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Regarding:                   **14 South Franklin Street – First Settlement Historic District –  
Demolition of existing structure and construction of new two unit  
residence.  
PUBLIC HEARING  
(Legistar #21413)**

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Date:                           February 28, 2011  
Prepared By:               Amy Scanlon

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General Information:

The existing structure, originally built in 1879, was destroyed by fire on October 6, 2010. Because it was found to be a loss by the insurance company and by City Building Inspectors, the Applicant is requesting a Certificate of Appropriateness for the demolition of the rest of the existing building. On this site, the Applicant proposes to construct a new two unit residential structure.

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**Relevant sections of the Landmarks Ordinance for Demolition**

33.19(5)(c)3 Standards (for demolition) In determining whether to issue a Certificate of Appropriateness for any demolition, the Landmarks Commission shall consider and may give decisive weight to any or all of the following:

- a. Whether the building or structure is of such architectural or historic significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the City and the State;
- b. Whether the building or structure, although not itself a landmark building, contributes to the distinctive architectural or historic character of the District as a whole and therefore should be preserved for the benefit of the people of the City and the State;
- c. Whether demolition of the subject property would be contrary to the purpose and intent of this chapter as set forth in Sec. 33.19 and to the objectives of the historic preservation plan for the applicable district as duly adopted by the Common Council; (*section included below*)
- d. Whether the building or structure is of such old and unusual or uncommon design, texture and/or material that it could not be reproduced or be reproduced only with great difficulty and/or expense;
- e. Whether retention of the building or structure would promote the general welfare of the people of the City and the State by encouraging study of American history, architecture and design or by developing an understanding of American culture and heritage;
- f. Whether the building or structure is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it, provided that any hardship or difficulty claimed by the owner which is self-created or which is the result of any failure to maintain the property in good repair cannot qualify as a basis for the issuance of a Certificate of Appropriateness;
- g. Whether any new structure proposed to be constructed or change in use proposed to be made is compatible with the buildings and environment of the district in which the subject property is located.

**33.19 (1) Purpose and Intent** (of the Landmarks Commission Ordinance) It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people. The purpose of this section is to:

- (a) Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the City's cultural, social, economic, political and architectural history.
- (b) Safeguard the City's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts.
- (c) Stabilize and improve property values.
- (d) Foster civic pride in the beauty and noble accomplishments of the past.
- (e) Protect and enhance the City's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- (f) Strengthen the economy of the City.
- (g) Promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the City.

**Relevant sections of the Landmarks Ordinance for New Primary Buildings**

In the left hand columns, staff has indicated whether they believe the proposal meets each criteria.

<u>Yes</u>	<u>No</u>	
Y		<b>33.19(14)(e) Criteria for the Review of New Primary Buildings.</b>
		1. <b><u>Building Height, Scale, Proportion and Rhythm.</u></b> New primary buildings shall be similar in height to the buildings directly adjacent to each side. If the buildings directly adjacent to each side are different in height, the new building shall be of a height compatible with the buildings within the visually related area of the proposed building. New primary buildings shall be compatible with the scale, proportion, and rhythm of masses and spaces of buildings within the visually related area of the proposed building.
Y		2. <b><u>Siding Materials.</u></b> Narrow gauge clapboards made of wood, composite wood material, or concrete, and/or brick and stone may be permitted. Stucco and splitfaced concrete block may be permitted only as trim, rather than the primary siding material. Stucco panels and pebble dash are prohibited. If the first two floors of a proposed building are masonry, the Landmarks Commission may permit the use of artificial siding (i.e. vinyl or aluminum) on the upper floor or floors. In such circumstances, the artificial siding must conform to the following requirements: <ul style="list-style-type: none"> <li>a. The material shall be of the highest grade offered by the manufacturer.</li> <li>b. The material shall have a minimum gauge of .042.</li> <li>c. The color and sheen of the siding shall be consistent with those used in the era in which adjacent buildings were constructed.</li> <li>d. The siding shall not have a false wood grain.</li> <li>e. The width of each apparent clapboard shall not exceed four (4) inches.</li> <li>f. The use of visible j-channel trim and other prefabricated elements that differ in appearance from those used on historic buildings in the neighborhood is prohibited.</li> </ul>

