



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved LANDMARKS COMMISSION

Monday, May 10, 2010

4:45 PM

215 Martin Luther King, Jr. Blvd.
Room 300 (Madison Municipal Building)

NOTE: These minutes are a staff summary of discussion and comments made at the meeting. A video of the complete proceedings can be found at:
www.cityofmadison.com/mcc12.

CALL TO ORDER / ROLL CALL

Present: 7 -

Bridget R. Maniaci; Daniel J. Stephans; Stuart Levitan; Robin M. Taylor;
Michael J. Rosenblum; Christina Slattery and Erica Fox Gehrig

APPROVAL OF April 26, 2010 MINUTES

A motion was made by Slattery, seconded by Rosenblum, to Approve the April 26, 2010 Minutes. The motion passed by voice vote/other.

PUBLIC COMMENT

There was no public comment on items not on the agenda.

PUBLIC HEARING: CONSIDERATION OF ISSUANCE OF CERTIFICATE OF APPROPRIATENESS

15483

Edgewater Redevelopment - 666 Wisconsin Avenue - Mansion Hill Local Historic District.

Contact: Amy Supple, Hammes Company

Mr. Levitan asked staff how the visually related area was calculated. Bill Fruhling, Planning Division, described how the entire site was considered one development parcel with two street frontages that resulted in having two 200-foot intersecting circles, one at each street frontage centerpoint.

Mr. Levitan asked about page 7 of the staff report and the accuracy of the elevations. Mr. Fruhling replied that the colored elevation drawings lightly masks some of the building's mass. The submitted drawings are accurate, however staff just wanted to clarify the extent of the building envelope.

Mr. Levitan asked for clarification between the November 30, 2009 and the May 10, 2010 staff reports' calculations, specifically about which calculations of the buildings mass matched up. Rebecca Cnare, Planning Division, clarified the calculations. Mr. Levitan asked if the new tower and podium building had gotten larger by approximately 270,000 cubic feet, since the previous staff report had a total of approximately 1.7 million cubic feet, and the new staff report shows a volume of 1.95 million cubic feet. Ms. Cnare replied that according to their calculations the building had gotten larger; adding that all of the floor area and gross volume calculations do not include any parking, not even the new underground parking garage.

Mr. Levitan asked about Mr. Murphy's memo, included in the staff report regarding the Plan

Commission's recommended condition of approval related to meeting the Secretary of Interior (SOI) Standards for historic renovation/restoration. He asked what happens if the Common Council keeps the condition? Mr. Fruhling replied that the project would likely have to be redesigned to meet the SOI standards.

Bob Dunn, Amy Supple and David Manfredi, 22 E. Mifflin Street, presented information about the proposal.

Mr. Dunn gave an introduction stating that the Landmarks Ordinance is complicated, but he hopes that they have taken a step closer to meeting the requests of the Landmarks Commission.

Mr. Manfredi discussed the changes from the November 2009 proposal, which included:

- Expanding the site to build a new underground parking garage, which takes a lot of the traffic out of the plaza.
- Moving the tower to the east by 13-21 feet.
- Redesigning the façade to be more reflective of the asymmetrical design of the 1940's tower.

Ms. Supple discussed the relationship among the buildings within the Visually Related Area (VRA), and the varied massing of buildings within the VRA and the Historic District. She discussed the six different metrics they used to determine the visual compatibility of the gross volume. These can also include height and width ratios, moving the building to open up the views and redesign the mass of the building to minimize its mass.

Ms. Gehrig asked for clarification on portions of the building moved away from the right-of-way. Mr. Manfredi replied that only floors 3-9 were moved away from the right-of-way about 18 feet when comparing centerlines. The entrance remains in the same location.

Mr. Rosenblum asked about other changes to the massing. Mr. Manfredi described the massing and noted that below Langdon Street, the massing does essentially remain the same.

Ms. Taylor asked about their use of elevation vs. height calculations. Mr. Manfredi said that they have consistently used elevations from city datum, which is a fixed point, to measure the building and surrounding structures.

Mr. Levitan asked about whether the neighborhood statistics presented in the materials were for the Neighborhood Association boundaries or the Historic District boundaries, which are not co-terminus. Ms. Supple replied that they used the Neighborhood Association boundaries. Mr. Levitan asked if they had the same statistics for the Historic District. Ms. Supple said that they did not.

Ms. Gehrig noted that several buildings used for comparison are not within the Historic District, and several others in Section 2.0 page 10 of the submittal were built prior to the creation of the Historic District.

Mr. Levitan asked if they say "equal in height" do they really mean "equal in elevation?" Mr. Manfredi said that they do mean "equal in elevation." Mr. Rosenblum asked if that in all cases when height is referenced, it should actually be elevation? Ms. Supple stated that he is correct.

Mr. Levitan asked about the reference to \$2 million in renovations done in the late 1990s, and the source of the information, since a review of building permits at that time only include about \$900,000 in projects? Ms. Supple replied that they got the number through audited financial statements, noting that a lot of new building finishes do not require Certificates of Appropriateness nor building permits.

