LANDMARKS COMMISSION MEETING REPORT

August 14, 2023

Agenda Item #:	2
Project Title:	3701 Council Crest- New Construction on a Designated Madison Landmark Site (District 10)
Legistar File ID #:	79099
Prepared By:	Heather Bailey, Preservation Planner
Members:	Present: Ald. Amani Latimer Burris, Molly Harris, Richard Arnesen, Katie Kaliszewski, and David McLean Excused: Edna Ely-Ledesma and Maurice Taylor

Summary

Kaliszewski opened public comment.

Jon Furlow spoke in support and identified themselves as the property owner who purchased after the lot line adjustment was approved last summer. Furlow stated they designed with two main goals: accessible first floor living, and meeting the neighbors' concerns. They have read all of the public comments and were prepared to answer any questions.

Rick Chandler spoke in opposition and identified themselves as the VP of the Madison Trust for Historic Preservation. Chandler referenced Secretary of the Interior Standards (SOI) that they feel the proposal does not meet, including retaining historic character of the property, compatibility with massing and scale. Also has concerns that construction will kill historic black walnut, which they consider a defining characteristic. Chandler recommended a smaller house, not as close to the tavern or the historic tree.

Carly Conway spoke in opposition and identified themselves as the current owner of the Old Spring Tavern next door. Referenced SOI that they feel the proposal does not meet, and noted it will not meet the historic setbacks of the 1926 plat, which they feel are a historic characteristic of the landmark site. Stated that the current proposal is too large on too small of a parcel, and the proposal should honor historic setbacks.

Tom Keuch spoke in opposition and stated that the original building is only 60 ft wide not 91 as stated in the staff report if the garage is removed. Stated they provided drawings and views in advance in their written comment that show the impact on the site. Feels that the new construction overshadows and dominates the property in height and volume. Keuch also has concerns with the hydrology study and the impact on the neighboring landmark.

Kurt Stege spoke in opposition and believes the black walnut tree is a significant character of the site and needs to be preserved. Stege provided research on the impact the project may have on this historic tree.

Kevin Pomeroy spoke in opposition and identified themselves as the President of the Crawford-Marlborough-Nakoma Neighborhood Association. Pomeroy stated the Association voted unanimously to oppose granting a CoA. Stated the historic front of the historic building faces Council Crest, not Nakoma, and that the historic access point needs to be preserved.

Stu Levitan spoke in opposition and noted he was a previous long-term member of the Commission. Levitan believes strongly this needs to be denied based on documented evidence in the record that this would be a

massive change to the site, and the 20' setback established in the historic plat is being ignored, which is a massive change, not minimal.

Mary Alice and Jim Van Gemert spoke in opposition and stated the proposed new home of 4,500 sq. ft. on a .25 acre lot is more than 2 times the size of the adjacent homes. They do not agree it fits in the neighborhood, and asked commissioners to look at page 1-3 of Tom Kuech's public comment section. Also noted the entrance to the historic building faces Council Crest, not Nakoma road.

Alex Saloutos spoke in opposition and stated that the does not meet the SOI as it will dramatically change the site.

Arnold Alanen spoke in opposition stating that the proposal damages the adjoining property's integrity, diminishes the significance of the landmark. The entire landmark site should be preserved. The size and scale will cover most of the lot. A low profile, smaller scale residence and vegetative screen should be requested.

Linda Lehnertz spoke in opposition and stated that the traditional road was on the west side of the tavern, now viewed as the back, and this house would block any view of the tavern from the historic access point. They stated the proposed house is too large and busy with various rooflines and articulations. It would become the dominant structure on the site. The tree is significant and should not be damaged or removed.

Bob Klebba spoke in opposition and stated they do not feel the proposal meets the standards, and while the contemporary built environment is important, the focus needs to be on the impact on the landmark Old Spring Tavern.

Kaliszewski closed public comment.

Bailey provided background information on the project and addressed items including the drainage, tree, and setback concerns.

Kaliszewski asked staff about adjacency to the mounds and any future Request-to-Disturb requirements by the Wisconsin Historical Society. Bailey shared that the State feels the 2022 archeological report will suffice for any future requests and they will not require archaeological monitoring.

Kaliszewski shared they feel the house may be too large for the site, and also noted that the tree does not fall under the purview of the Landmarks Commission.

Morrison stated he agrees the tree cannot be considered in their review, and appreciated the hydrology report, and also does not have a problem with the style of the house. While they noted the design made an intentional effort to shrink the building on the back, Spring Trail goes by this property about 40 feet, the side yard setback is not enough, and believes it is on the balance of it being too large. Additionally the 20' setback could readjust the scale of the building to be more appropriate.

Arneson agreed with comments of other commissioners, stated that a house is appropriate here, but this is slightly too large. Asked staff to expand on the historic setbacks.

Bailey shared background information on the 1926 neighborhood plat and Zoning setback requirements as stated in the attached Zoning memo.

Alder Amani asked to clarify the shape of the lot and if something could have been built on it at the time of the 1926 plat. Bailey clarified the lot is legally a buildable lot and a house would have been smaller than the immediate vicinity, but a house could have been there.

Furlow (applicant) stated that the 1926 Nakoma Homes Agreement states the build line shall not be nearer to the street than on the recorded plat. Currently the proposed building is 21' from the nearest part of E Spring Trail. This house is not the largest within 200' by and measurement.

Alder Tishler asked for Rick Chandler and Stu Levitan to have more time to speak and to respond to the staff presentation.