- Y 3. Roof Materials. Roofing materials shall be asphalt shingles; fiberglass or other composition shingles similar in appearance to multi-layered architectural shingles or 3-in-1 tab; or Dutch lap, French method or interlock shingles. Sawn wood shingles may also be approved. Thick wood shakes are prohibited. Vents shall be located as inconspicuously as possible and shall be similar in color to the color of the roof. Rolled roofing, tar-and-gravel, rubberized membranes and other similar roofing materials are prohibited except that such materials may be used on flat or slightly sloped roofs that are not visible from the ground.
- Y 4. Roof Shape. If a primary building does not have a flat roof, the pitch of the new roof shall be no less than 4-in-12.
- Y 5. Façade Design. Street facades shall be modulated with setbacks incorporated into the design at the first floor level. The entrance shall either be inset or projecting from the plane of the main facade. Porches on main entrances are encouraged. Street facades shall reflect the rhythm and directional expression of pre-1930 buildings within the visually related area.
- Y 6. Windows and Doors. The proportion of width to height of doors and windows and the proportion of solids to voids in the front and side facade designs shall be similar to pre-1930 buildings within the visually related area. Windows trimmed with bead molds similar in design to other pre-1930 window trim in the district and windows and doors shall be inset at least one (1) inch from the exterior trim. The main entrance to the building shall be on the front facade. Garage doors shall be located on the side or rear facades whenever feasible. If it is not feasible to locate the garage door on the sides or rear facades, one-car garage doors will be permitted on the front facade.

Yes      No      33.19(14)(f) Criteria for the Review of Accessory Buildings, Fences and Retaining Walls.

- Enclosures are not considered accessory buildings by Zoning.
- 1. Accessory Buildings. Accessory buildings, as defined in Section 28.03(2) of these ordinances, shall be compatible with the design of the existing building on the zoning lot, shall not exceed fifteen (15) feet in height and shall be as unobtrusive as possible. Garage doors shall either be entirely flat or shall have approximately square panels. Horizontally paneled doors are prohibited. Windows shall be either double or single-hung units of a similar proportion to the windows on the building or shall be six-paned (three panes across and two panes high) units similar to those seen on 1920s era garages. Siding may either match the siding on the building or be narrow-gauge clapboard, vertical board-and-batten, or a smooth stucco or stucco-like applied material. The roof shape shall have a pitch and style similar to the roof shape on the building. The roof material shall match as closely as possible the material on the building. Alteration of existing accessory buildings shall comply with this Subdivision and with Subdivision (d).
  - Y 2. Fences. Chain link and rustic style fences, such as rough sawn wood or split rails, are prohibited in the front yard.

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**Staff Comments and Recommendation:**

Based on the criteria and visual survey of the buildings within the visually related area, Staff believes that the standards for granting a Certificate of Appropriateness for the demolition of the existing structure are met and recommends approval by the Landmarks Commission and recommends the following conditions:

1. Please consider moving the window on the front elevation in the lower level off of the corner.
2. Please consider using paired double-hung windows on the side and rear elevations.
3. Please consider reducing the 2'-0" overhang at the front porch to 8" or so.
4. The 5'-0" wide storm window in the upper level of the rear stair enclosure should be changed to look like a paired double hung window and the cantilevered corner of the upper stair platform should have a decorative bracket and "beam" expressed in the siding detail.



# City of Madison

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

## Meeting Minutes - Draft LANDMARKS COMMISSION

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Monday, February 28, 2011

4:45 PM

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

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### CALL TO ORDER / ROLL CALL

Present: 7 -

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

### APPROVAL OF MINUTES

A motion was made by Rosenblum, seconded by Slattery, to APPROVE the  
February 14, 2011 minutes.

