



# City of Madison

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

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Tuesday, December 17, 2019

5:30 PM

215 Martin Luther King Jr. Blvd.  
Room 153 (Madison Municipal Building)

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### CALL TO ORDER / ROLL CALL

**Present:** 5 - Patrick W. Heck; Christian A. Albouras; Arvina Martin; Keith Furman and Marsha A. Rummel

Staff present: Heather Bailey and Bill Fruhling, Planning Division; John Strange, City Attorney's Office

The meeting was called to order at 5:33 pm

Albouras arrived at 5:43 pm

### SUSPENSION OF RULES

No action was taken

### PUBLIC COMMENT

None

### DISCLOSURES AND RECUSALS

None

1. [57050](#) Example Tour Materials

No action was taken

2. [56918](#) Draft Historic Preservation Ordinance

*Shawn Pfaff, registering neither in support nor in opposition and wishing to speak*

Bailey began discussion of the Standards for New Structures section on page 21 of the draft ordinance document. In the General - Primary Structures - Requirements, (1)(a)1., she pointed out the reference to "other historic resources within 200 feet..." Heck asked if "historic resource" should be defined because it is a broad term that also includes features such as effigy mounds, and Fruhling said that it is on the list of terms to be defined. In the Street Setback requirement, (1)(a)1.b., Heck asked if "...the setback of adjacent structures" is referring to historic resources or any adjacent structure. Bailey said that this requirement does reference historic resources on the same block face within 200 feet, but they also want to consider the context of any building immediately adjacent. In the General - Accessory Structures - Requirements, (1)(b)1.b., Rummel pointed out that on a corner lot, an accessory structure may not be

minimally visible from the street. Bailey said that she would make note of that requirement and suggested they could add a guideline regarding corner lots. Rummel pointed out that the General - Primary Structures - Requirements all use the wording "shall" rather than "may," and said that was a high standard that the Landmarks Commission will have to deal with in the future. Bailey agreed that it would be challenging for the Landmarks Commission to review new structures, and pointed out that "may" was originally used to provide a context of things the commission should consider without being overly rigid. Rummel said that in March 2019, all of the alders in the LORC at that time had wanted to change "may" to "shall," and wanted to make new committee members aware of that decision.

In the Exterior Walls - General - Requirements, (2)(a)1.b., Martin pointed out that they may add historic districts in the future that use some of the materials listed as prohibited. Bailey agreed, and said that if that happens, they can amend the ordinance to have an exception for that historic district. Martin asked if they could more generally allow materials that are related to the period of significance and used on historic resources within 200 feet, and Bailey said that she could work on language. Furman said they haven't talked about many exceptions to the ordinance, and suggested they make note of this and come back to it in their discussion of potential exceptions.

In the Roofs - Form - Requirements, (3)(a)1.a., Rummel asked if a new four-story multi-family structure would be required to have a pitched roof if all of the historic resources within 200 feet were houses with pitched roofs. Bailey said that it would, and referenced the General - Primary Structures - Requirements - Visual Size section to explain that a four-story structure also may not be compatible if it were near single- or two-story residences. She said that the proposed new structure would need to be of a size and scale that blended with the other historic resources within 200 feet. Albourn said that the mayor's policy direction is for more density across the city, and asked how that development would be impacted in historic districts. Bailey said that the restrictions in historic districts do put parameters on the amount of density, but the historic districts only make up about 1% of parcels in the city. Furman asked what the Comprehensive Plan says about historic districts, and Rummel suggested that the committee review the relevant sections of the Comprehensive Plan.

In the Windows and Doors - Entrance Doors and Storm Doors - Requirements, (4)(c)1.a., Martin asked why the phrase "along any street frontage" was used instead of "visible from the street." Furman said this should be noted and included in a future discussion of views visible from the street. He mentioned that doing the walking tours changed his view on the topic of visibility from the street, and recommended that the committee members take the tours prior to that discussion. Regarding Awnings requirements, (4)(e)1., Rummel asked if there was a difference between commercial and residential properties. Bailey said that if there are other historic resources in the district with a certain type of awning, the ordinance would allow for that as long as it keeps with the same architectural vocabulary of the new structure, but the ordinance does not differentiate between commercial and residential.

In the Porches, Balconies, and Decks - Porch Elements - Requirements, (5)(a)1.e., Heck asked why second exit stairways could not be on the exterior of the building if other historic resources in the district had exterior stairways. Bailey explained that exterior stairways were added to historic buildings to allow for adaptive reuse of the existing building, but if it is new construction, one should be able to incorporate the

second exit stairway as part of the design of the building's interior.

In the Building Systems - Mechanical Systems section, (6)(a), Martin asked if it also included cellular equipment, and Bailey said she would make a note to add that. Martin asked where security cameras would fit, and Bailey said that it could be added to the Lighting and Electrical Systems section, (6)(c), which currently does not include any requirements or guidelines. Rummel suggested that the language from the Lighting and Electrical Systems section in the Standards for Additions on page 19 could be used for this section as well.

Shawn Pfaff, representing the Apartment Association of South Central Wisconsin, asked if staff had discussed the ordinance with the Fire Department and how their code fits into this. Bailey said that the Landmarks Commission does not regulate the interior of properties, but that she had been working with property owners along Langdon Street on updating their exterior lighting after a lighting audit was completed by the Police Department and Building Inspection. She explained that they want people to use and live in these properties, and that might mean adding additional lighting for safety purposes, but there is a certain way to go about adding lighting that is keeping in character with the building. Pfaff referenced Martin's earlier comment about adding more historic districts in the future, and said that is something the Apartment Association is watching. He pointed out that the four-unit apartment buildings along Midvale Boulevard were built in the 1960s-70s, and said that he was glad Martin brought up the question of where they would go with the standards for that area or other neighborhoods that are getting older.

Bailey mentioned that the Building Site section would be moved to the beginning of the Standards for New Structures rather than at the end. In the Building Site - General - Requirements, (7)(a)1.d., Bailey asked if the committee thought that a three-foot fence in a front yard was appropriate. Rummel asked if this standard would contradict the Zoning requirements if they allow a taller height. Bailey said that the more restrictive requirement would be in effect. Bailey suggested the committee scope out fence heights while on their district tours and discuss it again in the future.

Heck said that he was thinking about Martin's comment regarding potential new historic districts and the places within her aldermanic district that have potential to be historic. Furman said that is difficult to anticipate, and he doesn't think they should try to predict future historic districts in the current ordinance; instead, any future districts should be reviewed according to the ordinance when they are designated and any conflicts or exceptions would be addressed at that point. Martin said that she thinks they should keep in mind that historic districts are going to be different from one another in the future and figure out how to potentially work that into the ordinance rather than rewriting it later. Heck said that he thinks there is room for a compromise between the two ideas, and Furman said that they should add it to the parking lot to continue discussion later. Furman asked that committee members think of potential historic neighborhoods and their characteristics in order to assess whether the ordinance would make it difficult to add new historic districts in the future. Rummel said that she worries about over-regulating and the minutiae because there will always be something that doesn't fit. Furman said that they should find a balance between making sure they are not over-regulating and retaining the character of the historic districts that are such a small percentage of the city's parcels.

3. [54448](#) Discussion of Next Steps and Schedule

Furman said that the Alliance for Historic Preservation will present at the January 14 meeting, with time afterward for the committee to ask questions. He said that they would then begin working through the parking lot topics and definitions section. Committee members scheduled an additional meeting on March 10.

**ADJOURNMENT**

**A motion was made by Martin, seconded by Albouras, to Adjourn at 6:57 pm.  
The motion passed by voice vote/other.**