

AGENDA # 3

City of Madison, Wisconsin

REPORT OF: LANDMARKS COMMISSION

PRESENTED: June 16, 2014

TITLE: Landmarks Ordinance Revisions
(17835)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Amy Scanlon, Secretary

ADOPTED:

POF:

DATED: June 16, 2014

ID NUMBER:

Members present were: Stu Levitan, Chair; Erica Fox Gehrig, Vice Chair; Christina Slattery, Jason Fowler, David McLean, Marsha Rummel, and Michael Rosenblum.

SUMMARY:

Levitan explained that the AD Hoc Committee expects to have a draft introduced on July 1. In order to meet that deadline, Levitan suggested that the Landmarks Commission schedule a special meeting.

David Mollenhoff, registering both in support and opposition and wishing to speak. Mollenhoff described suggested revisions including reorganizing sections, adding definitions, adding a historian to the composition of the Commission, adding proactive duties, adding non-historic and archeological elements as resources, questioning the use of guidelines, adding language to preserve open space, changing heading titles to better convey intent, adding section on demolition by neglect, specifying submission materials, strengthening the appeal section, providing standards for balancing public interests, and changing waiver section to an economic hardship section.

Rosenblum asked if Mollenhoff had model ordinances that he could share with the Commission.

Rummel asked if there were specific appeal standards that were reviewed and could be shared.

There was general discussion about the appeal standards that the Common Council should follow.

ACA Strange explained that the current language gives the Common Council discretion and removes the confusion that is found in the current ordinance language.

Kitty Rankin, registering neither in support or opposition. Rankin explained comments related to the Ordinance draft including requiring specific submission materials upon application, changing the term "waiver" and the process to grant waivers, changing the economic hardship section because the Landmarks Commission already takes this issue into account, increasing the number of commissioners to nine members, eliminating the Secretary of the Interior Standards reference in the Ordinance, replacing the "so large and visually intrusive" language for the adjacency criteria, removing the Preservation Planner's job description from the Ordinance while providing language to allow the Preservation Planner to do what is best in her judgment for the public interest, removing the other agency comment period for landmark designations, changing language about open

spaces, changing the language about the designee so that the designee is knowledgeable about preservation concerns and Ordinance interpretation, and reconsidering the recompense fee.

There was general discussion about the adjacency language (“so large and visually intrusive”).

Rankin explained that the descriptive language was included in the adjacent language so that applicants did not design replicas of neighboring landmarks.

Franny Ingebritson, registering neither in support or opposition and wishing to speak. Ingebritson suggested that the Landmarks Commission consider changing the name to the Heritage Preservation Commission to better reflect the responsibilities of the Commission. Ingebritson also suggested revisions including better defining “guidelines,” adding “preservation” in the purpose and intent statement, adding language to ensure the Landmarks Commission members are residents of Madison, and increasing the amount of time for notifications.

Zellers suggested that the Landmarks Commission consider revisions including adding language about not negatively impacting historic resources while strengthening economy, removing “administrative” from Duties of Preservation Planner, changing the language of the duties of the Preservation Planner, and including a section on standards for reviewing signs.

There was general discussion about the side bar comments and other revisions in the draft ordinance with direction given to ACA Strange for the revisions for the next draft.

A motion was made by Rummel, seconded by McLean to use the language for the duties of the Preservation Planner as a substitute for the current language as follows:

“The Preservation Planner is a member of the Planning Division who shall staff the Landmarks Commission and carry out those duties as properly designated to her or him by the Landmarks Commission under this Ordinance. In carrying out those duties, the Preservation Planner shall exercise her or his own professional judgment and expertise in a manner that is consistent with the purpose and intent of this Ordinance.”

The motion passed by a unanimous vote of approval.

ACA Strange will make revisions as discussed for the draft that will be reviewed at the special meeting of June 23.

ACTION:

No formal action was taken.