The motion passed by a voice vote/other.

### PUBLIC COMMENT

There was no public comment.

### DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

A motion was made by Levitan, seconded by Slattery, to take the agenda items  
out of order.

There was no comment from the public, so the motion passed by a voice  
vote/other.

### PUBLIC HEARING - CONSIDERATION OF ISSUANCE OF CERTIFICATE OF APPROPRIATENESS

2. 21413

14 South Franklin Street - First Settlement Historic District - Demolition of existing  
structure and construction of new two unit residence.

Contact: Chris Muchka and Audric Schieve

Audric Shieve and Chris Muchka, Progress Investors, briefly presented the project. Mr. Muchka  
explained that the existing 4 unit structure was lost to fire on October 6, 2010 and that they are  
proposing to demolish the existing structure and construct a new 2 unit.

Carol Crossan, East Main Street, registered in support, but did not wish to speak.

Jim Skrentny, East Main Street, registered in support. Mr. Skrentny explained that he is  
representing the First Settlement District of Capitol Neighborhoods and that the group supports the  
Applicant's proposal.

Mr. Levitan asked if the Applicant would address the comments in the staff report. In response to  
the comments in the staff report, Mr. Muchka stated that the front window was placed to provide

symmetry with the opposite door, but that they would consider moving the window. He explained that the paired windows would reduce energy efficiency, but that they would be agreeable to adding a paired storm window at the rear stair enclosure. He explained that the 24" overhang at the front porch was designed to provide protection for the front steps, but that he would consider reducing the overhang.

**A motion was made by Levitan, seconded by Slattery, to APPROVE the new construction as submitted with the condition that the storm window in the upper level of the rear stair enclosure be changed to look like a paired double hung window and the cantilvered corner of the upper stair platform have a decorative bracket and "beam" expressed in the siding detail.**

**The motion passed by a voice vote/other.**

**A motion was made by Slattery, seconded by Rosenblum, to APPROVE the demolition.**

**The motion passed by a voice vote/other.**

1. 20928

209 North Prospect Avenue - University Heights Historic District- construction of a new single-family home in the University Heights Historic District and adjacent to a designated landmark (Ely House).

Contact: Johnsen Schmaling Architects

Julie and Matt Sager, 639 Knickerbocker Street, briefly presented the proposed project. They explained that the proposed residence would be modestly sized with a 945 square foot footprint and 2000 square feet of total living space. They explained the shape of the lot and that the house was sited to retain green space along Propsect Avenue, to keep the view of the Ely House from Prospect, and to maximize privacy for all neighboring homes. They described discussions with the City Engineer regarding the storm water management swale, the elevation studies relating the height to the residence at 211 North Prospect, the streetscape views of the proposed residence in relation to the neighboring buildings, the use of high quality materials, the green aspects of design, and the timeline of the process to date.

Ms. Sager explained that the stakes on the site are from the topographic survey. She clarified that the cedar siding will be smooth, not beveled. Mr. Levitan asked if the Applicants had considered aligning the rear of the house with the others to continue the pattern seen in the various maps of the submission materials. In response, Ms. Sager explained that there were many issues that were considered before locating the house. These issues included the narrow lot shape at the street and the resulting geometry of the site, the distance to the neighboring homes and the resulting privacy issues, the garage location on the side, retaining the green space at the street, and the efficient location for passive solar use. Mr. Levitan asked if the Applicants understood when they were purchasing the lot that it was located in a historic district. Ms. Sager stated that the Landmarks Ordinance was supplied to them when they were in negotiations for the purchase and that they had previously resided in the district.

Brian Johnsen and Sebastian Schmaling, Johnsen Schmaling Architects, registered in support and were available to answer questions.