Ms. Slattery asked why the building has gotten larger. Mr. Manfredi said that the building gained additional square footage, due in part to trying to address Urban Design Commission comments.

Ald. Julia Kerr registered to speak in neither support nor opposition. Ald. Kerr said that since she made the motion at the Plan Commission pertaining to the SOI standards, she wanted to

let the Landmarks Commission know her primary objective for the condition was to make sure that the restoration and renovation of the 1940's tower was done sensitively. Mr. Levitan asked whether, in light of Mr. Murphy's memo attached to the staff report, the Council will address this issue in a different way, and if she will still support the condition at the Council. Ald. Kerr replied that she still supports the condition. Ald. Maniaci stated that the Landmarks Commission normally looks at historic renovations, not the State Historic Preservation Office. Ms. Gehrig added that the failed motions from the November 30, 2009 meeting also include language about how the renovation should follow the SOI standards. Ms. Slattery said that she had suggested that provision on November 30, so there would be some specific standards to hold the developer to, since they had not submitted a lot of detail about the restoration. Ald. Kerr said that is the same reason she added the condition at the Plan Commission.

Peter Ostlind, 533 W. Main St., Madison, registered in opposition. He stated that he was speaking as part of the Mansion Hill Steering Committee (MHSC) which submitted a document to the Commission. He said that the project is now bigger, longer, wider and taller than the previous project.

Ledell Zellers, 510 N. Carroll St., Madison, registered in opposition and is also speaking on behalf of the MHSC. She stated that pages 22-24 of the MHSC report try to correct some information that was presented by the applicant. She clarified that the Mansion Hill Historic District (MHHD) boundaries are different than the boundaries of the Mansion Hill District of Capitol Neighborhoods, Inc. She added that the MHHD is much more residential than the Mansion Hill Neighborhood Association. She believes that intrusions of larger modern buildings should not be used to justify additional intrusions. She added that height, not elevation, should be the real number used to determine actual heights of buildings in the VRA as height is the number that matters when assessing visual impact. She stated that the developer uses six metrics, but not actually volume, as the ordinance states.

Camille Harvey, 3939 Monona Dr., Monona, registered in support. She said that the Edgewater needs a facelift, and that the expansion will help support the development in the future. Ald. Maniaci asked how she feels about new development in historic districts. Ms. Harvey stated that new development preserves the past and enhances the future. Ald. Maniaci asked if she believes that the massing will harm the historic district. Ms. Harvey said that she believes that the mass will not affect the district.

Kitty Rankin, 2818 Ridge Rd., Madison, registered in opposition. She read excerpts from her opinion article that was published in the Capital Times on May 5, 2010. She confirmed that the MHHD was the first Historic District in the City and the State of Wisconsin. Mr. Levitan asked if she felt that intrusions should be allowed to justify new development. Ms. Rankin replied that as the former Preservation Planner, it was general policy not to use intrusions or non-contributing buildings when looking at VRAs. Ms. Gehrig asked about her recollection of maintenance on the Edgewater. Ms. Rankin remembers solar panels and repairs to the roof but stated that interiors would not need the Commission's approval.

Gene Rankin, 2818 Ridge Rd., Madison, registered in opposition. Mr. Rankin stated that the only thing that the Landmarks Commission must do is enforce the Landmarks Ordinance, and as such, must find that the building is visually compatible before considering a variance. Ald. Maniaci asked if the purpose and intent language in the Ordinance seems to contradict what he is saying. Mr. Rankin replied purpose statements in an ordinance are not the standards that must be used in evaluating a proposal. Mr. Levitan asked about the variance language for hardship, as the applicant has stated that the topography of the site is part of the issue. Mr. Rankin stated that the applicant doesn't currently own the land and could acquire options on more land to deal more effectively with the slope of the site.

Chris VanWagner, 10 E. Doty Ste. 701, Madison, registered in support. He noted several downtown buildings that are personal landmarks to his family and the Edgewater in its current state, can no longer be considered one of them. It is important to allow this project to become part of the Edgewater legacy. Mr. Levitan asked why the Edgewater so rundown? Mr. VanWagner replied that it probably was the previous owners. Ald. Maniaci asked if he felt the building fits into the neighborhood. Mr. VanWagner replied that he thinks it will fit with the buildings around it. Ald. Maniaci asked if he had to choose between the city as a whole and this specific site, which would he choose. Mr. VanWagner said that they should look at the whole city.

Mr. Levitan asked staff if either the Chancery or the Madison Club needed a Certificate of Appropriateness when the Hilton was built. Staff replied that depending on the changes to the landmark buildings themselves, the project either required a Certificate of Appropriateness, or at least a recommendation to the Plan Commission about the potential impact of the Hilton on the landmarks.

John Martens, 4118 Hegg Ave., Madison, registered in opposition and said that he was also speaking on behalf of the MHSC. He distributed additional information about volume calculations, and stated that this is not a feel good kind of decision, and that the Commission must abide by the law. He helped to create a verifiable database of all the buildings in the MHHD, and this project is not compatible. Mr. Levitan asked what size would be appropriate. Mr. Martens replied that because of the site and the context he could see a new development that was larger than the other buildings in the VRA, just not this large. Ms. Gehrig asked about his contribution to the MHSC report, how much he did and if he got paid for his work. Mr. Martens replied that he did all of the measurements and created the virtual model, and that he did not get paid.

