

Landmarks Commission  
Meeting of May 14, 2018  
Agenda item #6, Legistar #51349

The Comprehensive Plan ("CP") is a guide to the physical, social, and economic development of Madison. City zoning ordinances (which, under state law, includes the historic ordinance) must be consistent with the CP. "Consistent with" means furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.

Strategy 2 lists several actions (historic preservation plan, ordinance update, identification of resources). But what is to guide those efforts? The draft CP discusses:

- the difficulty of balancing development/density with historic preservation;
- the economic benefits of historic preservation (heritage tourism);
- updating historic district standards to "ensure that the ordinance achieves the community's preservation priorities in balance with modern construction methods and materials"; and,
- retaining non-designated historic buildings ("represent connections between certain segments of the community to the history of a particular neighborhood" and keep material out of landfills and provide cheaper housing).

What a contrast to the 2006 CP.

- The 2006 CP recognized the value of historic preservation.
  - Protect Madison's historic structures, districts and neighborhoods and encourage the preservation, rehabilitation, maintenance and adaptive reuse of high-quality older buildings.
  - Protect and enhance features and places within the community that are of architectural and historical significance.
  - Existing buildings that add to the vitality of the street and the historic fabric of the City should be preserved or adapted to meet the changing needs of our neighborhoods.
  - Explore the creation of City programs to rehabilitate historic downtown residential properties.
  - Create a high-quality physical and design environment downtown that is inspiring, creative, diverse and complementary of historic and natural resources.
  - Preserve and protect historically and architecturally significant older buildings in the downtown area.
  - New development also must be reasonably sensitive to surrounding developments that have not made the transition, including any historic structures or other uses that are expected to continue indefinitely.
  - Emphasis on historic preservation and neighborhood conservation as defined in City-adopted neighborhood, special area, and other special plans, such as historic preservation plans, and/or City zoning regulations and historic and urban design guidelines.
- The 2006 CP recognized the balancing act of preservation/development of neighborhoods by protecting neighborhoods through defining appropriate redevelopment sites.

- Maintain a balance between redevelopment and preservation in established neighborhoods that recognizes the general satisfaction of many residents with their neighborhoods as they currently are and focuses redevelopment activity on selected areas and sites within the neighborhood where the objectives of increased density and a wider range of uses will be most supportive of objectives to maintain existing neighborhood character and quality.
- Ensure that new development is compatible with the existing and planned design and development characteristics of the neighborhood and minimize land use conflicts between infill or redevelopment projects and existing neighborhood development.
- Balance the goals of accommodating growth and increasing average density within the City with the goals to stabilize and preserve the established character of sound older neighborhoods by clearly defining locations where redevelopment is encouraged, and by requiring that redevelopment be guided by a detailed neighborhood or special area plan.
- Adopt regulations and design standards to protect the desired street and block patterns, land use patterns, and development characteristics of the City's established neighborhoods, such as building size and height, building setbacks and placement on the lot, density, parking, landscaping, and streetscape improvements.

In 2006, historic preservation was to be encouraged and fostered. Protection of history certainly was a values in and of itself, without a need to be economically feasible. Under the draft CP, protection of history is not an objective. The objectives are to:

- preserve historic and cultural resources for economic reasons (heritage tourism, keeping materials out of the landfill, cheaper housing); and,
- balance development/density with historic preservation, including use of modern construction methods and material.

The following suggestions would help to better reflect the goals of historic preservation and the non-economic values brought by preservation.

1. Delete the bolded portion under b.

In the five decades since its inception, Madison's historic preservation effort has been primarily focused on the administration of its Historic Preservation Ordinance, which has changed little during that time. The City is currently undertaking a multi-year process to thoroughly update its Historic Preservation Ordinance, including updating the standards in each of the local historic districts. **This is important to ensure that the ordinance achieves the community's preservation priorities in balance with modern construction methods and materials.**

Why? The CP is to provide general guidance, not specifics -- addressing materials and methods is a specific that does not belong in a CP. Perhaps, as part of the ordinance rewrite, comparable language might find its way into the ordinance – which is where it belongs, should the Commission and Council find such language appropriate. Retaining this language, especially when the ordinance revisions need to be consistent with the CP, severely limits the Commission's exercise of its expertise in recommending the parameters of future ordinance changes

2. Delete the bolded portion:

One of the greatest challenges for the City regarding historic and cultural resource preservation is balancing preservation with infill and redevelopment. **Community feedback received during the Imagine Madison process indicated a preference for increasing density in already developed areas over lower-density development on the edge of the city.** Madison will need to find the balance between encouraging redevelopment and infill while protecting the qualities that made existing neighborhoods appealing to begin with.

