



Project Name & Address: 3706 Nakoma Road
Application Type(s): Certificate of Appropriateness for a land division
Legistar File ID # [72243](#)
Prepared By: Heather Bailey, Preservation Planner, Planning Division
Date Prepared: July 1, 2022

Summary

Project Applicant/Contact: David Gordon
Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for a land division.

Background Information

Parcel Location/Information: The subject site is a Designated Madison Landmark.

Relevant Ordinance Sections:

- 41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS.** A certificate of appropriateness shall be granted only if the proposed project complies with this chapter, including all of the following standards that apply.
- (4) Land Divisions and Combinations. The commission shall approve a certificate of appropriateness for land divisions, combinations, and subdivision plats of landmark sites and properties in historic districts, unless it finds that the proposed lot sizes adversely impact the historic character or significance of a landmark, are incompatible with adjacent lot sizes, or fail to maintain the general lot size pattern of the historic district.

Analysis and Conclusion

The applicant is requesting a Certificate of Appropriateness to complete a land division of the existing parcel for the designated landmark at 3706 Nakoma Rd. While there are currently two lots located within the parcel, all of the historic structures are located on the eastern lot. The proposal would adjust the existing lot line and then separate the western lot from the landmark designation.

There are several layers of history to this property. A historic spring located east of the subject property has been a gathering place for people since time immemorial. Original Native American inhabitants used the spring and constructed sacred mounds north of the subject property. The current historic structures on the site were originally known as the Old Spring Tavern and became the Old Spring Hotel, a stagecoach stop, before transitioning to becoming a residence.

Charles Morgan built the structure in 1856 using clay that he quarried and fired in a kiln onsite. The structure first operated as a tavern and then added accommodations for travelers on the Madison-Monroe stagecoach route. In 1860 James Gorham purchased the hotel, and the building became known as Gorham's Hotel, until 1895 when he closed that business and transitioned the building to being a residence. He planned and designed

a neighborhood for the 60 acre property, which he named Gorham Heights. To create space for his planned development, he excavated the burial mounds located to the north of the hotel, and the human remains and grave goods were on display in the Wisconsin Capitol until it burned. Due to the proximity of the former burial site, the Wisconsin Historical Society still recognizes this area as a known human burial site and any ground-disturbing activities on this parcel would require securing a Request to Disturb permit from the WHS in compliance with State burial law.

The resulting neighborhood, now known as Nakoma, contained a variety of parcel configurations and the Old Spring Tavern was situated on a parcel that contained two platted lots. The current proposal is to adjust the lot lines between those two lots and then separate the western-most lot into a separate parcel, and removing it from the landmark designation boundary. For the project submittal, staff asked for a Phase 1 archaeological survey to determine the likelihood of Native American human remains or historic archaeology related to the stagecoach period on the western half of the current parcel. The completed survey found highly disturbed soils, confirmed the approximate location of the mound sites to the north, and determined that it is very unlikely that there would be inadvertent discoveries. The WHS reviewed the survey report and determined that it would fulfill the requirements for the Request to Disturb permit for any work that may take place on the western lot.

Staff proposes an excavation with archaeological monitoring for the proposed building envelope on the reconfigured western lot as a condition of approving the proposed land division. The subsequent archaeological monitoring report would provide any potential information that could be gathered related to the stagecoach history of the property and will proactively address any possibility of further disturbing any Native American burial sites in that area. Once that work is complete, then the Certificate of Appropriateness could be issued, recognizing the eastern lot as the new boundary for the designated landmark.

A discussion of the relevant ordinance sections follows:

41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS. A certificate of appropriateness shall be granted only if the proposed project complies with this chapter, including all of the following standards that apply.

- (4) Land Divisions and Combinations. The commission needs to determine if the proposed new boundary would adversely impact the historic character of the designated landmark. The proposed new parcel to the west would mean that a new house could be constructed within 70 feet of the existing historic structures. This property is already located within a subdivision, with the house to the south standing 45 feet away. A new structure located on an adjacent lot would not change the residential neighborhood context for the historic site. By requiring an archaeological investigation for the area to the west on the current lot on which the historic structures are located, the City would be able to gather any possible remaining archaeological information that area might contain. The proposed new configuration of the lots and resulting parcel sizes would be compatible with adjacent lot sizes.

Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness are met and recommends the Landmarks Commission approve the request with the following condition:

1. Submit an archaeological monitoring report for an excavation of the buildable area on the proposed western lot/parcel.