Ald. Marsha Rummel, registered in opposition. She discussed the changes that happened to the project at the Urban Design Commission (UDC), and noted that the staff memo regarding the SOI standards adds a new layer of complexity. She stated that there was a divided vote at the UDC, and she still doesn't know what the front door looks like. Ald. Maniaci stated that the Landmarks Commission previously gave the Hammes Co. positive comments on the new 1940's tower entry and the Rigadoon room, so now they are supposed to throw those comments out? Ald. Rummel said that she also thought those elements were interesting, but the SOI standards have implications that need to be considered. Ald. Maniaci asked if she voted in favor of the project at UDC despite the project getting bigger. Ald. Rummel said that every commission has its own role, and one of her objectives on the UDC was to try and make the plaza better, and she believes that that it did get better, so she voted for it. Mr. Levitan asked about what might happen at the Common Council regarding the Plan Commission's SOI standards condition. Ald. Rummel said that the Council will have to remove the condition, or the project will have to change to comply. Ms. Gehrig asked if the UDC requested the Hammes Co. to move the new tower back from Wisconsin Avenue. Ald. Rummel said she had asked for it to be moved 30 feet, but they only moved it about 15 feet due to the views of the National Guardian Life Building. Ald. Rummel stated that the UDC still needs to grant final approval.

Phil Salkin, 944 Autumn Woods Dr., Oregon WI, registered in support and stated that he is representing the Realtors Association of South Central Wisconsin. He said that he is knowledgeable about cultural resources and has helped prepare National Register of Historic Places (NHRP) nominations. He said that if this project is approved, it will not result in either the decommissioning of the Mansion Hill National Historic District, or the removal of the Edgewater as a contributing building in the district. Mr. Levitan asked if he thinks that this project meets either the standards for a Certificate of Appropriateness or a variance. Mr. Salkin replied that he feels under the Madison General Ordinance the Commission has leeway. Ms. Slattery asked if he meant that there is flexibility with variances in general or with the Landmarks Ordinance specifically. Mr. Salkin said that he meant generally.

David Mollenhoff, 1501 Morrison St., Madison, registered in opposition. He stated that he is concerned about precedent. He stated that by oath the Commission is supposed to uphold the law, and volume is not a mathematical mystery. Failure to abide by the law will create new policy and let developers know that exceptions will gladly be granted. Mr. Levitan asked about what size would be appropriate? Mr. Mollenhoff suggested the R6H zoning district has a 50-foot maximum height, which is a pretty straightforward and clear standard. Ald. Maniaci asked if he knew about the history of the hotel. Mr. Mollenhoff stated that he has not researched the hotel, but has researched the Mansion Hill Neighborhood. Ald. Maniaci asked about choosing between revitalizing the site or potentially tearing down the existing Edgewater. Mr. Mollenhoff urged the Commission to abide by the law.

Rosemary Lee, 111 W. Wilson St, Madison, registered in support. She stated that the entire neighborhood is not against this project. She said that it would enhance the district and spur economic development. She said historic preservationists need to be judicious while not being a stumbling block to progress. Ms. Gehrig asked how she thought the district would be enhanced. Ms. Lee replied that the amenities of the hotel would be an enhancement, and that

new businesses will follow. Mr. Levitan asked her where she thought such development would happen. Ms. Lee replied that she sees it happening in other parts of the downtown. Ald. Maniaci asked if she saw a difference between public use and private use and if she thought that the size of the project was appropriate. She said that because of the public terrace, the Edgewater will be public space and she feels the size is appropriate.

Jason Tish, 2714 LaFollette Ave., Madison, registered in opposition and is speaking on behalf of both the Madison Trust for Historic Preservation (MTHP) and the National Trust for Historic Preservation (NTHP). He stated that the Ordinance language is meant to prevent new construction that is widely out of scale with the district. He added that the NGL building is what the ordinance is trying to prevent, so using it to guide new development is a mistake. A Certificate of Appropriateness for this project would allow density creep in the middle of the historic district. Ald. Maniaci asked about the historic and cultural value of the Edgewater. Mr. Tish replied the primary significance of this building is the Art Moderne architecture, and that he is unsure of its cultural value. Ms. Slattery asked if Mr. Tish had an opinion on the variance. Mr. Tish replied that he did not have a legal opinion on a variance. Mr. Rosenblum asked what would be an appropriate size. Mr. Tish replied that he could support something that is perhaps equal or close to the size of Kennedy Manor. Ald. Maniaci stated that the Commission has a memo from the City's TIF Coordinator that shows that a smaller project is infeasible, and asked how to balance that the project needs the extra floors to work financially. Mr. Tish said that they could design the building to meet the intent of the Ordinance, and that it is not up to the Commissions to help the developer redesign the building. Ms. Gehrig asked if the NTHP often wrote letters to local Commissions. Mr. Tish replied that the NTHP doesn't get involved very often, and only when it feels that it is important, noting that the Midwest Office of the NTHP currently sees this as the biggest threat in the State.

