

OFFICIAL NOTICE AND AGENDA

The City of Stoughton will hold a **Regular** meeting of the **Landmarks Commission** on **Thursday, January 4, 2018, at 7:00 pm** in the **Hall of Fame Room, Lower Level, City Hall, 381 E. Main Street**, Stoughton, Wisconsin, 53589.

***NOTE: THE REGULAR MEETING OF JANUARY 11TH WAS CHANGED TO JANUARY 4TH.**

AGENDA:

1. Call to order.
2. Consider approval of the Landmarks Commission meeting minutes of December 7, 2017.
3. Request by Michael Engelberger for a certificate of appropriateness to redirect stormwater away from the foundation including associated repairs at South School, 1009 Summit Avenue.
4. Review proposed ordinance amendments related to the request by the Common Council to develop an ordinance for consideration by the council that would amend existing City ordinances such that no building in a historic district listed on the National Register of Historic Places may be demolished without review and recommendation by Landmarks Commission and a decision by the Common Council based on appropriate and lawful standards.
 - Recommendation to the Planning Commission
5. Discuss prospective new Commissioner.
6. Status update for Highway Trailer / Moline Plow building redevelopment.
7. Status update for 2017 local landmark grants.
8. Commission Reports/Calendar.
9. Future agenda items.
10. Adjournment.

12/27/17mps

COMMISSIONERS:

Peggy Veregin, Chair
Alan Hedstrom, Vice-Chair

Tim Swadley (Council Rep)
Greg Pigarelli, Secretary

Kimberly Cook
Todd Hubing

EMAIL NOTICES:

Art Wendt
Council Members
Receptionists
Joe DeRose

Desi Weum
Matt Dregne, City Attorney
smonette@stolib.org
Patricia Micetic

Stoughton Hub
Leadership Team
Steve Kittelson

For security reasons, the front door of City Hall will be locked after 4:30 P.M. (including the elevator door). Please use the east employee entrance.

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 873-6677 PRIOR TO THE MEETING.

NOTE: AN EXPANDED MEETING MAY CONSTITUTE A QUORUM OF THE COUNCIL.

Landmarks Commission Meeting Minutes

Thursday December 7, 2017 – 7:00 pm

City Hall, Hall of Fame Room, Lower Level, 381 E. Main Street, Stoughton, WI.

Members Present: Peggy Veregin, Chair; Alan Hedstrom, Vice-Chair; Todd Hubing; Kimberly Cook and Tim Swadley

Absent: Greg Pigarelli

Staff: Michael Stacey, Zoning Administrator

Guests: Attorney Matt Dregne; Dennis and Amy Kittleson; Emily Bahr; Tom Majewski; Bob McGeever; Michael Engelberger.

- 1. Call to order.** Veregin called the meeting to order at 7:00 pm.
- 2. Consider approval of the Landmarks Commission meeting minutes of October 23, November 9 and November 20, 2017.**
Motion by **Swadley** to approve the minutes as presented, 2nd by **Hubing**. Motion carried 5 – 0.
- 3. Continue discussions related to the request by the Common Council to develop an ordinance for consideration by the council that would amend existing City ordinances such that no building in a historic district listed on the National Register of Historic Places may be demolished without review and recommendation by Landmarks Commission and a decision by the Common Council based on appropriate and lawful standards.**

Attorney Matt Dregne gave an overview of the material he provided including the new State law Wisconsin Act 67.

The following is a summary of what was discussed:

- Wisconsin Act 67
- Proposed changes to Chapter 38
- The lack of minimum maintenance standards
- Proposed changes to Chapter 78 including eliminating section 78-913
- Other communities such as Cedarburg or Milton which may have regulations related to demolition within a downtown historic district
- Landmarks Commission to meet on January 4, 2018 prior to the Planning Commission meeting in order to provide a recommendation related to all proposed ordinance amendments
- Proposed ordinance amendments will go to the Planning Commission for discussion at their January 8, 2018 meeting
- A public hearing at the Planning Commission meeting of February 12, 2018 is anticipated

Hedstrom left at 9:05 pm

Attorney Dregne left at 9:20 pm

- 4. Discuss invitation for prospective new Commissioner.**
Veregin stated she will contact Patricia Micetic who has expressed interest in becoming a Commissioner.
- 5. Status update for Highway Trailer / Moline Plow building redevelopment.**
Nothing new to report.

