



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes - Approved LANDMARKS COMMISSION

Monday, March 22, 2010

4:45 PM

215 Martin Luther King, Jr. Blvd.
Room LL-110 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

Present: 6 -

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

Absent: 1 -

Bridget R. Maniaci

APPROVAL OF March 8, 2010 MINUTES

A motion was made by Levitan, seconded by Taylor, to Approve the Minutes of March 8, 2010 with a small correction on page 2 regarding Ms. Gehrig's name. The motion passed by voice vote/other.

PUBLIC COMMENT

There was no public comment.

OTHER BUSINESS - DISCUSSION

1. [17835](#) Landmarks Ordinance Revisions

Ms. Gehrig said that she would like to invite Joe DeRose from the State Historical Society to come and talk to the Commission about history and background information on the Madison Ordinance and ordinances across the State. The Commission asked staff to contact Mr. DeRose about his availability on April 12, 2010.

Mr. Rosenblum asked if Commissioners wanted to work on changes to the local historic districts' criteria, and if so, how much neighborhood interaction and community meetings would be necessary? Staff stated that neighborhood meetings would be an important part of a process to change the criteria of the local historic districts, since the Neighborhood Associations and property owners were involved when the language was first written. Mr. Rosenblum stated that he thought that we should focus on the other parts of the ordinance first. Mr. Levitan agreed with Mr. Rosenblum about fixing the process and policy language issues first, and then working on the local districts with the neighborhood associations as they wish.

Mr. Stephans noted that there seemed to be four specific areas of concern that could be discussed first: process, appeals, variances and the visually related area definition. Mr. Levitan agreed and said that we should only work on 33.19 (1-9) and 33.19(15) leaving the five local historic district sections 33.19(10-14) out of the discussions at this time. He stated that we should also consider renumbering the ordinance so that the variance language 33.19(15) should be placed after all of the other process and before the historic district criteria. Mr. Levitan added that we should try to develop a schedule where the discussion could be finished by the end of this summer and then asked the Commissioners if they agreed about sending some early changes, like the super-majority appeal language, to the

Common Council right away rather than an omnibus amendment package sent after the Commission is finished with all of the discussions.

Ms. Gehrig said that since a 2/3 language change has not yet been introduced by anyone, and that Commissioners should make sure that they understand all of the implications and history before giving it away.

Mr. Levitan said that a 2/3 language change would be an easy fix, and then all of the other process and language changes could be sent on to the Council later. He said that the appeal language in 33.19(5)(f) should be looked at first, and shouldn't take a lot of work. Ms. Gehrig asked Mr. Levitan if this was meant to be pre-emptive in case someone outside of the Commission wanted to introduce such a language amendment to the Council. Mr. Levitan said that it was more pro-active than pre-emptive. He would rather look at some of these issues right-away so that they would be ahead of other potential changes from outside that the Commission could consider very damaging, like the idea that the Landmarks Commission should be completely advisory.

Ms. Gehrig stated that she wants to make sure that they are not just being reactionary. She noted that the Edgewater project did expose some confusing variance language and other stumbling blocks, and that they should use it as an opportunity to make the ordinance better by addressing those issues. However, she stated that they do not want to give everything away either.

Mr. Levitan noted that this seems to be both a process problem and a political problem, as the Commission is a creature of the Common Council. As such, it is appropriate to acknowledge the concerns of the Alderpersons and the Mayor, and address shortcomings of the ordinance.

Mr. Stephans noted that the Commission is the most qualified group to address the Landmarks Ordinance language, and that they should make sure that when reviewing the ordinance, the Commission should develop a general goal that states what the intent of their work to revise the ordinance language, so that others know in advance what will be discussed over the next few months.

Ms. Taylor agreed that the Commission should not look at the local district criteria at this time, as the Mansion Hill Neighborhood is working on a plan, and the City is developing both a Downtown Plan and a new Zoning Code. Any new criteria language should reflect those changes as well as allow ample time for neighborhood association interaction and community process.

Ms. Gehrig suggested that April 12 could be used to discuss the overall ordinance history and general issues with Mr DeRose, if he is available. Mr. Levitan said that after the discussion with Mr. DeRose, the Commission should start with Section 33.19(5)(f) first on April 26, then start at the beginning with 33.19 (1), 33.19(2) etc. The Commissioners agreed.

Mr. Stephans said that he would like to list the next possible sections on the agenda so that we can talk about them if time permits. Mr. Levitan proposed the following schedule, and the Commissioners agreed.

- April 12, 2010: Joe DeRose, if available to talk about history and general issues
- April 26, 2010: Section 33.19(5)(f) Appeal Language and Sections 33.19(1-4) if time is available
- May 10, 2010: Section 33.19(5)(a-e) and (g-i) Powers and Duties
- May 24, 2010: Section 33.10(15) Variances

Ms. Gehrig asked staff to provide the laymen's pamphlet guide to the ordinance for their review. Mr. Rosenblum asked staff to check into what other commissions and committees require a 2/3 vote override. Mr. Levitan agreed and asked staff to look into other quasi-judicial city bodies, such as the ALRC language. Ms. Gehrig also asked for any history on the appeal language, as well as history and other communities takes on the definition of the Visually Related Area, since those are the topical issues that we will be covering first. Ms. Gehrig suggested that staff could talk to Janelle Scheurell of the National Trust Midwest Office for some assistance and perspective on the issue. Ms. Slattery added that the National Association of Landmarks Commissions could also be of some help.

A motion was made by Levitan, seconded by Slattery, the following goal was adopted by the Landmarks Commission on a voice vote/other.

“After observing the need for a review and potential revision of the City of Madison Landmarks Ordinance language due to some confusing and conflicting process language, the Landmarks Commission intends to review the ten sections relating to process, powers and duties; Sections 33.19 (1) through 33.10(9) and 33.19(15) and propose language amendments as necessary.”

2. [17150](#) Buildings proposed for demolition - 2010

There were no buildings to be discussed.

3. [07804](#) Secretary's Report

Status of Edgewater Redevelopment Proposal; Staff stated that the Edgewater proposal is in front of the Plan Commission this evening, 3/22/2010, and that the City Attorney's opinion on whether the project needs to come back to the Landmarks Commission has not yet been finished. Staff agreed to forward that opinion to the Commissioners when finished.

ADJOURNMENT

A motion was made by Rosenblum, seconded by Slattery, to Adjourn at 5:45 p.m. The motion passed by voice vote/other.