



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved AD HOC LANDMARKS ORDINANCE REVIEW COMMITTEE

Monday, November 18, 2019

5:00 PM

215 Martin Luther King Jr. Blvd.
Room 206 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

Present: 4 - Patrick W. Heck; Christian A. Albouras; Keith Furman and Marsha A. Rummel

Excused: 1 - Arvina Martin

Staff present: Heather Bailey and Bill Fruhling, Planning Division

The meeting was called to order at 5:05 pm

APPROVAL OF MINUTES

A motion was made by Heck, seconded by Albouras, to Approve the October 30, 2019 Minutes. The motion passed by voice vote/other.

SUSPENSION OF RULES

A motion was made by Albouras, seconded by Rummel, to Suspend the Rules. The motion passed by voice vote/other.

PUBLIC COMMENT

None

DISCLOSURES AND RECUSALS

None

1. [57050](#) Example Tour Materials

Linda Lehnertz, registering neither in support nor in opposition and wishing to speak

Lehnertz referenced comments she had submitted prior to the September 16 meeting, and said that she was disturbed by the walking tour provided for Third Lake Ridge because it only includes a small corner of the district. She said that they needed to see more of the historic district to see all of the different characteristics, and suggested they look at more of it beyond what the Landmarks Commission has reviewed. She pointed out that certain buildings along Williamson Street that were houses repurposed to restaurants and bars have had things done that would not be allowed under

the draft ordinance. She specifically spoke about 702-706 Williamson, which she said illustrates how horrible the visual compatibility standard is. She discussed the height of the new building as compared to neighboring buildings, stepbacks, window proportions, and materials; she said that it would be a good idea to look at those types of things during the tours. She said that she disagrees with staff that chimneys are a character-defining feature, and said that there are a lot of chimneys that are so deteriorated or have been covered up in cement-type materials that they do not add anything to the house unless one were looking to keep each house as its own museum versus looking at the character of the district. Rummel asked Lehnertz for examples of exceptions for Third Lake Ridge, and Lehnertz said that her overall problem is the difference in perspective; she thinks that defining what features define the character of a historic district and protecting those features is more important than trying to keep each house in its own pristine condition.

Furman asked if the committee had any discussion about the walking tours, or if the item should remain on the agenda for future meetings. Heck said that he would find it beneficial to include the item on future meeting agendas, and Albouras agreed.

2. [56918](#)

Draft Historic Preservation Ordinance

Linda Lehnertz, registering neither in support nor in opposition and wishing to speak

Lehnertz referenced additional comments she had submitted for the September 16 meeting, and said that she is concerned that there are policy issues that have not been defined yet. She said that it has not been clearly decided whether it is the character of the districts that matter or the individual houses being kept pristine, and would like that issue to be decided because it changes things for the ordinance depending on which way they take it. She said that there are a couple of topics in the Historic Preservation Plan that she thinks should be included as part of the ordinance review instead. She said that it was more appropriate for the LORC to decide whether to allow an expedited, simplified review process for tax credit projects, as well as to review the boundaries of the National Register and local historic districts. She said that she has a big problem with matching the boundaries because it would shrink the Third Lake Ridge local historic district. She said that it would be hard to get all of Third Lake Ridge into the National Register Historic District because it has a lot of big parking lots that never used to be there, even though the overall district still has character. She said that she doesn't know why the idea of matching the boundaries has been pushed from the beginning, and suggested it was a way to decrease the historic districts to allow more development. She said that people who live there do not find the different boundaries confusing, and know if they are living in the National Register district. She referenced the section of the ordinance that says the proposed work will not frustrate the public interest, and said that she thinks it should be deleted because it brings everything back to being up in the air. She

said that issues to be decided by the committee include what gets regulated in terms of its visibility from the street or public right-of-way and whether the period of significance for the historic districts should be expanded. She said that if maintenance is going to be complaint-driven and enforced by Building Inspection under their building ordinance, she doesn't see why it needs to be included in the historic preservation ordinance. Furman asked staff if most of the issues Lehnertz raised were in the parking lot, and Bailey confirmed they were. Furman said that the committee is going to work through the ordinance and then move to the topics in the parking lot.

The committee began discussion on the draft ordinance document, beginning on page 10 in the Standards for Alterations - Windows & Doors - Replacement section, (4)(f). In the Replacement - Requirements, (4)(f)1.a., Bailey pointed out that the phrase "decorative windows" was used to cover a wide variety of window types. Heck said that using the phrase as a catchall seems unclear, and Rummel asked if it should be added to the definitions section; Bailey said they could add it. Rummel suggested that in Replacement - Requirements, (4)(f)1.d., that they add more guidance about what type of new windows can be used, and Bailey said they could add language about the new windows being compatible with the historic windows or historic character of the building. Rummel asked where information on window openings converted to door openings would fit, and Bailey said she would make a note to add information on door conversion. Regarding (4)(f)1.f., Rummel asked for clarification that vinyl was not allowed except for buildings outside of the period of significance. Bailey confirmed that is what the language says, and Rummel asked that the topic be added to the parking lot to be discussed later. Heck asked about the topic of period of significance in the parking lot, and said that they will need to keep that in mind as they go over the document. Bailey agreed, and said there are some places they included language to acknowledge buildings outside the period of significance and to provide some additional flexibility for those properties because of the different character and building materials. Rummel asked about Requirement (4)(f)1.f. and Guideline (4)(f)2.b. regarding aluminum windows, and said that it isn't clear how the two connect; Bailey said she would make a note to clarify.

