to our cities. He explained that in Mansion Hill, 88% of the buildings are contributing and that related to the proposed development, 96% of the buildings in the VRA are contributing

which shows that the district is largely intact and therefore also vulnerable to this kind of redevelopment request.

Mollenhoff further explained that the people that lived in and visited these building and the events that occurred in these building create a picture of our city's place. He explained that contributing buildings are a gift to our culture and that allowing the contributing buildings of this proposal to be demolished or relocated is precedent setting. He further explained that these seemingly small requests will accumulate over time and damage the district. He explained that his project is a test of the commitment to the historic district.

Levitan asked Mollenhoff to explain the impact of the relocation of one property on the historic district. Mollenhoff explained that the context and integrity of the district would be affected.

Jack Holzhueter, registering in opposition and wishing to speak. Holzhueter explained that the development patterns of early Madison made Mansion Hill a premier area in the 1850s. Holzhueter explained that many examples of the early building stock in Mansion Hill have survived past the birth of historic preservation. He explained that the purpose of a historic district is to preserve history, not to generate wealth by the use of the land.

Michael Bridgeman, registering in opposition and wishing to speak. Bridgeman explained that historic districts boost local economies through tourism. The fabric of historic districts should be maintained.

Laura Fabick, registering in opposition and wishing to speak. Fabick explained that she values the benefits of living in a downtown historic district as a property owner and resident. Fabick explained that many people have built and maintained the buildings in this area while others have neglected their property and this makes the resident property owners bear the burden of the treatment of the historic district.

When asked about the treatment of 121, Fabick explained that something better could be constructed there.

Steven Fabick, registering in opposition and wishing to speak. Fabick explained that he is disappointed that developers view the Landmarks Ordinance in such low regard that they are willing to risk large amounts of time and money to see if they can get their proposals approved even when the proposals don't conform to adopted policies and ordinances. He explained that his opposition is not a case of "not in my back yard" thinking or anti-development sentiment as he came before the Commission to discuss development options for his property, but found the solutions to be too costly given the space. He explained that this conclusion was not followed by a request on his part to demolish the buildings on his property to maximize room for the development he wanted. Fabick explained that if he didn't intend to follow the rules of the ordinance, he shouldn't have purchased property in a historic district. He explained that he has plans to convert his property back to a single-family residence, but is scared by development proposals that threaten the investment he and others have made in the district. Fabick explained that as a resident and property owner he is looking for certainty in the historic district and for protection in his investment from the leaders of the City of Madison who originally adopted the historic district and the ordinance.

Levitan noted that Mansion Hill is the first historic district in Wisconsin.

Fanny Ingebritson, registering in opposition and wishing to speak. Ingebritson explained that the Common Council prepared the Mansion Hill Historic District Preservation Plan and Development Handbook in 1975 which included guidelines for the future development, redevelopment and alterations. Every property owner in the district received a copy of this manual to guide the preservation of property. Ingebritson explained that this document held weight and as a testament to that, no historic buildings in the district were demolished after its

adoption. She explained that adopted plans and special area plans should be followed and respected. She explained that it doesn't seem that the project team reviewed the Downtown Plan or the Landmarks Ordinance in the preparation of their proposal. She explained that W. Gilman Street is one of the most historically intact streets in the City and that the approval process should be taken seriously.

Joe Lusson, registering in opposition and wishing to speak. Lusson explained that West Gilman will suffer from the loss of context with the proposed development. Lusson explained that the lack of maintenance for 127 is unrespectable. He explained that rehabilitation and property ownership have costs that this developer can afford especially when single-family home owners of lesser means are asked to burden rehabilitations and maintenance under the same Ordinance.

Lusson explained that the City is responsible for protecting the historic districts, of which there are few, through the Ordinance which offers protection of character in context. He noted that all buildings in a historic district matter and the rules need to mean equivalent things to small property owners and large property owners.

Bert Stitt, registering in opposition and wishing to speak. Stitt explained that the proposed development is an insult to our history. Stitt explained that the negative impact of removing the house at 123 is that it will no longer exist on Gilman Street. He explained that overall, Steve Brown Apartments is a good steward in the area and that the money that is made with other projects in other neighborhoods could be used to preserve the historic qualities of SBA properties in historic districts. He explained that information from other moving companies should be requested.

