

AGENDA # 1

City of Madison, Wisconsin

REPORT OF: LANDMARKS COMMISSION**PRESENTED:** March 11, 2013

TITLE: 144 West Johnson Street – Mansion Hill Historic District – Adaptive Reuse of Holy Redeemer School (designated landmark) to Include Restoration of the Existing Building and the Construction of a New Addition to the West and the Subdivision of the Landmark Site. 4th Ald. Dist. (29258)

REFERRED:**REREFERRED:****REPORTED BACK:****AUTHOR:** Amy Scanlon, Secretary**ADOPTED:****POF:****DATED:** March 11, 2013**ID NUMBER:**

Members present were: Stu Levitan, Chair; Erica Gehrig, Vice Chair; David McLean, Marsha Rummel, Jason Fowler and Michael Rosenblum.

SUMMARY:

Registered in support and wishing to speak were Dennis Ganser, Stephen Mar-Pohl, Attorney Michael Christopher and Ald. Mike Verveer, representing District 4. Registered in support and available to answer questions were John Kothe, Mark Landgraf and Kevin Page, all representing Cathedral Parish.

Registered and speaking in opposition were Jeff Ripp, Eugene Devitt, representing the Mansion Hill Neighborhood; Gail Geib, Rosemary Lee, Manuel Fuentes, Franny Ingebritson, Pedro Rosales, Heidi Figueroa-Vilez, Norma Morreno, Norman Fuentes, Terri Hix, Micaela Mendez and Nilda Rivera Colón.

Attorney Michael Christopher stated that the staff report covers all the key elements the Commission needs to consider. He noted that the restoration is in keeping with the historic character of the landmark and that the addition is compatible with the historic nature. Att. Christopher explained that the proposal is consistent with the guidelines of the Mansion Hill Historic District and the Preservation Plan. He sees the Landmarks Commission and his client as being in a partnership to restore this building while maintaining its character and compatibility.

Rummel stated she is interested in some recent emails she received about the interior of the third floor auditorium and while not the Commission's jurisdiction, the space is a cultural asset that could benefit the community. She asked if the development team considered trying to incorporate the third floor auditorium and space in their plans?

Stephen Mar-Pohl replied that the project is seeking historic tax credits through the National Park Service and that the project is bound by those standards in addition to the Landmarks Ordinance. He distributed additional documentation with elevation information showing a total of 14 skylights for daylighting inside the fourth floor. He explained that while planning the addition they have been very mindful of respecting the historic nature of the building in terms of scale, mass, materials, rhythm and the relationship between solids and voids. He explained that sheet metal was removed from the cornices at the tower of the main building that was covering

some beautiful wood detailing. The paint scheme, windows, cornices and other wood trim will match historical photos to the best of their abilities. He explained that the intent is to restore the masonry to the greatest extent possible knowing there are great challenges to find a good match and that they are very conscious of the need for maintaining as much of the original building fabric as possible since the material is just not available. The windows will be restored.

He explained that the addition is diminutive to the main structure; it is shorter, less broad, less massive with the main entrance on the north elevation. The original side entrance to the building is currently blank; they are still studying what the original conditions were at that location but it will be restored in a complementary style to what was originally there. The roofs will be replaced. The south elevation shows the stair tower and blind panels with a possible change in wall plane maybe by ½” or ¼” to give them a bit of a shadow line to help break up the mass.

He further explained that current schematics do not show any retention of the auditorium. It is their intent to alter the stage slightly to bring in some units to this area that will go up rather high. The gymnasium has a large common space in the center that will have apartments on either side, and two-story apartments within the gym. As you walk through the doors to what was the gym you will see that space open up; the ceilings, the volumes, and the rest of the gymnasium behind will be redeveloped for apartments as well. The balcony will see significant alterations. Levitan asked if elements of the stage and auditorium could be removed and put to another use. Mar-Pohl replied that it could be a possibility, but not one that they have considered. Levitan inquired about clear titles and the ownership of the property. Landgraf replied that Cathedral Parish owns the property and is the applicant. Gehrig inquired about the gymnasium, asking if the State Historic Preservation Office has determined the gymnasium to be a character-defining space in the building. Mar-Pohl responded not officially but they all agree that that is the case. The Commission can feel comfortable that if they do indeed pursue the tax credits, there will be a body overseeing the restoration. He has no reason to believe the applicant would abandon the pursuit of these tax credits.