6. Status update for 2017 local landmark grants.

Veregin has not heard from anyone yet. The Commission will discuss further in February.

Stacey to send a COA application to Michael Engelberger.

7. Commission Reports/Calendar.

Veregin provided information about the presentation she attended for the 1892 High School which was presented by UW Madison students.

Discussed the potential State tax credit increase (LRB 4780)

8. Future agenda items.

Review minimum maintenance standards in Chapter 10.

9. Adjournment. Motion by Hubing to adjourn at 9:40 pm, 2nd by Cook. Motion carried 4 - 0.

Respectfully Submitted,

Michael P. Stacey

**City of Stoughton Certificate of Appropriateness
Application Form**

1. Name of Property: South School

Address of Property: 1009 Summit Ave

Name of historic district in which property is located: _____

2. Owner & Applicant Information

Owner Name: South School Condo Association

Street Address: 1011 Summit Ave #10

City: Stoughton State: WI Zip: 53589

Daytime Phone, including Area Code: 608-444-5990

Applicant (if different from owner): Michael Engelberger

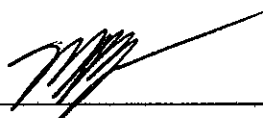
Applicant's Daytime Phone, including Area Code: 608-444-5990

3. Attachments. The following information is enclosed:

- ☒ Photographs
- ☐ Sketches, elevation drawings
- ☐ Plan drawings
- ☐ Site plan showing relative location of adjoining buildings, if located within a Historic
- ☐ Specifications
- ☐ Other (describe)

4. Description of Proposed Project (on next page)

5. Signature of Applicant

Signed:  Date: 12/11/2017

Printed: Michael Engelberger

Return To: Zoning Administrator, Stoughton City Hall, 381 E. Main Street

Description of Proposed Project

(attach additional sheets as necessary)

Architectural Feature: South School Water Damage Repairs

Approximate date of feature: 1900 foundation + basement - Brick + Stone

Describe existing feature: Water Damage

Describe proposed work, materials to be used and impact to existing feature:

Redirect storm water from foundation, check
Gutters + drainage, re-landscape area near front
foundation, repair water damage drywall + flooring, control
+ remove mold, re-finish interior walls + flooring.

Photograph No. _____ Drawing No. _____

Architectural Feature:

Approximate date of feature: _____

Describe existing feature: _____

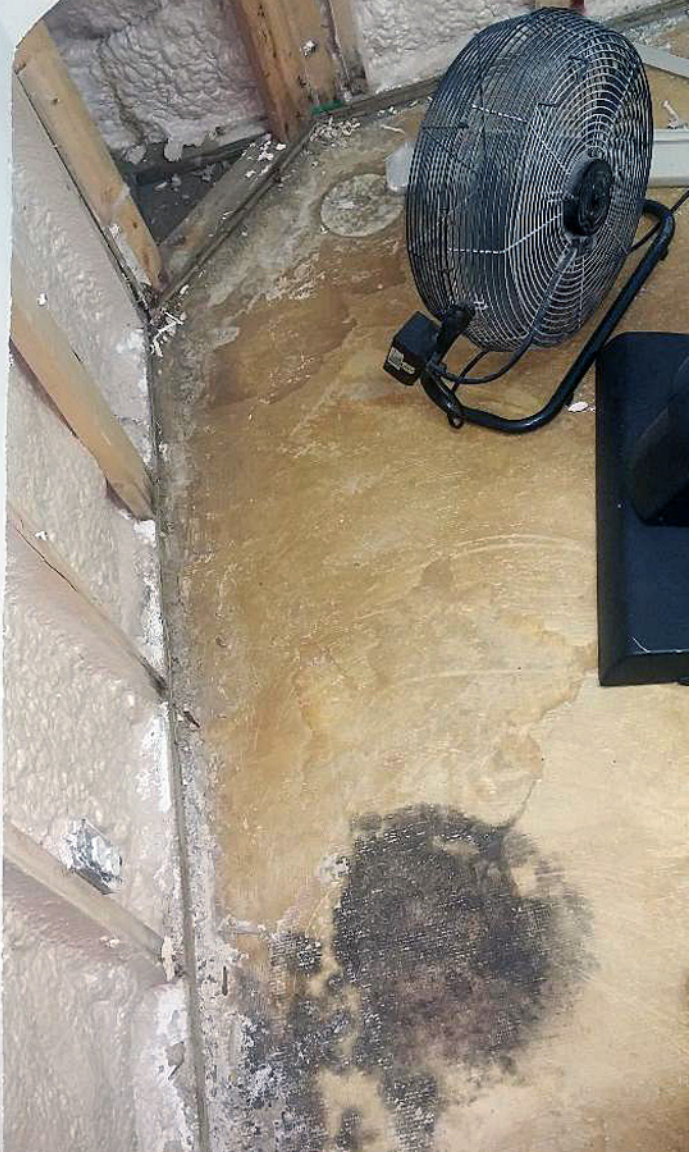
Describe proposed work, materials to be used and impact to existing feature:

Photograph No. _____ Drawing No. _____









CITY OF STOUGHTON, 381 E. Main Street, Stoughton, WI 53589

ORDINANCE OF THE COMMOM COUNCIL

To amend Chapter 38, amend Section 78-517 and repeal Section 78-913 of the City of Stoughton Code of Ordinances, relating to historic preservation and the Downtown Design Overlay Zoning District.

Committee Action: After considering recommendations from the Landmarks Commission, the Plan Commission recommend approval by a vote of _____.

Fiscal Impact: 0

File Number: O-____-2018

Date Introduced:

RECITALS

- A. The Landmarks Commission recommended amending Chapter 38 and Section 78-517 and repealing Section 78-913 of the City of Stoughton Ordinances (the proposed amendments).
- B. The Plan Commission considered the recommendation of the Landmarks Commission, and conducted a public hearing on the proposed amendments.
- C. The Plan Commission recommended that Chapter 38 be amended as provided in Exhibit A, that Section 78-517 be amended as provided in Exhibit B, and that Section 78-913 be repealed.

ORDINANCE

The City Council of the City of Stoughton, Dane County, Wisconsin, ordains as follows:

- 1. Chapter 38 of the City of Stoughton Code of Ordinances is amended as provided in Exhibit A.
- 2. Section 78-517 of the City of Stoughton Code of Ordinances is amended to provide as set forth in Exhibit B.
- 3. Section 78-913 of the City of Stoughton Code of Ordinances is repealed.

4. This ordinance will take effect upon adoption and publication or posting pursuant to law.

The foregoing ordinance was adopted by the Common Council of the City of Stoughton at a meeting held on _____, 2018.

APPROVED:

Donna Olson, Mayor

ATTEST:

City Clerk

Posted _____

Published _____

EXHIBIT A

Chapter 38 – HISTORICAL PRESERVATION

Footnotes:

-- (1) --

Cross reference – Buildings and building regulations, ch. 10; utilities, ch. 74, zoning, ch. 78.

ARTICLE I. – IN GENERAL

Secs. 38-1—38-30. – Reserved.

ARTICLE II. – LANDMARKS PRESERVATION COMMISSION

8-31. - Intent.

The protection, enhancement, perpetuation and use of improvements and districts of special character or historical interest is a public necessity required in the interest of the health, prosperity, safety and welfare of the people of the city. This article is intended to:

- (1) Accomplish the protection, enhancement and perpetuation of such improvements and districts which reflect elements of the city's cultural, social, economic, political and architectural history.
- (2) Safeguard the city's historic and cultural heritage, as embodied in our landmarks and historic districts.
- (3) Stabilize and improve property values.
- (4) Foster civic pride in the beauty and accomplishments of the past.
- (5) Protect and enhance the city's attractions to residents, tourists and visitors.
- (6) Support the business, industry and economy of the city.
- (7) Promote the use of landmarks and historic districts for the education, aesthetic pleasure and welfare of the city's people.

(Code 1986, § 12.135(1))

Sec. 38-32. - Definitions.

As used in this article, unless the context clearly requires otherwise, the words defined in this section have the following meanings:

Alteration is any construction on or change to the exterior of a building, structure, object, or site including, but not limited to, the changing of foundation, wall or roofing and the changing, eliminating or adding of doors, windows, steps, railings, porches, balconies, signs or other ornamentation, new construction or relocation of any property, structure or object, or any part of a property, structure or object. Ordinary maintenance and repairs shall not be considered an alteration.