John Martens, registering in opposition and wishing to speak. Martens explained that the Commission is charged with determining whether ordinance standards are met. He explained that he has prepared the volume calculations for the buildings in the VRA. He explained that societal standards to increase population density in City centers has become favorable and this suggests that flexible thinking may allow a larger building in a historic district than might have been allowed previously while also understanding that there are acceptable ranges for what is visually compatible in a historic district. He suggested that new construction may be 1 ½ times the gross volume of other buildings in the VRA and maybe even 2 times, but that 3 times would be pushing the acceptable limits. This proposal is 14 times the average volume of buildings in the VRA. Martens explained that a finding that a volume 14 times larger than other building in VRA is not visually compatible.

Bill White, representing Steve Brown Apartments, registering in support and wishing to speak. White explained that cities grow and change and that this proposal is an exception to the SBA standard, not the rule. White explained that he does not believe this proposal would create a precedent. He explained the proposed architecture is a mix of old and new and that the proposed architecture will fit in the area of transition. White explained that SBA did their due diligence to shore up foundation walls to address the issues of 127. He also explained that 127 continued to be rented after being acquired by SBA and that Steve Brown determined a few years later that it did not meet his standards.

Edward Kuharski, registering in opposition and wishing to speak. Kuharski explained that adherence to adopted policy, law, and ordinances are key at all levels. Kuharski explained that the treatment of 127 is not comprehensible because this property owner has the means and track record to do the right thing for the repair and rehabilitation of the building.

Mary Jo Walters, registering neither in support nor opposition and wishing to speak. Walters explained that she is grateful for the Landmarks Commission and the protections of the character that are provided by the Commission.

Rick Cruz, registering in support and wishing to speak. Cruz explained that he has resided in SBA properties for the last 10 years and that this proposal would offer diverse housing in the area and provide additional revenue in the downtown area. He explained Madison needs progressivism, not stagnation. Cruz explained that he believes Mansion Hill needs an injection of urbanism.

Rummel requested more information from the project team regarding conditions of 127. Watson explained that 20+ years ago she encouraged SBA to continue renting 127. She explained that the building was a challenge to rent and they solicited a structural condition report which found that the building needed repair. SBA decided to not rent the building and maintained the exterior of 127 for years until the redevelopment options were realized. Watson explained that the proposal adds value to the district and maintains the character of the district. SBA is trying to strike a responsible balance in a historic district.

Fry explained what is involved in the process to relocate a house and that the framing members of the building at 127 suffer from dry rot and deficient structural conditions which make it impossible to relocate.

There was general discussion about the definition of the visually related area (VRA).

Zellers noted that the Egge statement notes the size and location of the structure as the reasons that it cannot be relocated, not the condition.

Seeley explained the verbal statement from Heritage is based on condition as the reason it cannot be relocated.

Rummel asked if the project team had investigated the redevelopment of the Highlander site alone or any combination of keeping or shifting 123 and 127. The project team described the economic infeasibilities of that option. Watson showed the previous concept that was a u-shaped building that did not meet zoning. Watson explained that the current proposal is a more appropriate solution for the site and historic district and works economically.

Rummel explained that it is very difficult to justify the size and related volume of a building in a historic district based on parking needs.

Seeley explained that the HVAC equipment is located in the lower level instead of the roof in an effort to maintain a low height and this increases the size of the lower parking level also.

Levitan asked if there was any flexibility in the volume needed to have an economically feasible solution.

Gehrig asked that the Commission discuss the demolition issues first before moving on to new development. Gehrig explained that she believes the demolition is contrary to the purpose and intent of the ordinance.

Watson explained that a significant reduction in volume would not be economically viable and that the proposal before the Commission is one that they can construct.

Levitan closed the public hearing.

Leigh Mollenhoff, registering in opposition but not wishing to speak.

Crystal Morgan, registering in support but not wishing to speak.

Andrea Schmolch, registering in support but not wishing to speak.

Eric Hornyak, registering in support but not wishing to speak.

Joe Kroening, registering in support but not wishing to speak.

Shannon Sloat, registering in support but not wishing to speak.

Lindsey Sauter, registering in support but not wishing to speak.

Kristen Neuendorf, registering in support but not wishing to speak.