Mr. Mar-Pohl explained that in response to the staff report, the idea for the abandoned doors to the north will be modified significantly; they will remove the later awning over the top; he is looking for documentation about the alcove on the north facing Johnson Street; the property as it is currently delineated is rather limited and they have a requirement to have public walk space in front of the building; approximately 15-feet of concrete will be provided with some greenspace up front; included in the budget for this project there is a reserve fund for maintenance and proper treatment of the Holy Redeemer Church as mentioned in the staff report.

Rosemary Lee spoke in opposition to the conversion of this landmark historic site and provided the following comments. It appears from the Monsignor's comments at the March 6 meeting that the Diocese has woefully neglected the necessary upkeep and repairs to this 1892 building. Mr. Landgraf gave a tour of the school with that tour confirming the fact the school is in awful shape. To the best of her knowledge the congregation has not been shown any interior plans of how the building will function. The major issue is how will students visiting in their apartments affect the functions of the church, particularly for weddings and funerals which often occur on weekends. Other issues include what affect the new use and function will have on the neighborhood, added density, traffic, noise, parking of bicycles and cars and mopeds, etc. This school has been the heart of the Holy Redeemer gathering space and the parishioners sacrificed their hard-earned money to contribute to and support their church. It does not seem honest or fair that the Diocese has not taken the very valid and serious concerns of those who support Holy Redeemer with their volunteering and financial contributions into consideration. For example, at the March 6th meeting the Monsignor did not want a group from the church with an alternate plan to be allowed to speak because, as the Monsignor stated, only the student housing is under formal City consideration. That is shutting out parishioners who work hard to support that church. If the landmark ordinances are to be upheld and enforced, this request should be denied. This is the destruction of a historic

landmark disguised as renovation and reconstruction. Woeful avoidance of upkeep and repair of a 121 year old landmark building should not be rewarded by this Commission with approval to substantially alter forever the remarkable, venerable and much beloved historic site. Don't make a mockery of our landmarks ordinance by approving this. This changes the character and size of the building. You don't just add on so many square feet to a historic building and tell us it's going to maintain its historic integrity. Be consistent. If you're so worried about windows in an old house you should be worried about the integrity of an old building that is sacred to the hearts of many people in this town.

Gail Geib addressed her comments specifically to Ordinance 33.19, Maintenance of Landmark Sites and Buildings in Historic Districts. Her comments follow. When evaluating historic public buildings, the exterior can't be separated from significant interior spaces that were originally intended to be meaningful to the community in some way; people identify with interior spaces or establish a personal connection that leads to preservation; another run of the mill downtown apartment building is unlikely to foster those personal connections on the part of student tenants; if the plan being considered today is approved without amendment, the gorgeous third floor auditorium of the building will be completely destroyed; this was created as a permanent gathering space that would solidify their sense of community; it could be argued that the auditorium is a big part of why the school exists; it's always been a nexus for the immigrant community and adds to the vitality of the neighborhood; the importance to the German community is evident in the superb quality of construction methods and building materials, it's like a perfect little jewel box and is the only intact 19th Century meeting space in the City of Madison. It is truly a character defining interior space and this is what makes the school a contributing building to the Mansion Hill Historic District. Please do not issue a Certificate of Appropriateness for this project as submitted. The auditorium has to be preserved in tact so it would continue to be used regularly by the church and downtown community for generations to come. "Architecture is social responsibility beyond the client, the builder and the architect."

Levitan inquired of Ms. Geib how the fate of the auditorium determines what happens in the rest of the building. Ms. Geib explained that ultimately a compromise for the auditorium's use as a community asset would be best and that it's in the best interest of this body and the downtown neighborhoods to preserve community access to the building long-term. Gehrig asked what the auditorium is being used for currently; Ms. Geib explained that up until December it was used several times a year for social activities such as faith programs, youth programs, catechism classes, single mothers with financial woes. It was not used as much as they would like because there isn't an elevator or heat. Geib stated she was representing the parishioners who would like to see the building restored at least in part for community and church use. Ultimately they would like to see the auditorium restored to be rented out for parish functions.