In the Doors - Requirements section, (4)(g)1.b., Bailey said that doors should not have a textured fake wood grain because one does not notice the wood grain of historic doors. Heck asked if paint that mimics a wood grain texture is okay as long as the door itself is not textured, and Bailey said that the appearance of wood grain is acceptable, but the texture is not. Rummel asked about Guideline (4)(g)2.b., and asked if it was okay that an aluminum door is coated by the manufacturer. Bailey said that is acceptable, and explained that it is highly unusual for there to be an unfinished door on a historic building, so no matter the material, it needs to be painted or stained. Heck referenced Lehnertz' comments about a historic district having character, and said that he thinks doors are an important feature of a house because it is something people often notice first. Rummel asked if there are different standards for side or back doors. Bailey said that (4)(g)1.a. covers all

doors, and if it is a historic door, one is encouraged to repair it if possible. In discussion of garage doors, Rummel asked if it matters whether the garage is attached or not. Bailey said that if it is attached to the house, she would look more at whether the garage door fits with the character of the house, but if it is detached, the garage should be loosely in character with the house but can read as a separate building. She said that the garage door should be in the style of other garage doors prevalent in the historic district, so she takes an inventory of other garage doors within 200 feet when reviewing applications.

In discussion of Porches, Balconies, and Decks - Replacement - Requirements, (5)(a)1, Rummel asked about replacing a porch when there is no historic documentation. Bailey said that it gets difficult, but one could look at forensic evidence on the building or reference Sanborn maps. If there is minimal documentation, she recommends a simple design for the porch replacement with no extra decorative elements. In Porches, Balconies, and Decks - Porch Elements - Requirements, (5)(b)1.a., Bailey explained that most porches in historic districts have beadboard ceilings, but they included language that the Landmarks Commission could approve a different historic material. Heck asked if that language was included in other places in the ordinance, or if it should be. Bailey said it was not, but in this case they knew most porch ceiling would have bead board, but there could be an exception so they wanted to call it out. Furman said that the goal is to provide as much clarity as possible, so he would not like to use that language often because it could make it more difficult for residents to figure out what they can and cannot do. Rummel asked about keeping the proportions of pilasters and columns on a porch, and Bailey said that she would make a note about including something specific about proportions. A member of the audience asked if the new state statute that mandates similar materials would override certain aspects of the ordinance. Bailey said that the state statute does not change the way we are interpreting the standards, so the Landmarks Commission must first decide if replacement is warranted, and if so, does the material being proposed adequately replicate the existing materials being replaced.

In Building Systems - Mechanical Systems - Requirements, (6)(a)1.a., Bailey pointed out that the language, "as unobtrusive as possible," is not very specific, so they included more guidelines that explain ways to go about it. In Building Systems - Solar, (6)(b), Bailey explained that per state statute, they have to allow solar on buildings, but do have a say in how it is installed. Heck asked about a situation where there is a flat roof, and Bailey agreed they should include discussion of flat roofs. Heck asked if security cameras would be considered "electrical systems," in (6)(c), and Bailey confirmed they would. Fruhling said that they may have overlooked including cellular antennas, and suggested it be included in this section or added to the parking lot for discussion. Bailey said that because of 5G coming in, there have been a lot of requests for new antennas, both on the roof and in boxes that hang down the side of a building.

In the Building Site - General - Requirements, (7)(a)1.b., Heck asked for clarification that it was only discussing retaining walls, so the prohibited materials listed would be allowed for use in other landscaping features. Bailey said that the way the language is, that would be allowed. Rummel pointed out that "flagstone and stone ashlar" are very specific, and asked if there were other types of stone one could use for a retaining wall; Albouras agreed. Rummel said that it only mentions retaining walls visible from the street, and asked if that was on purpose. Bailey said that it was, unless the committee decides otherwise. Albouras asked if that could be interpreted as people can do as they please in the back yard, and Bailey said that there is a lot more latitude in the back yard.

The committee began discussion of the next section, Standards for Additions, on page 15. In the General - Guidelines, (1)(a)2.a., Rummel asked if they should include minimum requirements for new additions to be set back from the plane of the historic building. Bailey said that she didn't know if they wanted to be that specific. In the same Guideline, Rummel asked if it was necessary to say "a simple hyphen or connector," or if they are the same thing. Bailey said that one could have something that is not as differentiated as a hyphen and still be a connector. Rummel said that the terms should be in the definitions section. In the Guidelines, Heck asked if it would be appropriate to say that additions should not create a false sense of history, or if that is too hard to define. Bailey said that it is hard to define, but that is what the ordinance is supposed to do, and made a note about including that language.

3. [54448](#)

Discussion of Next Steps and Schedule

Furman discussed upcoming meeting dates, noting that they plan to have a 30-minute presentation from the Madison Alliance for Historic Preservation on December 17 after the committee is finished going through the ordinance. He asked when committee members wanted to begin discussing the parking lot items. Heck said that some of the parking lot issues are overarching, complicated matters, and asked if they should rank them and tackle the tough ones first. Furman suggested they start looking at the parking lot items on January 14, but could prioritize and prepare for that at the end of the December 17 meeting. After they finish working through the draft, Bailey requested that the committee provide guidance for how staff should incorporate comments because the parking lot contains some big policy items that could dramatically change the draft. Additional meeting dates of January 14, January 23, and February 11 were selected.

ADJOURNMENT

A motion was made by Heck, seconded by Rummel, to Adjourn at 7:01 pm. The motion passed by voice vote/other.