

AGENDA # 4 & #5

City of Madison, Wisconsin

REPORT OF: LANDMARKS COMMISSION **PRESENTED:** October 3, 2011

TITLE: Landmarks Ordinance Revisions
 (17835)
 Landmarks Commission Procedures
 (21101)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Amy Scanlon, Secretary

ADOPTED:

POF:

DATED: October 3, 2011

ID NUMBER:

Members present were: Stu Levitan, Chair; Erica Gehrig, Vice Chair; Robin Taylor, Christina Slattery, David McLean, and Marsha Rummel. Michael Rosenblum was excused.

SUMMARY:

Staff explained that the Landmarks should have discussions that focus the interpretation of the ordinance. In the past, precedent was used to approve requests. Staff suggested that in preservation there is no precedent. The Landmarks Commission should use discretion for each case rather than a blanket approval based on precedent. In order to refocus, the Landmarks Commission must review the wording of the ordinance. For example, is vinyl compatible to the historic finish that it is replicating? Does the metal roof shingle that is intended to replicate the wood shingle accurately reflect the material or is it compatible with the historic finish? To change the ordinance language in the specific historic district sections, it would have to go back to the districts. University Heights and Marquette bungalows are the only two districts that allow vinyl and aluminum siding; none of the other ones do. The Landmarks Commission is approving vinyl and aluminum in Third Lake Ridge and nowhere in the ordinance does it say we have to do that. There is no precedent in historic preservation and we should allow each case to be its own. At the recent State Preservation Conference Jen Davel and Mark Buechel gave a presentation on 10 ways to ruin your historic building and it would be good to invite them to present to the Landmarks Commission. A spring letter will be mailed that will remind property owners that they live in a historic district. It will include a copy of the ordinance and remind them that they need building permits and need to come to the Landmarks Commission. Madison Trust offers workshops and may assist us with outreach and on windows and energy efficiency. The National Register uses contributing and noncontributing buildings to define appropriate treatments. We should look at each one on an individual basis. A cohesive historic district is most important. As long as the request meets the ordinance, we have flexibility in interpretation. If the replacement element looks the same where is the harm? The harm is that there is a micro erosion of the historic district. The more historic fabric is lost the more historic district lost. The Landmarks Commission should put together a fact sheet about window repair and maintenance.

Staff requested clarification about Policy document #7. Unless the owner can prove that they had screened windows they cannot replace the windows. Is that what we intended? When requests for window replacements are requested at the Building Permit counter they will be told to bring documentation to the Landmarks Commission including price estimate, etc., to show repair versus replacement. The owner must demonstrate every attempt has been made to repair. Revise Item 7 on Procedures document and make it flow. Staff is trying to find an architectural salvage company that will take original wood windows for reconstruction or salvage.

Staff suggested that a section be added to the document that states projects that restore the original condition and appearance can be approved by designee. Commissioners requested that staff provide a count of how many requests are approved based on this document. Levitan said that this information should be noted in the Secretary's Report. Staff suggested that the Commission annually review projects. A report can be given to the Commissioners at each meeting which reviews photos of completed work.

Staff suggested that the Commission revise Item 2 of the Policy document. The way it is worded you can't have a metal roof on a porch or on a roof unless there is historic documentation that proves that it was the original material. Not everyone is going to have pictures for documentation. Historic building convention would not use a wood shingle on a roof that is less or equal to 3 and 12. Levitan said the document could say historical documentation or generally understood methodology or practice.

Policy document No. 3 should be revised. Staff explained that historic districts are losing the mitered beveled siding because of the vinyl and cement fiberboard replacement. None of the current replacement building materials allow a mitered joint which is a character defining feature. The covering of the mitered corners with the replacement material changes the exterior character, but allows original siding to remain encapsulated.

Staff requested the addition of a new section named "Policy for Landmarks Procedures". Levitan stated that he feels that the administrative approval is the consent agenda and the Landmarks Commission only reviews cases that need to be discussed. This Section would also address the annual review of projects and develop a procedure for evaluation. The Landmarks Commission may consider allowing presentations by the organized opposition. In most cases the Landmarks Commission is already flexible and conversational. For controversial cases the presentation/speaking time limit may be extended for the presenter and the organized opposition. Staff will research what other commissions do. Staff suggested that while the Landmarks Commission already differentiates between conditions of approval and recommendations, they should be especially clear and consider providing a closing comment to the Applicant to explain the action that was taken.

The Landmarks Commission should not have a written policy about taking to the media because it may be interpreted as a gag order. It is commonly known by commission members that they may say "no comment" or suggest that the question be directed to the Chair person or Alderperson.

Staff will revise the Policy and Procedure document for formal action and/or continued discussion at the next meeting.

ACTION:

NO ACTION WAS TAKEN.