Dennis Ganser spoke in support. He was involved in restoring the 100-year old chapel and remodel the hallway in support of their Hispanic parishioners and approached the chapel to raise money, with two families financing that remodel. There is care for Holy Redeemer and care for the historic relevance of the building. The church was recently repainted exactly as it was in the 1800s.

Gene Devitt (President of the Mansion Hill Neighborhood Association) spoke in opposition to the project and his comments follow. The Diocese came to them one month ago for their initial presentation. They then held a meeting at the church to go over questions on the proposal. As a general rule Capitol Neighborhoods allows every person speaking time. The developers were allowed to present, but the Monsignor did not want Gail's group to speak. The neighborhood is always supportive of the restoration of the outside of the building. They were not aware of the 14 skylights. There are questions about the back of the building because there are hardly any windows on the western side. The addition of the back begs the question as to what the function of the inside will be. The Mansion Hill Steering Committee does not support this project because they deal with how it affects the neighborhood and they feel that turning it into student housing is not beneficial to the neighborhood.

There were over 80 people who attended that meeting. Mr. Devitt provided a letter of incorporation stating the Archdiocese and the congregation own the building, which is why it was so important for the congregation to be able to speak at the meeting. When you ask what will be left of the stage, the plans show there is nothing left of the stage, gym or balcony. There would be more people in this building than Kennedy Manor has. The stone is available across the lake, all of it was shipped over on barges. Are they going to use matching brick? Without a meeting place all they have is the basement of the church. Why can't there be a compromise in saving the church while also making some apartments? A lot of this needs to go back to the drawing board. Levitan asked if Devitt thought the Commission has jurisdiction to deny the Certificate of Appropriateness on the basis of the internal program? He replied yes, what the function of the building is going to be and how it affects the neighborhood. Levitan asked for a clearer explanation of how the ordinance states this; Devitt replied that in his 16 years of coming to meetings and dealing with the Orpheum and other historic buildings he feels the ordinance is not met. Staff stated that she had previous conversations with the architect on this project and the skylights were originally part of those conversations.

Jeff Ripp spoke in opposition as a 20-year downtown resident and his comments follow. He cited the Mustard Museum in Middleton as an example of developers claiming they will restore/rehabilitate a landmark building only to destroy what was historic. He is also concerned about the "human element." The ones who are most affected are the last ones to know about it. Communication and compromise are lacking. Worrying about windows in one building and then considering a 30-foot addition to this building, that's hypocrisy. He encouraged the Commission to refer this item to give the developer the opportunity to tweak the plans and allow parishioners and neighbors to be in on the process.

Nilda Rivera Colón spoke in opposition as a parishioner of the congregation and her comments follow. She stressed the importance of this building to the congregation and to the future children of the church. This is where children learn values to guide them through any adversity. The process to this point has been disrespectful to the parishioners and to God. This place has been used to feed people in need. She and her children grew up going here, which is one reason this building is so important to her. Please consider our faith and our community. Levitan inquired if she still attended classes in the building; she replied that the building was closed to them last December. Up until then she attended every Sunday and sometimes during the week. She was unaware of the possibility of these activities being moved to St. Patrick's and her children are waiting for Sunday school classes to be held in an alternate location.

Terri Hix drove 500 miles to voice her opposition and her comments follow. Her descendants built Holy Redeemer Church. Her great-grandparents and father attended school there. Once you tear something apart you'll never be able to rebuild it. She has a vested interest because she has a son who lives in downtown Madison. She understands the need for downtown housing but something this historical and unique is not a place to build an apartment building. She feels the Commission has the right and the obligation to say no to this project.

Norman Fuentes spoke in opposition as a member of the congregation and his comments follow. He is involved in creating a youth program that would use the facilities every day. He wants to help kids who would otherwise perhaps go "party" rather than attend youth programs. He sees the need for renovation but not to the extent they are proposing. He is part of a group that is willing to help with the renovations, however the church denied their offer. Now it is closed and they have to meet in the cafeteria in a very crowded room. They used all three floors for the different ages involved in classes.

Franny Ingebritson spoke in opposition and her comments follow. She is opposed to destroying the last 19th Century meeting space in Madison. She wondered why they weren't developing the convent instead. These decisions were made in a vacuum, leaving the Latinos adrift in their community.