Betsy Haimson, 209 North Spooner, registered in opposition. Ms. Haimson stated that there were no flat roof forms in the visually related area. She explained that upon review of the contextual views she realizes her property will not be directly affected, but she feels the house at 1712 Summit will be negatively impacted.

Trudy Barash, 205 North Prospect, registered in support. Ms. Barash stated that University Heights is an eclectic grouping of buildings and she wonders what Mr. Ely was thinking in 1900 as other homes were being built around his home. She explained that she was pleased by the consideration of the setback and that the careful placement provides unbroken green space at the street.

Tom Neujahr, 168 North Prospect, registered in opposition. Mr. Neujahr stated that the city process should adopt a policy in historic districts to consider land division while also considering what is proposed to be built on the new parcel. Mr. Levitan asked if he felt a modestly sized structure could be placed on this site without affecting the neighboring landmark building. Mr. Neujahr stated that the lot should be left unbuild to give some space to the landmark structure. He explained that the proposed building should be pushed back further to give more breathing room to the street and the neighboring homes.

## AGENDA # 8

City of Madison, Wisconsin

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REPORT OF: URBAN DESIGN COMMISSION	<b>PRESENTED:</b> March 2, 2011
TITLE: 14 South Franklin Street – PUD(SIP) for a New 2-Unit Residential Building. 6 <sup>th</sup> Ald. Dist. (21351)	<b>REFERRED:</b> <b>REREFERRED:</b> <b>REPORTED BACK:</b>
AUTHOR: Alan J. Martin, Secretary	<b>ADOPTED:</b> <b>POF:</b>
DATED: March 2, 2011	<b>ID NUMBER:</b>

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Members present were: Mark Smith, Dawn O’Kroley, Richard Slayton, John Harrington, R. Richard Wagner, Melissa Huggins, Jay Handy and Henry Lufler, Jr.

### SUMMARY:

At its meeting of March 2, 2011, the Urban Design Commission **GRANTED FINAL APPROVAL** of a PUD(SIP) located at 14 South Franklin Street. Appearing on behalf of the project were Audric Schiere, Chris Muchka, owners of the property; Lisa Delany, Courtney Erickson and Jim Skrentny, representing the First Settlement District of CNI. They are looking to renovate this building after a recent fire. They have met with the neighborhood and the neighborhood fully supports this project. They are aiming for a very high energy standard that will hopefully make it a net-zero, passive house. The Landmarks Commission has also reviewed and approved this project. They will try to use all local and sustainable projects including cedar lap siding. The old building will be completely demolished and rebuilt, with as much material recycled as possible. The vacant space in the backyard will be used for a community garden.

Comments and questions were as follows:

- The two doors that are close on the front elevation seems off balance; put doors to either side with a window in the middle for symmetry.
- I would find a way to make two porches, one for upstairs and one for downstairs on either the front or rear.
- Think about finding a way to split the entrance into two separate areas so that the upstairs tenant has a door to the porch as well as the downstairs tenant. It’s a game changer for people who live in the building.
- You have a lot of opportunities here with a fresh slate. You don’t have to worry about the confines of a single-family home.
  - All our neighbors strongly support what you see rendered here.
- I would like to see the porch be usable space. To actually give that some breadth and depth.
- With regards to placement of the doors, I like the structures to be honest about what they are. This is now a 2-unit building to embrace that; it’s got two doors, two doors or two groups of students living in there.
- Watch things like the details of your roofline, so they don’t look cheap. You’re in a historic district.

- Split doors with split walk-up or put together with a single walk-up; allow maybe one or two windows on first floor façade with view to street.
- Porch in back for second floor, more marketable.
- Move and create expanded building space, living space with porches.
- Be more creative, this is a clean slate with a new building not being a former single-family house.