Harvey Wendel, 531 N. Pinckney St., Madison, registered in support. He said this project brings back a lot of Edgewater memories, and encouraged the Commission to approve it.

Robert Klebba, 1213 E. Mifflin St., Madison, registered in opposition and noted that the last time the Commission saw this project that it applied the standards, and denied the Certificate of Appropriateness. Since that time, the building has gotten bigger. He believes that the development does not meet the standards.

At 8:00 pm, on a motion by Maniaci, seconded by Gehrig the Commission unanimously approved a short recess.

Roll Call 8:10 pm.

All Commissioners present.

David P Waugh, 1213 E. Mifflin St., Madison, registered in opposition. He stated that the Ordinance is in place to protect historic treasures. He said that developers often point to other tall buildings to justify the height of their own developments, and this project will be used as a precedent.

Richard Baker, Kennedy Manor, Madison, registered in support. He said that others have talked about your the Commissioners' oath. He believes that if they weren't here to make a judgment call, then a Landmarks Commission would not be needed.

Mark St. Francis, 1605 Monroe St., Madison, registered in opposition. He asked the Commission to give the project a variance now that the building has moved, and the design has changed.

Gary Gorman, 300 N. Main St., Oregon WI, registered in support. He speculated that if there had been a Landmarks Ordinance in the 1940's, the Quisling Clinic may never have been built because it was so different than the houses around it. He also said that the Monberg design has had a lot of problems with maintenance and wall failure, and that the current owners should not be blamed for the architect's failings. He added that the new Quisling development is approximately four-times the size of the original clinic.

Gene Devitt, 28 E. Gilman St., Madison, registered in opposition. He said that the process worked for the Quisling project, as the two earliest designs would have demolished both the Quisling Clinic and the Hart House. He stated that R6H zoning was put in place so that more

high rises would not be built, and added that this is the wrong project for the neighborhood.

Julie Aulik, 4034 Manden Cir., Madison registered in support. She shared her historic preservation credentials. She stated that she studied the Ordinance carefully and thinks that the discussion has had too much emphasis on the quantitative, when more emphasis should be placed on qualitative issues, such as how the volume is put together and how it relates to the immediate environment. She added that the amount of open space around the tower gives it room to breathe. Ald. Maniaci asked if Ms. Aulik thought that it could be granted a Certificate of Appropriateness, or a variance. Ms. Aulik thought that it could meet the standards for a Certificate of Appropriateness, however the Commission could consider the inherent hardships of the site and existing conditions of the buildings in order to approve a variance. Ald. Maniaci asked why she thought the volume is appropriate. Ms. Aulik replied that it is mostly about the site. Ald. Maniaci asked about her professional opinion about the relationships between the project and the residential structures in the MHHD. Ms. Aulik stated that she would really stick to the Ordinance requirements. Ms. Gehrig asked if Ms. Aulik was in favor of the purpose and intent language, but not the guideline criteria. Ms. Aulik replied that she thinks the project meets both purpose and intent and the visual compatibility criteria.

John Sheean, 25 Langdon St., Madison, registered in opposition. He stated that Frank Lloyd Wright often talked about design and common sense, and asked how a project of this size could make any common sense.

Victor Rodriguez, 211 Lathrop St., Madison, registered in support. He stated that in order for the old Edgewater Hotel to be fixed up, it will require a new development to help get a return on the investment. He added that here on the edge of the district, there is room for a large building.

Michael Bridgeman, 106 S. Franklin St., Madison, registered in opposition. He stated that the project is bigger than before and that the approval of this project will set a precedent in other historic districts.

James Tye, 410 N. Baldwin St., Madison, registered in support. He said that people don't walk around downtown looking upward to count stories of buildings, and that the focus should be what you see looking down the street.

Jim Skrentny, 511 E. Main St., Madison, registered in opposition. He urged the Commission to make the same decision as last November. He said it is not just about this building, it is about the future of the neighborhood, since today will shape the future.

Leigh Mollenhoff, 1501 Morrison St., Madison, registered in opposition, and stated that she was a member of the Landmarks Commission when the Mansion Hill Historic District (MHHD) was created. She said the Ordinance has worked well for 40 years. She feels this project is off the charts of the size and scale of what is acceptable. She said the developer should have come before the Commission to discuss the scale and massing issues before there was any design drawings.

Jim Carley, 8501 Old Sauk Rd., Madison, registered in support. He said that the new tower is close to another building that is similar in height, and that the new tower is needed to justify the costs of fixing up the hotel.

Don Sanford, 1211 Garfield St., Madison, registered in opposition. He said that he is concerned that the approval of this project will be the first step in making the Mendota shoreline a hard edge. He advocated for the few remaining views of the Capitol from the lakes, and urged the Commission to be careful about new development in historic districts.

Cedric Pierce, 380 W. Washington Ave., Madison, registered in opposition. He handed out several renderings of the proposed project plaza from an unidentified source to illustrate that the Edgewater's original entrance will not be visible from several perspectives.