Pedro Rosales spoke in opposition as a member of the parish since 2000 and his comments follow. His children started attending classes here and it is very important to their faith. He wishes the developer and the Commission could come on a Sunday to see his community and how much room they need; how valuable and important this space is to them. Without this space they have nowhere to go. He worries that children will choose drugs and alcohol over their faith if they lose this space.

Heidi Figueroa-Vilez spoke in opposition as a long-time member of Holy Redeemer and her comments follow. She sees the importance of preserving the historic nature of this building. She is very bothered by what she sees as the church just wanting to make money. There is a whole community that offered to help fix this building to be able to continue practicing their faith as well as feeding the homeless. She and her family were very near homeless and went a week without electricity or visiting the grocery store. She sympathizes with the homeless people that use their services and knows the importance of this space. She believes a very healthy food pantry could be created for the homeless in this building. Many of these people do not have family or other support systems, this is their support system.

Norma Moreno spoke in opposition as a 10-year member of the parish and her comments follow. She loves the building and sees that it is in bad shape but it could be beautiful. They closed the building for her use several months ago which affected many people. Services were held here in Spanish on Saturdays, Sunday mornings and Sunday evenings. Many of the parishioners who attended these services don't really understand what is happening because they were left out of the process. They were told services would be moved to another location but that did not happen. And now the homeless that we used to serve are roaming around downtown or spending their time in parks in the downtown area. We used to feed them a complete hot meal and now there is nothing we can do for them. There has to be a way to preserve the historic character of the building without disrupting the interior or the programming we do.

Ald. Mike Verveer, District 4 spoke. His comments follow. He noted the value of the work the Commission does and the importance of the landmark ordinance. Unfortunately the ordinance only speaks to the exterior of the building and not the interior. In that sense he did not see how the Commission had any choice in spite of the testimony given. He explained that the neighborhood meeting was long and painful; the parishioners were shut out of the process. It's a truism and quite apparent that the parishioners were not included. He encouraged the Commission to greatly encourage the applicant to do what they can to preserve the auditorium. He stated that he could not thank the public enough for the many people who came and gave testimony in support of saving this 19th Century meeting space. He mentioned a plaque that has been sitting in staff's office that will hopefully now be attached to the building. He asked that the Commission condition their approval on the plaque erected in an appropriate place in front of the building. It is his hope that the applicant does follow through on their words and plans to seek historic tax credits for this project. Levitan posed the question if it is found that this is bad for the City at large to do away with the programming currently there is there no place in City government to evaluate that and use that as a basis for not approving this project? Verveer replied that as he read 33.19 and talking to staff about this application, he doesn't see where the opportunity is. There may be an opportunity for some at the next stage of the CSM at the Plan Commission level. He is open to interpretation to the opportunities they may have but he doesn't see how they can legally be responsive to the concerns of his constituents in the Mansion Hill Neighborhood.

Gehrig inquired: how did we get to this point? She stated that the Commission's task is to deal with the building and the neighborhood of buildings. She thanked the public for their testimony but wondered how this group of people became so under-represented on this project, and have nowhere to go and no one to talk to. Normally preservationists are excited to be presented with plans to restore a building. Ald. Verveer stated that he is in strong support of the exterior changes and that the requirements of Ordinance 33.19 are clearly met; we should

be cheering for this long-neglected, beautiful historic landmark. Gehrig asked if there was reason to believe this project would give up its tax credits in order to move forward in any way. She feels there has been some deception throughout the process and doesn't feel she can necessarily trust the answers she receives from the development team.

The development team responded to questions posed during testimony. John Kothe stated that the third floor and the tax credits are related. The parish would like to move forward and if they do receive tax credits it will be a successful project for them. If the Historical Society tells the parish they have to leave all the stage and all the balcony it becomes not economically feasible to do the project, at which point they may look into economically moving forward as a not-for-profit. They have not determined exactly which direction they will go but are working with the State Historical Society to seek the best path. The range of options for the 3rd/4th floors include being maintained, the sides of the stage walls are maintained and for the most part the rest of that space become two-story apartment units with the existing balcony deconstructed. The other option is the balcony remains and the apartments are built around the balcony and incorporated into the unit, as well as the stage with a large area through the Johnson Street entrance that becomes a large open space where you would see the entire stage; the seats would be reused, possibly in the common area of the restored building. Specific interior plans are still a work in progress. Current focus has been with the State Historical Society and there have been changes but not specifically addressing testimony at the neighborhood meeting. The variables affecting the tax credits would be the National Park Service and their review; the third floor does not work so keeping it as is does not work economically. Staff inquired if the park service does not sign off on the tax credits will the team walk away, leaving Holy Redeemer to sit there as it does today, unused. Yes. Gehrig asked for a description of who the players are going forward and how to reach the tax credits. An LLC will be set up with an investor to buy the tax credits and make sure it conforms with the guidelines. The money will go back to the parish after five years; whether it goes on the tax rolls at that time depends on the law. The parish benefits from the rent in the building after the credits expire.