**ACTION:**

On a motion by Slayton, seconded by Handy, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (6-0). The motion provided for the following:

- Provide a native plant list to return to staff for approval.
- Consider cutting back the driveway length to reduce the amount of cars stacking beyond two.
- The applicant has the ability to make changes in response to comments made with staff approval.
- The applicant was requested to look at details of the roofline to not look cheap, look at simple details on neighboring residences and make sure that they are sufficiently detailed, not frill and show a strong enough roofline with greater dimension. As an example use miter bolt joints around windows with beefier dimensioned rake board, corner and window trim.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 6, 8 and 8.



**URBAN DESIGN COMMISSION PROJECT RATING FOR: 14 South Franklin Street**

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
<b>Member Ratings</b>	-	7	-	-	-	-	8	8
	8	8	7	7	-	7	9	8
	6	6	-	-	-	6	7	6
	5	5	5	-	-	5	6	5

General Comments:

- Excellent proposal!
- Resolve the front and rear porches and front doors – split? Or together?
- Submit plant list to staff.



Department of Planning & Community & Economic Development  
 Planning/Neighborhood Preservation & Inspection/Economic & Community Development  
 Mark A. Olinger, Director

Bradley J. Murphy  
 Planning Division  
 215 Martin Luther King, Jr. Boulevard  
 P.O. Box 2985  
 Madison, WI 53701-2985  
 (608) 266-4635

**REVIEW REQUEST FOR:**

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER

14 South Franklin Street RZ : R5 to PUD-GDP-SIP  
 Demolish 4-unit apartment building to allow construction of two-family residence  
 Audric Schieve & Chris Muchka - Progressive Investors, LLC/Chris Muchka  
 Progressive Builders

**PLANNING DIVISION CONTACT:** Heather Stouder

**RETURN COMMENTS BY:** 31 March 2011

**PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:**

Applicant E-mail: progressivebuilders@yahoo.com Fax: 255-2903

Date Submitted: 09 February 2011 Plan Commission: 11 April 2011

Date Circulated: 15 February 2011 Common Council: 19 April 2011

**CIRCULATED TO:**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> ZONING                     | <input type="checkbox"/> DISABILITY RIGHTS           | <input checked="" type="checkbox"/> ALD. <u>RUMMEL</u> DIST. <u>6</u> |
| <input type="checkbox"/> FIRE DEPARTMENT            | <input type="checkbox"/> POLICE DEPT. - CHANDLER     | <input type="checkbox"/> MADISON GAS & ELECTRIC                       |
| <input type="checkbox"/> PARKS DIVISION             | <input type="checkbox"/> CITY ASSESSOR - M. RICHARDS | <input type="checkbox"/> ALLIANT ENERGY                               |
| <input type="checkbox"/> TRAFFIC ENG.               | <input type="checkbox"/> MADISON METRO - SOBOTA      | <input type="checkbox"/> A T & T                                      |
| <input type="checkbox"/> CITY ENG. - DAILEY         | <input type="checkbox"/> MMSD BOARD, C/O SUPT.       | <input type="checkbox"/> T D S  |
| <input type="checkbox"/> CITY ENG. - MAPPING & ENV. | <input type="checkbox"/> PUBLIC HEALTH - SCHLENKER   | <input type="checkbox"/> MT. VERNON TELE.                             |
| <input type="checkbox"/> WATER UTILITY              |  |   |
| <input type="checkbox"/> CDBG - CONSTANS            | <input type="checkbox"/> NEIGHBORHOOD ORGANIZATION   |   |
| <input type="checkbox"/> REAL ESTATE - EKOLA        |  |   |

- Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.
- One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.
- The above is located in your district. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.
- The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.

**RETURN COMMENTS TO: PLANNING DIVISION, DEPT. OF PLANNING & COMMUNITY & ECONOMIC DEVELOPMENT, ROOM LL100 MMB, 215 MARTIN LUTHER KING JR. BLVD.**

**NO COMMENTS / YOUR COMMENTS:**

*I support demolition + rezoning application.  
 Mark R  
 2.25.11*