Dennis Davidsaver, 624 W. Shore Dr., Madison, registered in support. He stated that he didn't understand how this project puts the historic District at risk, and that this will not be a precedent. He said that the Edgewater is unique and the developer listened and made several enhancements.

Pat Sheldon, 504 Wisconsin Ave., Madison, registered in opposition. She has heard some supporters say that Mansion Hill is so close to the downtown that it is okay that the building is large, and other supporters say that it is so far from downtown that this hotel is needed to bring more activity. She said it is up to the Commission to determine what is appropriate.

Richard Tatman, 155 E. Wilson St., Madison, registered in support. He stated that he lives in the Union Transfer building, which was one of the first downtown condos that help to revitalize the King Street area and much of the activity downtown despite the controversy of the project when it was first proposed. He does not feel this will set a precedent.

Patrick Corcoran, 3718 Country Grove, Madison, registered in support. He said that he owns the adjacent Ambassador building but can't be a voting member of the Neighborhood Association because he doesn't live there. He added that he believes since this project is on the edge of the historic district it will not harm it. Mr. Levitan said that he sees the Edgewater as being in the middle of the district, how can he say it is on the edge? Mr. Corcoran replied that the lake is to the north. Ald. Maniaci said asked what he thinks about how the project has now moved closer to his property. Mr. Corcoran replied that he is fine with the changes.

Alexander Hitch, 150 Iota Ct., Madison, registered in opposition. He said that he is a student who cares about the neighborhood and the city, and that students' feelings about this neighborhood are misconstrued. He is concerned that this project lies in an endangered neighborhood, and that building this project here would be a mistake.

Judy Karofsky, 317 N Pinckney St., Madison, registered in support. She stated that she was on the Downtown Preservation Taskforce that helped to create the appeal process for the Landmarks Ordinance. She added that old buildings can be juxtaposed with new buildings. She said that the neighborhood does have a lot of concerns with safety and other issues, and that this project would help. Ms. Gehrig asked her about tax credits. Ms. Karofsky said that the Commission shouldn't make a decision based upon whether or not the project is eligible for tax credits.

Scott Thornton, 1104 Jenifer St., Madison, registered in opposition and is representing the Marquette Neighborhood Association. He stated that there is a reason that the City established a Landmarks Ordinance, and that a building of this size doesn't fit.

Fred Mohs, 512 Wisconsin Ave., Madison, registered in opposition. He stated that the neighborhood was a wreck during the Vietnam War years, but that bit by bit the neighborhood has really improved. He said that he was dubious when the historic district was first created, but that now he fully supports it. Ald. Maniaci asked about the report of the MHSC, and how it was created and the members selected. Mr. Mohs said that over two years ago Mr. Dunn first talked to the neighborhood about a project. Shortly thereafter, CNI members who were interested joined the committee. He added that the membership has changed over time depending upon people's availability.

Staff read the names of the people who submitted comments by mail or e-mail, and stated that all correspondence would be added to the public record. Staff then read aloud the names of the people who registered but did not wish to speak.

Letters sent to the Commission and added to the public record:

Jerome Knapp, Laborers-Employers Cooperation and Education trust, in support.

Gary Tipler, 807 Jenifer Street, Madison, in opposition.

Ed Jepson, 2317 Oakridge Ave, Madison, in opposition.

Colin Godding, 107 N Hamilton St, Madison In support.

Sarah Record Frings, 2215 Van Hise Ave., Madison, in support.

Dennis Davidsaver, 624 West Shore Dr., Madison, in support.

Joe Lusson, 627 E Gorham St., Madison, in opposition.

Margaret Marriot, no address given, in opposition.

Royce Yeater, on behalf of the National Trust for Historic Preservation, in opposition.

Peter Fiala, 225 E. Lakelawn Place, Madison, in opposition.

Peter Gray, 50042 Marathon Dr., Madison, in opposition.

Public registering in Opposition but not wishing to speak:

Bert Stitt, 120 S. Franklin St., Madison

Peter Gray, 5042 Marathon Dr., Madison

Jamie McCorville, 121 S. Butler #3, Madison
Carol Krug, 4626 Odana Rd., Madison,
Patrick McDonnell, 441 N. Paterson St., Madison
Sandra Ward, 441 N. Paterson St., Madison
Jonathan Cooper, 208 S. Henry St., Madison
Peter Wolff, 945 Jenifer St., Madison
G D Geib, 1120 Chandler, Madison
Connie Kilmark, 1802 Winnebago St., Madison
Peter Fiala, 225 E. Lakelawn Pl., Madison
Diane Kvidera, 147 W. Wilson St., Madison
Joe Bonardi, 1 E. Gilman #404, Madison
Mary (Gigi) Holland, 1117 Sherman Ave., Madison
Zane William, 101 S. Franklin St., Madison
Sharon Kilfoy, 1020 Williamson St., Madison
Doreen Adamany, 504 Wisconsin Ave., Madison
Sandra Jones, 1 Langdon #406, Madison
Michelle Martin, 2217 Superior St., Madison
Paul Schoeneman, 1108 E. Gorham St. #3, Madison

Public registering in Support but not wishing to speak:

Lynne Faulkner, 205 Del Mar Dr., Madison
James Greer, 513 Westlawn, Madison
Todd Blair, (no address given)
Tim Leonhart, 950 E. Gorham, Madison
Jason Thompson, (no address given)
Tina Kurt, 1251 Fieldcrest Dr., Edgerton, representing Hammes Co.
Mark Hoffmann, 1602 S. Park St., Madison, representing IBEW, Local Union 159
Tim DeMinter, 1602 S. Park St., Madison
James Vick, 1602 S. Park St., Madison, representing Bricklayers & Allied Craftworkers
Michael Grimsud, 1602 S. Park St., Madison
Steve Breitlow, 1602 S. Park St., Madison
Scott Watson, 1602 S. Park St., Madison, representing Carpenter Local 314
Scott Watson, 6217 Piedmont Rd., Madison
James Meicher, 2025 Atwood Ave., Madison
Terry Nelson, 2025 Atwood Ave., Madison
Nicholas Henke, 2025 Atwood Ave., Madison
Paul Zimmer, 2025 Atwood Ave., Madison
Dan Burke, 2025 Atwood Ave., Madison
David Mauk, Lancaster, (no address given)
Sarah Carpenter, 22 E. Mifflin St., Madison, representing Hammes Co.
Atty. Michael Christopher, 2 E. Mifflin St., Madison, representing Hammes Co.
Eric Dewalde, 22 E. Mifflin St., Madison
Louis Bernhardt, 5910 Woods Edge Rd., Madison
Linda Bernhardt, 613 Crandall, Madison
Galen Hasler, 350 S. Hamilton #23, Madison
Gary Stebnitz, 915 Waban Hill, Madison
Ron Hanko, 5202 Monument Ln., Madison
John Merritt, 5202 Monument Ln., Madison
Kris Benish, 5202 Monument Ln., Madison
Tom Benish, 5202 Monument Ln., Madison
Tim Valentyn, 2852 Cross Country Cir., Verona, WI
Ellen Seufferer, 155 E. Wilson St. #401, Madison
Christopher Culver, 411 Wisconsin Ave., Madison
Robert Keller, 448 W. Washington Ave., Madison
Jeff Poltawsky, 350 S. Hamilton St., #204, Madison
Tom Arnhold, 350 S. Hamilton St. #204, Madison
Grace Hasler, 350 S. Hamilton, #203, Madison
Diane Ballweg, 350 S. Hamilton St., Madison
Jerry Klubertanz, 4702 E. Biltmore, representing IUOE 139
Mark Gauf, 4702 S. Biltmore Ln.
Ryan Oehlhof, 4702 S. Biltmore Ln.
Mike Stark, Carroll St., Madison, representing Madison Area Technical College
Jim Lynch, 4202 Heffernan Dr., Madison
Julie Brill, 4202 Heffernan Dr., Madison

Ross Faulkner, (no address given)
Joe Bancher, 6318 Landfall, Madison
Robert A. Dunn, 1003 Kettle Ct., Madison
Mark Schemmel, 3717 Busse St., Madison
Timothy A. Crummy, 2509 Middleton Beach Rd., Middleton, WI
John Ellinger, 2720 Fitchrona Rd.
Scott Faulkner, 205 Delmar Dr.
Jim Shaver, 121 W. Gilman St., Madison, representing Steve Brown Apartments
Leonard Shelton, 1515 Grand Ave., Prairie du Sac, WI
Steve Dittman, 1105 Redtail Dr., Verona, WI
Tim Hausmann, (no address given)
John Krause, 304 Swanton Rd., Madison
Steve Brown, 120 W. Gorham St., Madison
Mike Engelberger, 718 Post Rd., Madison
Mark Reihl, 115 W. Main St.
Craig Argall, 1140 E. Dayton St., Madison
David Knoche, 5806 Old Sauk Rd., Madison
Tim Sherry, 4189 Rose Ct., Middleton, WI
David C. Welsh, 150 E. Gilman St., Madison
Alice and Bill Mowbray, 7326 Southern Oak, Madison
Rebecca Anderson, 22 Langdon St., Madison
Tom Bergamini, 402 N. Baldwin St., Madison
Laura M. Langer, 565 Nutone St., Madison
Mary Murphey, 2213 Fox Ave., Madison
Sandy Lewandowski, 2831 Glacier Valley Rd., Madison
Luke Porath, 5638 Autumn Leaf Ln., Apt. 307, Madison, representing Hammes Co.
Sharon Zelanke, 18 High Point Woods Dr., Apt. 203, Madison
Phil Sautebin, 6516 Harvest Moon Ct., Waunakee, WI
Terri Whealen, 4601 Tonyawatha, Monona, WI, representing Hammes Co.
Patrick McCaughey, 914 West Shore Dr., Madison,
Brice Paetz, 4917 Wallace Ave., Monona, WI, representing Edgewater
Trisha Loy, 1618 Rutledge St., Madison
Jeffrey Weber, 5306 Hazelcrest Dr., Madison, representing Plumbers Local 75
Stuart Zadra, 5312 Lighthouse Bay Dr., Madison

On a motion by Levitan seconded by Maniaci, the Commission unanimously closed the public hearing and

Roll Call @ 10:25 p.m.