Further discussion centered on the proposed skylights that staff had not analyzed as they were not part of the current submittal packet. Mar-Pohl explained they would be spaced out according to the existing roof structure with a shaft constructed down through the ceiling to capture the daylight. On the north elevation the skylight is more flat and a different proportion and seems to cut through the roof rafter spacing. Staff suggested removing the front skylights to keep that elevation as pure as possible. Keeping them free from snow would be a possible necessity and would be possible just like any other roofing repairs that may be needed. It seems likely that the skylights will not be visible from the street because of the height of the building. In terms of the brick the team stated they have extensive experience in matching brick but it is not always the same size as it was in its historic day. There was mention of brick that was saved from the cathedral that perhaps could be incorporated into this restoration.

The Chair reiterated the development team's response to staff comments, noting they will comply with points 1 and 2; agrees with point 3; clarifies that it is two windows on the north side of the lobby; agrees with staff's recommendation on point 5; will comply with 6 and has a reserve account in the overall project budget. Staff added the conditions that the plaque be installed on the exterior of the building, and match the flat arches at the personnel and overhead doors. The historic roof had wood shingles but asphalt shingles will be used as a replacement for durability and practicality.

Rosenblum further stated that a lot of the pieces make sense to him architecturally and he's thrilled to see this building saved. He is disappointed that Cathedral Parish has not listened to their parish and constituents; he would like to see reexamination in light of tonight's testimony. The project falls under the guidelines for the statutes that the Commission works with. Gehrig agreed. Fowler added that while they are sympathetic to the testimony given tonight, they cannot reject the project based solely on that testimony. Levitan went on to

explain that the Landmarks Commission only has very limited jurisdiction to examine a proposal under the terms of the landmarks specific ordinance. They do not have the power to tell an individual property owner what they can do inside their property; their jurisdiction goes to the exterior, whether or not an addition is too big or is not designed right, or the rhythm of the windows and building is wrong. They all wish they could do something to tell the church “No, this is a bad idea, you should listen to your parishioners and respect their wishes and continue this programming.” They cannot do that, they can only evaluate the project based on the exterior, and based on those criteria this is a really good project. Staff inquired about the windows on the third floor north elevation that are shown differently than what exists currently on the building; it is shown incorrectly on the drawings. McClean noted that the Commission has seen compromise in other projects and he would very much like to see something like that happen here, where a plan would be laid out with input given from those affected, especially with a faith-based community. Staff reminded the Commission that approving a CSM is a new section of the Landmarks Ordinance and asked that they review the language. The Chair asked Ald. Verveer if it would be helpful for the Landmarks Commission to add conditions to the approval of the CSM before it goes to the Plan Commission. Ald. Verveer responded that Assistant City Attorney O’Brien strongly recommended that they do not do that; it must address 33.19 only. Levitan asked what would happen if the CSM is approved but the project doesn’t move forward because of the tax credits. Staff inquired about putting a condition on the CSM approval that it not be recorded until they have more information about this project moving forward. Att. Christopher noted that to the best of his understanding the approval of a CSM has to relate to the subdivision standards and what staff is asking has no relationship with subdivision standards. Staff responded that the new landmarks section is part of the subdivision standards now, and while it doesn’t relate to the degree she wished it did, the new language deals with the lot size negatively impacting the historic character.

ACTION:

A motion was made by Rosenblum, seconded by Fowler, to **APPROVE** the Certificate of Appropriateness with staff comments in the report and further comments made during deliberations. The motion passed by voice vote/other.

A motion was made by Rosenblum, seconded by Fowler, to recommended to the Plan Commission that the Landmarks Commission **APPROVES** the subdivision of the landmark site. The motion passed by voice vote/other.