



City of Madison

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

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

Wednesday, October 27, 2021

5:30 PM

Virtual Meeting

Some or all members of the LORC and members of the public participated in the meeting remotely by teleconference or videoconference.

CALL TO ORDER / ROLL CALL

Present: 6 - Patrick W. Heck; Keith Furman; Arvina Martin; Regina M. Vidaver; Tag Evers and Marsha A. Rummel

Staff present: Heather Bailey and Bill Fruhling, Planning Division, and Kate Smith, City Attorney's Office

APPROVAL OF MINUTES

A motion was made by Martin, seconded by Heck, to Approve the October 6, 2021 Minutes. The motion passed by voice vote/other.

PUBLIC COMMENT

1. [59517](#) Public Comment - Ad Hoc Landmarks Ordinance Review Committee
None

DISCLOSURES AND RECUSALS

None

2. [56918](#) Draft Historic Preservation Ordinance
Bailey discussed the minor edits made to the draft ordinance, including consistency in terms used and suggestions from Vidaver's proofreading. Heck shared that he, Rummel, and Bailey met to discuss whether they could address BUILD II as it relates to new construction. He said they discussed exceptions for commercial districts like setbacks or limits on building width, as well as the height map that was briefly proposed for the zoning code and future impacts of that effort. He explained that in their discussion with Bailey, they recognized that many items from BUILD II are now addressed in the zoning code. He said that a lot of this comes down to whether considering what is within 200' of a historic resource is sufficient and what the implications of that might be with regard to Williamson Street in particular. Rummel added that they discussed special regulations from Urban Design District 8 and whether something similar would be appropriate here, as well as adding more descriptions of the historic districts at the beginning of the ordinance. Bailey said that

the UDD special regulation they discussed is now part of the zoning code. She explained that the UDD regulations and BUILD II were detailed in order to address issues not in the previous zoning code, and those detailed plans and ordinances then informed how the zoning code was updated several years ago. She said that those details are now in the zoning code, so to add them as exceptions in the historic preservation ordinance would be redundant.

Vidaver asked if they could link to the zoning code within the historic preservation so that anytime either ordinance is changed, it would be an alert that something may need to be updated in the other so they remain connected. She explained that it would be imprudent to assume the zoning code will stay the same and meet the needs of the historic preservation ordinance in perpetuity. Bailey said that ordinance revisions are accompanied by a public process and internal meetings, so staff would be aware and they could address it at that time and amend the other ordinance if needed. Furman said that the goal is for the document to be easy to use and asked if it is reasonable to expect the public to understand that the zoning code and this ordinance are linked or if they should make it clearer. Fruhling said there are a mix of ordinances that come into play on any project, and it would be problematic if there were duplicative provisions in each ordinance and one changes, so they try to avoid that. He pointed out that if there are conflicting ordinances, the more restrictive applies. Heck said that the zoning code changes often compared to historic preservation, so adding direct references to the zoning code could cause this ordinance to need updating constantly. Evers suggested they include language in the guidelines that reminds users to check zoning requirements as well. Vidaver agreed, and Bailey said she could add a section on the process for development review in the guidelines. Heck agreed and said it may be worth calling out in a few instances.

Heck brought up transitions between commercial and residential districts and referenced an example Bailey sent to him and Rummel in a TSS zoning district. He said that he wants to make sure other zoning districts have similar provisions to ensure they aren't leaving anything out. He then began discussion of building width. Bailey said there are a variety of sizes of historic resources and lot sizes, including large commercial buildings in Third Lake Ridge, smaller Victorians on small lots in Mansion Hill, and mansions on large lots in Mansion Hill. She explained that within a single historic district, there is also a range of patterns of building width and lot percentage the structure takes up, so adding something prescriptive to the ordinance about buildings only taking up a certain amount of a site would quickly fall apart in most historic districts. Heck said those examples are part of the fabric of the neighborhood, but it is more important in new construction that they promote more interesting façades that fit with the rest of the street façade. Bailey said that the new construction standards mention following a similar rhythm as historic resources within the 200' context. Rummel said that developers often want to fit big boxes on a lot and asked how the ordinance could encourage a more artful, creative approach to development that respects our past. With regard to 817 Williamson, Heck asked which part of the current standards the commission used to ask for revised designs or if it was subjective. Bailey said the current Third Lake Ridge standards use the 200' context of visual compatibility with historic resources, and the commission needs to make specific findings citing the standards and precedent. Rummel said that precedent for new construction of a multi-family or multi-story development will be other buildings not in the period of significance, which she thought they should consider. Bailey said that the 200' context also comes into play because each project will be based upon a different context of historic resources.

3. [56516](#) Additional Public Engagement

Fruhling discussed the staff memo regarding public engagement. There was discussion on how to publicize the meetings and collect feedback, as well as the staff presentation and types of information to include at the meetings. There was consensus they would aim to hold the meetings in January and discuss more specifics at the next committee meeting.

4. [54448](#) Discussion of Next Steps and Schedule

Heck asked if Rummel would be willing to meet again to discuss façade width and precedent before the next committee meeting. Rummel agreed and added that Lehnertz' public comment regarding the inclusion of exceptions was important to consider.

ADJOURNMENT

A motion was made by Evers, seconded by Martin, to Adjourn at 6:51 pm. The motion passed by voice vote/other.