



Agenda Item #: 3
Project Title: 1722 Regent Street - New Construction in the University Heights Historic District (District 5)
Legistar File ID #: 92802
Prepared By: Heather Bailey, Preservation Planner
Members: Present: Edna Ely-Ledesma, Molly Harris, Katie Kaliszewski, Jacob Morrison, and Maurice Taylor
Excused: Richard Arnesen and Ald. John Duncan

Summary

Susan Ulschmid, registering in opposition and wishing to speak
Suzanne Breckenridge, registering in opposition and wishing to speak
Christopher Rich, registering in opposition and wishing to speak
Rebecca Rapp, registering neither in support nor in opposition and wishing to speak
Tim Mathison, registering in opposition and wishing to speak
Dave Schroeder, registering in opposition and wishing to speak
Jordan Mack, registering in support and wishing to speak
Melody Glazer, registering in opposition and available to answer questions
Karla Schrader, registering in opposition and not wishing to speak
Eric Schrader, registering in opposition and not wishing to speak
Harald Kliems, registering in support and not wishing to speak
Jean Halferty, registering neither in support nor in opposition and not wishing to speak
Jean Parks, registering in opposition and not wishing to speak
Benjamin Noffke, registering in support and not wishing to speak
Amy Ulrich, registering in opposition and not wishing to speak
Shannon Oreel, registering in opposition and not wishing to speak
Christina Ruhaak, registering in opposition and not wishing to speak
Susan Phillips, registering in opposition and not wishing to speak
Paul Boston, registering neither in support nor in opposition and not wishing to speak
Valerie Schroeder, registering in opposition and not wishing to speak
Steven Ulrich, registering in opposition and not wishing to speak
Sara Ryan, registering in opposition and not wishing to speak

Also present: Ald. Regina Vidaver (D5)

Kaliszewski opened the public hearing.

Ulschmid, Breckenridge, Rich, Mathison, and D. Schroeder spoke in opposition. Rapp spoke neither in support nor in opposition. Mack spoke in support.

Bailey provided background information on the proposed project. Staff recommended approval of the project with conditions as outlined in the staff report.

Kaliszewski closed the public hearing.

Taylor asked about parking on the property, and Bailey said that parking was not regulated by the historic preservation ordinance. Kaliszewski reiterated that the commission cannot consider parking in their decision. Jordan Mack, applicant, said that this is a highly walkable area where a significant amount of off-street parking was not necessary; there will be a few parking spaces in the driveway along with street parking. Taylor said that the proposed ADU looked taller than the original house. Bailey said that it was five feet shorter than the historic house.

Morrison asked about the square footage of the primary house, and Bailey was unsure. She said that the standard says that the accessory structure should read as secondary and calls out visual size, so the discussion in the staff report focuses on how it will visually read from the developed public right-of-way. She pointed out that a lot of the accessory structure would be blocked from view by the principal structure, and what is visible is shorter at 1 ½ stories compared to the two-story principal structure. Morrison said that for zoning purposes, there are no half stories, so the accessory structure is a two-story building. He asked about the driveway, and Bailey said it was shared with the adjacent property. Morrison pointed out that it was a shared driveway where each property has a full driveway width, not a shared single driveway.

Harris had similar questions about the size of the primary dwelling, and her impression was that the ADU was too large. She referenced standard 41.27(1)(b)1 and said that it would be important to see comparanda of primary structures and accessory dwelling units that compare to this. She appreciated that the design of the structure was in keeping with the primary structures within the neighborhood, but it should also be compared with the accessory structures within the neighborhood. She said that 41.27(1)(b)2 covers visibility from the public right-of-way, from which it is minimally visible, but 41.27(1)(b)3 indicates that it should clearly be secondary to the primary structure. In looking at the project as a whole, she didn't think it was clearly secondary enough to the primary structure given its size. She said that it appears the width of the building is wider than the width of the primary structure, and the five feet of difference in height does not signify to a passerby that it is clearly secondary to the primary. Her two main issues were the size causing it to not read as secondary and not seeing any examples in the applicant's submittal of accessory units with primary structures and the relationship between them to evaluate how this proposal compares.