Certificate of appropriateness (COA) is a document that describes exterior repair or alteration to a landmark property or interior repair or alteration that affects an exterior feature. Approval of the COA by the landmarks commission is required prior to obtaining a building permit and commencement of work.

Commission means the landmarks preservation commission created by this article.

Contributing property is any building, structure or object which adds to the historical integrity or architectural qualities that make a historic district, listed locally or federally, significant.

Demolition is any act that destroys in whole or in part a building, structure, object or site.

Historic district (local) means an area designated by the commission which contains one or more landmarks or landmark sites, as well as those abutting improvement parcels which the commission determines should fall within the provisions of this article to ensure that their appearance and development is harmonious with the abutting landmarks or landmark sites.

Historic downtown design guidelines guide the renovation and rehabilitation of commercial buildings on Main Street.

Improvement means any building, structure, landscape feature, work of art or other object which is all or part of any physical betterment of real property.

Landmark means an improvement which has a special character or historic interest in showing the development, heritage or cultural character of the city, state or nation which has been designated as a landmark under this article. All mention of landmark within this text is meant to mean "local landmark."

Landmark site means a parcel of land having historic significance due to its value in tracing the prehistoric activities of Native Americans or is the location of an historic event.

Ordinary maintenance and repairs is work that corrects any deterioration or damage to a building or structure in order to restore it to its condition prior to the deterioration or damage. The work does not involve a change in the design, material, or outer appearance of the building or structure.

Structure means any building or improvement attached to land (see improvement).

(Code 1986, § 12.135(2); Ord. No. 0-2-2015, 7-14-015)

Cross reference—Definitions generally, § 1-2.

Sec. 38-33. - Composition and terms.

The commission shall be composed of seven persons competent and informed in the historical, architectural and cultural traditions of the city, to be appointed by the mayor subject to city council confirmation by majority vote. All commission members may be appointed for three years as terms expire. Commission members may be appointed to successive terms. In addition, the zoning administrator shall be an ad hoc member of the commission and shall not be entitled to a vote. If any vacancy occurs, the mayor shall appoint a person subject to the city council confirmation for the unexpired term. The commission may suggest a candidate to the mayor for appointment. No compensation shall be paid to commission members except for expenses necessary in carrying out their duties. The commission shall annually select from its members a chair, vice-chair and secretary and shall fill vacancies in such offices.

(Code 1986, § 12.135(3); Ord. No. 0-2-2015, 7-14-2015)

Sec. 38-34. - Landmark and landmark site designation criteria.

- (a) The commission shall consider the following criteria in determining whether or not to recommend that the city council designate an improvement or improvement parcel as a landmark or landmark site:
 - (1) Whether it exemplifies or reflects the cultural, political, economic or social history of the city, state or nation.
 - (2) Whether it is identified with important historic or prehistoric persons or events in community, state or national history.
 - (3) Whether it embodies distinguishing characteristics or an architectural type specimen, valuable for a study of a period, style, construction method or indigenous materials or craftsmanship.

- (4) Whether it is representative of the notable work of a master builder, engineer or architect.
 - (5) Whether it is a unique and irreplaceable asset to its neighborhood and the city.
 - (6) Whether it provides an example of the physical surroundings in which past generations lived.
- (b) The commission may adopt specific written guidelines for designation of landmarks, landmark sites and historic districts providing such conform to the provisions of this article.

(Code 1986, § 12.135(4))

Sec. 38-35. - Powers and duties.

- (a) The commission may, subject to section 38-36, recommend that the city council designate landmarks, landmark sites and historic districts within the city, based upon the criteria of section 38-34. Once so designated, such landmarks, landmark sites and historic districts shall be subject to all the provisions of this article.
- (b) The commission may regulate, approve or deny proposed changes or alterations to landmark properties in accordance with section 38-36.
- (c) The commission shall cooperate with the state liaison officer and the governor's liaison committee for the National Register of Historic Places of the United States National Park Service in trying to include city landmarks or landmark sites as national landmarks or landmark sites in the National Register of Historic Places.
- (d) The commission shall work for the continuing education of the citizens of the city about the historic heritage of the city.
- (e) The commission shall actively work for the passage of legislation which would permit the granting of full or partial tax exemptions to properties designated under this article in order to encourage owners to assist in carrying out the intent of this article.
- (f) The commission may, as it deems advisable, solicit and receive funds for the purpose of landmarks preservation in the city. Any funds so received shall be placed in a special city account for such purpose.