The community feedback is irrelevant. Of course residents living in the suburbs don't want a 3-story building down the block. And the City's presentation on concentration of development made the central-City seem like the most environmentally responsible development option. But, most importantly, this is the *only* place in the CP where community feedback is mentioned (other than a discussion of the general process for community feedback). If community feedback did not drive other goals/strategies/etc., then it should not be a deciding factor for central-City density, especially when that density could endanger historic preservation.

3. After deleting per #2, add the bolded language:

One of the greatest challenges for the City regarding historic and cultural resource preservation is balancing preservation with infill and redevelopment. Madison will need to find the balance between encouraging redevelopment and infill while protecting the qualities that made existing neighborhoods appealing to begin with. **New development must be reasonably sensitive to surrounding developments that have not made the transition, including any historic structures or other uses that are expected to continue indefinitely. Defining locations where redevelopment is encouraged will help strike the balance, as will requiring redevelopment be guided by a detailed neighborhood or special area plan. The ordinance update should reflect design standards to protect the desired street and block patterns, land use patterns, and development characteristics, such as building size and height, building setbacks and placement on the lot, density, parking, landscaping, and streetscape improvements. The preservation, rehabilitation, maintenance and adaptive reuse of high-quality older buildings should be encouraged.**

The bolded portion is a compilation of statements (goals, policies, strategies) from the 2006 CP. It would seem that language would continue to work for the next 10-20 years. And the additional language does provide some generalized guidance as to the importance of historic preservation, an item sorely lacking in the current CP.

The culture and character goals of the draft CP are: (1) Madison will be a vibrant and creative city that values and builds upon its cultural and historic assets; and (2) Madison will have a unique character and strong sense of place in its neighborhoods and the city as a whole. The draft CP section on preserving historic and special places should reflect that commitment.

Respectfully Submitted,  
Linda Lehnertz

## Scanlon, Amy

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**From:** Gary Tipler <[REDACTED]>  
**Sent:** Monday, May 14, 2018 3:35 PM  
**To:** Scanlon, Amy; Rummel, Marsha  
**Cc:** Zellers, Ledell; MTHP Kurt Stege; Katherine Rankin  
**Subject:** 5/14. Please refer the Comp Plan discussion. Landmarks Commission

Comprehensive Plan Discussion and Approval  
Landmarks Commission Agenda item #6, Legistar #51349  
Today, 5/14

Dear Alder Rummel and Commissioners:

We worked hard on the mapping aspect of the Comprehensive plan in recent months for several weeks. However, the newly released section of the Comprehensive Plan covering historic preservation appears to be minimizing the years of effort that went into creating and revising the Landmarks Ordinance as we know it. I'm re-sending Linda's letter which has so many salient points in it.

I believe that the Comprehensive Plan will be used to reform Madison's historic preservation ordinance will undercut the values that had previously been a part of the ordinance, by their removal, simplification and overemphasis on minimizing the impact of new construction rather than placing emphasis on the values of historic preservation and the compatibility of new construction with the context of historic buildings, not simply materials.

Unfortunately, the language was just published last week and is scheduled for a discussion by the various committees including the Madison Landmarks Commission this afternoon/evening following a very heavy agenda.

There is no need to rush to approve this draft document. Please referred it for more discussion and to craft a better response.

For quick reference:

The Comprehensive Plan's section on historic preservation can be found here (page 4 of 39)

<http://imaginemadison.civiccomment.org/comprehensive-plan-part-3-4>

Or, to see the section in full context, page 76 of this link:

<https://madison.legistar.com/View.ashx?M=F&ID=6222943&GUID=25578251-C092-43C3-A21E-61FE42DD1E68>

Gary Tipler

## Scanlon, Amy

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**From:** Lon Hill <lhill@oakbrookcorp.com>  
**Sent:** Monday, May 14, 2018 3:14 AM  
**To:** Scanlon, Amy  
**Subject:** LC Meeting

Hi Amy:

Again and regrettably, I will be unable to attend tonight's LC meeting; same reason as last scheduled meeting; several back-to-back lease turnovers.

I did do my homework. The plan, IMHO is a very good production. I just wanted to express my agreement, in particular, with Culture/Character, p. 117, Strat #2c.