Present: 7 -

Bridget R. Maniaci; Daniel J. Stephans; Stuart Levitan; Robin M. Taylor;
Michael J. Rosenblum; Christina Slattery and Erica Fox Gehrig

15483

Edgewater Redevelopment - 666 Wisconsin Avenue - Mansion Hill Local Historic District.

Contact: Amy Supple, Hammes Company

A motion was made by Maniaci, seconded by Rosenblum to approve a Certificate of Appropriateness with the staff recommendation, as noted on page 13 of the May 10, 2010 staff report as follows:

1. The design details for the rehabilitation of the exterior of the 1940s hotel tower, including but not limited to, window, door, and material specifications, and brick repair, shall be approved by staff, or by the Landmarks Commission at staff's discretion.
2. The design details and construction drawings for the new top floor, Rigadoon Room, and front entrance element for the 1940s tower must be submitted for approval by staff, or by the Landmarks Commission at staff's discretion.
3. Minor changes to the 1970s addition and proposed public plaza, new hotel tower, and elements associated with the underground parking structure may be approved by staff, with any major changes, as determined by staff, to return to the Commission for further approval.

Ald. Maniaci stated that she believes that the project meets the approval criteria, when

considering the environment within the Visually Related Area (VRA).

Mr. Levitan asked if the intent of her motion is to recommend to the Common Council that they should remove the Plan Commission condition about meeting the Secretary of Interior (SOI) Standards for renovation of the existing hotel. Ald. Maniaci replied that yes that is what she intends even if the motion didn't state it specifically, adding that the matter is for the Common Council to decide, and not the Landmarks Commission.

Mr. Levitan asked if that was staff's intent with the suggested conditions. Mr. Fruhling replied that the staff report was concerned only with elements related directly to the Landmarks Ordinance. Since the Ordinance does not mention SOI standards, that was not part of the recommendation. Mr. Murphy's memo was attached only for the Commission's general information. He added that the Plan Commission conditions are only advisory, and that the Common Council will make the final decision regarding a recommendation on the condition.

Ald. Maniaci said that the biggest question seems to be about contributing vs. non-contributing buildings in the VRA. Assistant City Attorney Katherine Noonan replied that there is no language in the Ordinance that excluded newer buildings in the VRA from being considered.

Ald. Maniaci asked about how the Commission should view the purpose and intent language at the beginning of the Ordinance? Atty. Noonan stated that in her memo to the Landmarks Commission dated May 3, 2010, she discusses that the Commission can't really get to those statements unless they are looking at a variance. Ald. Maniaci asked about directly related properties. Atty. Noonan said that, as discussed in her memo, 'directly affects' doesn't mean the entire district, but it could mean more buildings than are in the VRA.

Mr. Levitan asked whether Section 33.19(15)(c) would be applicable if the Commission gets to a variance discussion. Atty. Noonan replied that it would be.

Mr. Rosenblum stated that the Commission is in a similar place as last November. The project is larger, and that he believes that the massing is still too large. He added that he appreciates the new design, and likes the offset façade, but this is a pretty straightforward issue that the massing is too big.

Ms. Slattery said that while she doesn't want to belabor the SOI issue, she would still like the staff condition to be stronger and would like the details of the restoration to come back to the Commission. She added that she understands that all of the SOI standards can't be met, but that some of them, such as repairing, instead of replacing are very important, and that the Commission should review the detail, much like the UDC will review more details. Mr. Stephans asked if she thinks the Commission should be the enforcer of the standards and not the State Historic Preservation Office as stated in the Plan Commission condition. Ms. Slattery replied that that was correct.

Ald. Maniaci and Mr. Rosenblum said that it would be a friendly amendment to change the language of the motion to have the phrase "shall be approved by staff" changed to say "shall be submitted for approval by the Landmarks Commission" for the restoration and renovation of the original hotel tower.

Ms. Taylor stated that while there were a lot of interesting points made this evening, that she comes back to her charge to enforce the Ordinance and protect the Historic District. She added that there are a lot of great things about this proposal, but it comes down to the Ordinance.

Mr. Stephans stated that he and Ms. Aulik looked at the environment of the Visually Related Area in the same way, but that the criteria do not protect the whole neighborhood, it protects the neighbors, and the variance request protects the neighborhood. Mr. Rosenblum asked if the addition of the NGL building bolstered his point? Mr. Stephans replied that it did not, as the new tower is still much larger than the NGL building.

The Commission voted on the motion: The Landmarks Commission approves a Certificate of Appropriateness for the project with the following conditions:

- 1. The design details for the rehabilitation of the exterior of the 1940s hotel tower, including but not limited to, window, door, and material specifications, and**

- brick repair, must be submitted for approval by the Landmarks Commission.
2. **The design details and construction drawings for the new top floor, Rigadoon Room, and front entrance element for the 1940s tower must be submitted for approval by the Landmarks Commission.**
 3. **Minor changes to the 1970s addition and proposed public plaza, new hotel tower, and elements associated with the underground parking structure may be approved by staff, with any major changes, as determined by staff, to return to the Commission for further approval.**

Aye: Maniaci

Noes: Stephans, Rosenblum, Taylor, Gehrig, Slattery, Levitan

The motion failed 1-6.