Chandler reviewed several of the Secretary of the Interior Standards and how they feel the proposal does not meet them. Noted the back of the proposed house is much larger than the front of the tavern (the north side). The elevation due to the hill puts the top of the house 17' above the landmark roof, 47' above the ground from the front door. Additionally, they believe the tree should be considered in this case as part of the landmark environment.

Levitan stated that the Plan and Landmarks Commissions can require more than just basic Zoning, and feels the historic setback must be met to meet the historic character of the site. There should also be a significant and legally binding requirement to maintain the water runoff system.

Staff stated that if the commissioners or attending alders had additional questions of the public, they should ask specific questions in order to ensure fair and equitable access and representation for all members of the public.

Alder Amani feels it will fit into the neighborhood, but it will not fit into the historic character of the property. She stated she had 46 questions and read them aloud, some captured:

1. Are these the same plans as previously? If not, what changed and why?
2. How has the land changed?
3. Were the buildings part of the historic landmark?
4. What are we charged with looking at?
5. Does the style of the building fit into the neighborhood?
6. Does it fit into the property?
7. Do the current plans fit into the site appropriately?
8. What about damage to the tree?
9. How long will the tree last?
10. Are the neighborhood consultants involved?
11. What about the bricks on the trail up to the fence?
12. Does it matter that it is fenced off?
13. Will the tree next door be removed that hangs over?
14. What was the intention when this was sold?
15. When was the property re-plated?
16. How long has this been a historic landmark?
17. What was the reasoning for it being made into a landmark?
18. Will these plans meet the historic property needs?
19. What is the purpose of the landmark commission – to protect the structure? The land?
20. Would we consider the land to be part of the context of the property?
21. Is this a situation where the neighbors are being NIMBYistic?
22. What about the people who purchased the home? Are they prepared for this?
23. Impacts to developer?
24. What about the other trees, the bricks, the sidewalks?

25. Will this property add or subtract from the runoff?
26. CSM?
27. What is the impact of a house being built in the neighborhood?
28. What's the impact on the landmark?
29. Is this something we are concerned about?
30. Does this change anything?
31. What measures, if we approve this, should we put in to protect the integrity of the landmark?
32. Does historic preservation mean not to build?
33. Does it have to be 4500 sq ft?
34. Do people have the right to do what they want even when encountering a landmark?

Arneson took over as chair as Kaliszewski dropped out due to technical issues. Arneson asked the applicant if the plans changed in response to Alder Amani's first question. Furlow stated the plans did not change, except a full storm water analysis, which demonstrated that the storm water runoff directed to the tavern will be reduced by half. The runoff from the property will be directed to a rain garden and then a scupper to E Spring trail.

Arneson asked what is being done to protect the tree. Furlow stated they hired an arborist and they are 4-6 feet from the root plate at the closest place, and they understand they can damage 33% of a critical root zone can before the tree is severely hurt, they estimate they are at 25% in their current plan.

Arneson asked a clarifying question about the setback. Furlow stated the building line Spring Trail is 21'.

Morris asked the applicant if they tried to shrink up the floor plan.

Furlow stated the 4500 sq ft is dictated by the first floor plan. Tried to tighten up the floorplan by moving the garage to below the house, but then the tavern would look at the garage, they would have stairs to climb, and it would be bad for drainage.

Kaliszewski asked the applicant or their builder if they have ideas for other places to shrink the square footage. Furlow stated they feel they have done everything they can for what works for them. Hart DeNoble Builders stated it could be slightly smaller but overall it will not change the look significantly. The second floor is designed into the roof system to make it look smaller. Per Zoning they could propose something much larger. Feel the design fits into the neighborhood. Have shifted the house to get it away from the tree and manage the drainage.

Arneson asked for the floor heights. Hart DeNoble stated the first floor is 9', second floor is 8'. Kaliszewski asked about the garage size. Hart DeNoble stated it is a smaller 2 car garage.

Alder Figueroa Cole noted the commission seems concerned about the size. Asked what the commission was looking for and requested that they be precise.

Alder Amani stated they feel any building will not meet some of the standards (2 and 4). It fits with the upper street, but not with the historic property.

Harris stated they agree the tree and drainage issues have been addressed, and the character of the building works with the surrounding and landmark building, but the main concern is the size and scale.

Morrison agrees with Harris the question is not if it is not too big for the neighborhood, but is it too big for its landmark neighbor. Morrison feels it is too wide on the east elevation for its neighbor. If that elevation was narrower (maybe 8-10 feet) it may work better.

Kaliszewski stated they agree it is ok to have a house there but the proposed house fits with the neighborhood but not the landmark site.

Arneson stated he feels there are many other homes next to this, and questions why this one is destroying the historic fabric. Other buildings are closer. How much smaller would it need to be? We should take time to explore. Ask the applicant to look at modifications to make this smaller.

Bailey recommended that if smaller is the desire, to propose a setback rather than discussing the exact size or a percentage of mass.

Alder Rummel noted last year the commission determined the lots could be split and that a structure could be built there. Rummel feels standards 1 and 9 are not met, and that the tree should be considered as part of standard 1.

Morrison recommended respecting the 20' setback to the end of Spring Trail (where it ends) not all the way to Council Crest to allow for more breathing room. Harris asked if the applicant felt they had met that requirement. Morrison clarified it would be 20' from the lot line.

Action

A motion was made by Arnesen, seconded by Harris, to refer this item to a future meeting and ask the applicant to redesign the structure to meet a 20' setback from the road. The motion passed by roll call vote. Yes: Harris, Arnesen, Morrison, Kaliszewski. No: Alder Amani.