Not sure how it would be written into an ordinance, or implemented, but it seems that 2c would help retain the 'vernacular', which does describe character of the City, but continues to be prime target for new development...

Regards,

LH

Lon Hill, Maintenance Tech  
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Tennyson Ridge Apartments  
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Oakbrook Corporation provides customized real estate solutions to the multifamily, commercial, industrial and retail sectors. These services include property management, facilities management, development, construction management, brokerage and investment sales.

## Scanlon, Amy

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**From:** Stu Levitan <[REDACTED]>  
**Sent:** Monday, May 14, 2018 1:06 PM  
**To:** Fruhling, William  
**Cc:** Scanlon, Amy  
**Subject:** Re: Comp Plan

Also - revise p. 76, b. to delete "which has changed little during that time." New second sentence: "The city in 2015 (2016?) adopted a thorough revision of the Ordinance's provisions relating to process and procedure, and is currently updating the standards in each of the local historic districts."

Add to end of third sentence: ", and recent state legislation."

Stu

On Monday, May 14, 2018 9:18 AM, "Fruhling, William" <WFruhling@cityofmadison.com> wrote:

Great catch Stu. We will correct the Comp. Plan. Thank you.

- Bill



**William A. Fruhling, AICP**  
Principal Planner  
Neighborhood Planning, Preservation + Design Section  
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**EFFECTIVE NOVEMBER 7, 2016, THE  
PLANNING DIVISION WILL BE LOCATED  
AT 126 SOUTH HAMILTON ST DURING THE  
REHABILITATION OF THE MADISON  
MUNICIPAL BUILDING**

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**From:** Scanlon, Amy  
**Sent:** Monday, May 14, 2018 9:03 AM  
**To:** Fruhling, William <WFruhling@cityofmadison.com>  
**Subject:** FW: Comp Plan

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**From:** Stu Levitan [mailto:[REDACTED]]  
**Sent:** Monday, May 14, 2018 8:52 AM

**To:** Scanlon, Amy <[AScanlon@cityofmadison.com](mailto:AScanlon@cityofmadison.com)>

**Subject:** Re: Comp Plan

Yes -- passed in 1971. That is correct.

The text on page 76 says "adopted its first Landmarks Ordinance in 1969." That is not correct.

Don't need to check SRC - Kitty's recap is correct, Comp Plan is not.

thanks

S.

On Monday, May 14, 2018 8:38 AM, "Scanlon, Amy" <[AScanlon@cityofmadison.com](mailto:AScanlon@cityofmadison.com)> wrote:

I have a file on the history of the LC that now lives at the State Records Center so I cannot open my drawer and just check it, but this is what I have from a history that Kitty prepared. I will pull the SRC box to check, but it will take a few days.

### **History of the Landmarks Commission**

In 1969 a venerable sandstone farmhouse on the near west side was put up for sale. A large corporation made an offer on the property, contingent on the demolition of the house. When a small group of citizens expressed concern for the fate of the house, the realtor offered to sell the house to them if they could meet the corporate buyer's price of about \$100,000. Despite a valiant effort, the group raised only a fraction of the purchase price and on a cold Saturday morning in 1970 the house was torn down. A few months later, it was replaced by a Burger King.

It was the loss of this beautiful and historic building that prompted the establishment of the Madison Landmarks Commission. The Landmarks Commission ordinance, spearheaded by Mayor William Dyke and passed in 1971, gave the commission the power to designate historic buildings as landmarks. The Landmarks Commission was charged with approving exterior alterations of landmarks and was given the authority to delay demolition of an historic building for up to one year. The ordinance also gave the Common Council the authority to designate significant areas as historic districts, which would then be subject to the same reviews as landmarks. Since then, the ordinance has been refined from time to time. One of the most significant changes occurred in 1980 when the Common Council gave the Landmarks Commission the power to deny demolitions.

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**From:** Stu Levitan [mailto:[stulevitan@cityofmadison.com](mailto:stulevitan@cityofmadison.com)]  
**Sent:** Monday, May 14, 2018 6:54 AM  
**To:** Scanlon, Amy <[AScanlon@cityofmadison.com](mailto:AScanlon@cityofmadison.com)>  
**Subject:** Comp Plan

Where did you get 1969 as year of first Landmarks ordinance (p 76)? I don't think that's right. *Process to create* started in 1969 with Mapleside, but I don't have it being created that year. Do you have a cite?

thanks

Stu