A motion was made by Levitan, seconded by Taylor that "It is the sense of the Landmarks Commission that a newly constructed tower of approximately 850,000 cubic feet above plaza grade could be an appropriate gross volume for the site." The motion was .

Mr. Levitan stated that with a project this complicated the developer should have come to the Commission before they began any design work, as provided for in the Mansion Hill Historic District Plan and Preservation Handbook. If the developer had done that, the Commission could have provided guidance on the appropriate volume, and the developer could have worked his budget with the figure. Ald. Maniaci asked staff about current procedures. Ms. Cnare replied that coming to the Commission for an informational session is not required by Ordinance, but that in complicated projects staff often recommend that developers come to the Commission early. She added that the Hammes Co. did come for an informational meeting late last summer. Mr. Levitan replied that was over a year after they had begun, and that they should have come earlier. Ald. Maniaci asked if that was a requirement. Atty. Noonan replied that it is in the plan document, and not an ordinance requirement.

Ms. Gehrig asked if the 850,000 cubic feet was intended as a maximum or a guideline. Ms. Slattery asked if it was ballpark figure. Mr. Levitan clarified that it is a sense of the Commission, and a ballpark figure.

Ald. Maniaci asked if an informational presentation would be mandatory. Mr. Levitan replied that while it is not mandatory, it would be a good path for developers to take.

The Commission voted on the motion: "It is the sense of the Landmarks Commission that a newly constructed tower of approximately 850,000 cubic feet above plaza grade could be an appropriate gross volume for the site."

Ayes: Stephans, Rosenblum, Taylor, Gehrig, Slattery, Levitan

No: Maniaci

The motion passes 6-1.

A motion was made by Maniaci, seconded by Levitan to approve a Certificate of Appropriateness for the project with a variance from section 33.19(10)(e)1. of the Mansion Hill Historic District Ordinance finding that variance standard 33.19(15)(c)1. is met.

Ms. Slattery asked staff if the Commission needed to refer to Ordinance section 33.19(15)(d) "Authorized Variances", or just the standards. Atty. Noonan replied that they only have to refer to the variance standards.

Mr. Levitan stated that since the November 30, 2009 meeting he re-read the Landmarks Ordinance and the Mansion Hill Historic District Plan and Preservation Handbook. He added that in all matters regarding a Certificate of Appropriateness, the Landmarks Commission should work to preserve and protect the existing structures, and to grant this variance would require a finding that there is a substantial hardship and that the Ordinance itself is part of the hardship. A failure to maximize profits is not a substantial hardship.

Mr. Rosenblum agrees that it does not meet 33.19(15)(c)1., and that there is no substantial hardship, noting that a lot of people registering in support looked at the economic development impact, and that is not this Commission's charge. Ms. Slattery agreed that the

argument for hardship is not met. Ms. Taylor also agreed.

The Commission voted on the motion:

To approve a Certificate of Appropriateness for the project with a variance from section 33.19(10)(e)1. of the Mansion Hill Historic District Ordinance finding that variance standard 33.19(15)(c)1. is met.

Aye: Maniaci

Noes: Stephans, Rosenblum, Taylor, Gehrig, Slattery, Levitan

The motion failed 1-6.

Ald. Maniaci stated that this proposal enables the restoration of the 1940's Edgewater Tower, allows deferred maintenance issues to be addressed, and removes part of the 1970's addition. She stated this will have a beneficial effect on the historic character of the VRA.

Mr. Levitan stated that he doesn't believe the project meets this criteria and regardless of the politics of this project, he has to do his job as a Landmarks Commissioner. Ms. Gehrig stated that she cannot see how it meets this variance standard. Mr. Rosenblum also doesn't see an argument for the variance standard 33.19(15)(c)3. Ms. Slattery said that she understands the benefit to the 1940's tower, but not to the rest of the historic district. Ms. Taylor said that she is still stuck on the issue of the massing.

Ald. Maniaci said that the existing building is crumbling, and that she cannot see any other developer coming in and proposing something different. She added that Economic Development Staff's TIF numbers tell a story. Mr. Rosenblum stated that Ald. Maniaci has been framing this discussion as an either/or proposition, which is not a part of their objective as commissioners.

A motion was made by Maniaci, seconded by Levitan, to Approve a Certificate of Appropriateness for the project based upon a variance from criteria 33.19(10)(e)1. of the Mansion Hill Historic District language finding that variance standard 33.19(15)(c)3. is met. The motion failed by the following vote:

Ayes: 1 -

Bridget R. Maniaci

Noes: 6 -

Daniel J. Stephans; Stuart Levitan; Robin M. Taylor; Michael J. Rosenblum; Christina Slattery and Erica Fox Gehrig

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Secretary's Report

There was no secretary's report.

ADJOURNMENT

A motion was made by Levitan, seconded by Maniaci, to Adjourn at 11:30 p.m. The motion passed by voice vote/other.