Sarah Han, registering in support but not wishing to speak.

Alan Main, registering in support but not wishing to speak.

M Derkaoui, registering in support but not wishing to speak.

Mitch Colstad, registering in support but not wishing to speak.

Pam Brem, registering in support but not wishing to speak.

Jackie Skuervem, registering in support but not wishing to speak.

Meggan Allen, registering in support but not wishing to speak.

Alyssa Hellenbrand-Best, registering in support but not wishing to speak.

Adrian Clay, registering in support and wishing to speak.

DISCUSSION:

A motion was made by Rosenblum, seconded by Slattery, to approve a Certificate of Appropriateness for the demolition of the building located at 121 West Gilman Street giving significant weight to standards 33.19(5)(c)3.a – f in the Ordinance. The motion passed by voice vote/other.

The Commission discussed the condition issues regarding 127. Rummel wanted clarification that the structural reports were professional given that the findings were based on visual inspections. Gehrig noted that property owners in historic districts that have rehabilitated their properties are asking for consistency and that she cannot excuse the past 20 years of neglect.

McLean and Rosenblum agreed that the condition of the building and the lack of maintenance is a major consideration.

Slattery explained that the building is still contributing and the lack of maintenance is troubling.

Rummel explained that the owner of a single-family residence has a “use value” relationship with their property where they use it and live in it and care for it along the way while a commercial property owner has an “exchange value” relationship. This presents an unfair perspective when applying the Ordinance for a small

property owner compared to a large property owner. Rummel explained that the proposal does not meet Standard f.

Levitan asked that the Commission discuss the relocation of 123 to 113 West Gorham and if the site at 113 is an acceptable receiver site.

Rummel asked how the Steensland relocation issue is different than this issue. There was discussion about whether the receiver site should be discussed before the appropriateness of the relocation.

McLean explained that the receiver site seems appropriate for new development especially if it is a residential structure that is appropriate to the context.

A motion was made by McLean, seconded by Rosenblum, to approve the site at 113 West Gorham Street as an appropriate location for the existing structure located at 123 West Gilman Street with the staff report conditions. The motion passed by voice vote/other.

There was little discussion related to the relocation of 123.

Rosenblum explained that he could be agreeable to relocation for the right development proposal.

Levitan suggested that the Commission discuss what constitutes a compatible building volume in the VRA, if the average volume in the VRA is 65,000 cubic square feet.

John Martens clarified how his calculations were prepared.

McLean explained that 3 buildings side by side will be perceived as larger mass than one of those building which will impact the area negatively.

Gehrig asked about height in feet compared to measurement in stories and how the zoning related to this proposal.

Staff explained that the proposed development does not require a rezoning and is submitted in compliance with zoning. There was general discussion about the heights of stories allowed by Zoning and appropriate heights in feet.

There was general discussion about volume and how the current proposal seems too tall and large related to the VRA.

McLean explained that the buildings seem wide and that the resulting proportion and rhythm is problematic.

Related to the adjacency of the new development to the landmark site at 120 West Gorham Street, staff explained there is a 30 foot rear yard behind the proposed building and a 40+ rear yard behind the landmark building.

A motion as made by Rosenblum, seconded by Slattery, to recommend to the Plan Commission that the proposed development is not so large or visually intrusive as to adversely affect the character of the adjacent landmark. The motion passed by voice vote/other.

Staff explained that there are architectural issues that need to be addressed by the project team to respond to the Ordinance and provide an architectural response that is coherent.

McLean explained that the side and rear elevations need material treatments similar to the front elevations, the scale of the entrance elements seem too large, the window proportions need work and the overall massing and scale is large compared to other building in the VRA.

Rummel asked if the sliding doors at the balconies are appropriate. Fry noted that the doors would not be sliders.

Staff explained that the construction method could be changed to reduce the overall height. Fry noted that the associated costs of a different construction method would not be feasible and are typically not feasible for other similarly sized projects around the City.

Zellers asked if the project team researched entering the garage from Gorham Street instead of Gilman Street. Fry noted that previous schemes had reviewed that option.

A motion was made by Rummel, seconded by McLean, to refer the additional items (demolition of 127, new development on West Gilman, land division, and relocation of 123) to the meeting of December 9. The motion passed by voice vote/other.