Kaliszewski agreed with Harris. She thought there was potential for an ADU in University Heights, but in this case, it wasn't immediately clear that this was an accessory structure. Someone could see this and think there was odd zoning because there was a house behind a house. She agreed with the request to make the ADU obviously secondary to the primary building because right now it looks like two houses on a lot. Being 1 ½ stories, it looks like other houses in the historic district, and there is potential for misreading of history in thinking there has always been two houses here. She thought the project had potential, but it needed to be scaled down.

Ald. Vidaver asked about visibility from the public right-of-way and if they looked at what is visible from the right-of-way on the street behind the house. Bailey said that as a practice, they generally have not looked at what is visible through a property because across ordinances, other than the Capitol View Preservation, there isn't a preservation of viewsheds. They look at what is visible from the developed public right-of-way for this property as opposed to the public right-of-way from other properties.

Harris expressed appreciation for members of the public who submitted written comments and spoke tonight. She said there were some issues that are important to consider but not part of the Landmarks Commission's purview such as land use or number of bedrooms and asked if staff could refer people to where those comments would best be received. Bailey said this would be a by-right development if it were not in a historic district, so it will not go before other City bodies for review.

Morrison echoed that there are certain things the commission does not have purview over. The ordinance does say that an ADU can be 1000 square feet and can be 25 feet tall, and the number of bedrooms is not regulated. He said those things appear to be met in this proposal, except this is in a historic district. He referenced the historic preservation ordinance 41.27(1)(b)3, which says that an accessory structure must clearly be secondary to the primary structure. He

said that in any other part of the city, this would be as-of-right, but this is a more delicate neighborhood that needs to be protected, so while one can have an ADU here, it needs to be scaled down to the point that it is not larger than the house it is located behind. He thought that the ADU was incrementally more than minimally visible, noting that pedestrians and those in cars would be able to see it. Taking that into account along with the requirement that it be secondary to the primary structure, he thought it was too large and would like to see a revised submittal at a smaller scale. He agreed with Harris that it would be helpful to include comparables to understand how that scale could be achieved.

Kaliszewski said that it looks like a single-family house behind a single-family house, which is why she is having trouble viewing it as secondary. She thought the project had potential to move forward with changes to meet the ordinance.

Ely-Ledesma said that she was torn because looking at the idea of infill from a planning perspective, the proposal makes sense and she didn't think it was visibly intrusive from the public right-of-way. In terms of square footage, it may be close but does pass code. She questioned the number of units within the ADU in terms of what was allowed and appropriate. She said there was a balance between creating infill that allows for more equitable access to housing while recognizing that it is in a historic district where it needs to be compatible with its neighbors and the street.

Ald. Vidaver, District 5, said they have received emails regarding the proposal, and it is not popular. She said that she has heard about the hoops people go through for changes to windows and doors, and they feel put-upon to have something like this coming into a historic district. She said the issue of parking is substantive in this area, and there is not ample street parking; while it is not part of the Landmarks Commission's purview, it is of concern to her constituents. She noted other concerns about something this large changing the face of the neighborhood. She also said that the property owner never spoke to her, as the alder of the district, to discuss the project, and she heard about it from City staff.

Kaliszewski summarized comments that the building is too large and does not read as secondary due to its size, and the architecture reads as a single-family home rather than an ADU. Morrison agreed that the language of the architecture and scale of the ADU should be secondary to the primary residence, and he would like to see some information that informs what that scale is. Bailey said that she also heard the commission comment that the accessory structure should not be wider than the principal structure, and while the historic house is two stories, the accessory structure should not read as a two-story building. Kaliszewski referenced Ely-Ledesma's comments about a multi-unit ADU, and Bailey said that the ordinance does allow for two-unit ADUs.

The applicant added that the primary residence has two full stories and an unfinished walkup attic. Morrison said that when they talk about scale, the height and width go together; as the width becomes narrower, the height may become less of an issue. He advised the applicant to talk to their architect about adjusting the scale of the entire building. He said they were in favor of ADUs, but the historic district has extra requirements, so they need to deal with the issue of scale.

Action

A motion was made by Morrison, seconded by Harris, to Refer the item to a future Landmarks Commission meeting to allow the applicant time to revise the proposal. The motion passed by voice vote/other.