(Code 1986, § 12.135(5); Ord. No. 0-2-2015, 7-14-2015)

Sec. 38-36. - Regulation of construction and alteration.

- (a) Any person filing an application for a building permit involving property which has been designated as a landmark, ~~or a~~ landmark site, or is in a local historic district created under Section 38-41, shall also file such application in the form of a certificate of appropriateness (COA) with the commission, for approval.
- (b) No person shall alter, reconstruct or permit any alteration or reconstruction affecting the exterior of any landmark, ~~or~~ landmark site or property in a local historic district unless the commission has approved such work and unless so approved, the building inspector shall not issue a building permit for such work.
- (c) Upon the filing of an application, the commission shall determine whether:
 - (1) The proposed work would not destroy or affect in a deleterious way any important feature of the landmark, ~~or~~ landmark site or local historic district; and
 - (2) The proposed work is appropriate according to the Secretary of the Interior's Standards for the Treatment of Historic Properties; and
 - (3) The exterior of any proposed improvement will be compatible with the exterior appearance and character of neighboring properties.
- (d) If the commission agrees with all the statements in subsection (c) of this section, it shall approve the work and issue a COA. Its decision shall be made within 60 days of filing. If the commission decides any statements in the negative, it shall inform the building inspector to deny issuance of the permit. Denial~~Review~~ of a permit may be appealed~~denial of permits shall lie~~ to the city council. ~~pursuant to chapter 2, article V, and [Wis. Stats.]~~ In addition, if the commission denies~~fails to approve~~ an application, it shall, at the request of the applicant, cooperate and work with the applicant in an attempt to obtain approval within the guidelines of this article.

(Code 1986, § 12.135(6); Ord. No. 0-20-2015, 7-14-2015)

Cross reference— Buildings and building regulations, ch. 10.

Sec. 38-37. - Regulation of demolition.

- (a) Except as otherwise expressly provided herein, no~~No~~ person shall demolish all or part of a landmark, ~~or~~ improvement on a landmark site, or any building or structure in a local historic district, unless the commission has approved such work. Unless the commission has approved the work, the building inspector shall not issue a building permit for such work. This section shall not apply to the demolition of a building or structure that has been ordered razed by a court of competent jurisdiction pursuant to Wis. Stat. § 66.0413(2).

- (b) When a person applies for a permit to demolish all or part of a landmark, improvement on a landmark site or structure in a local historic district, ~~such property~~, such application shall also be filed with the commission.
- (c) A demolition application under this section shall not be approved unless the applicant demonstrates either of the following:
- (1) (i) The physical characteristics of the building or improvement have changed since the landmark designation was made, and (ii) the change has caused the structure to no longer have the physical integrity needed to embody the physical characteristics that led to the landmark designation, and (iii) the change was not caused by a current or prior owner's failure to maintain the building or structure; or
- (2) A failure to issue the permit will result in a taking of the owner's property without just compensation in violation of the Constitution of the State of Wisconsin or the Constitution of the United States of America.
- ~~(e)(d)~~ Denial of a demolition permit may be appealed to the city council. ~~Upon the filing of an application, the commission may refuse to approve the work for up to ten months from the date of filing, during which time the commission and the applicant shall undertake serious, continuing discussions to try to find a method to save such property. During such time, the applicant and the commission shall cooperate to try to avoid demolition of the property. At the end of the ten months, if no mutually agreeable method of saving the property bearing a reasonable prospect of eventual success is underway, or if no formal application for funds from any governmental unit or nonprofit organization to preserve the property is pending, the commission shall inform the building inspector to deny issuance of the permit. Appeal of the denial of the demolition permit shall go to the city council pursuant to chapter 2, article V, and Wis. Stats.~~
- ~~(d)(e)~~ The commission shall be informed of all demolition permit requests for any property listed in the National Register of Historic Places.

(Code 1986, § 12.135(7); Ord. No. 0-2-2015, 7-14-2015)

Cross reference— Buildings and building regulations, ch. 10.

Sec. 38-38. - Recognition of landmarks, landmark sites and historic districts.

After a landmark, landmark site or historic district has been designated in accordance with sections 38-34 and 38-36, the commission shall cause to be prepared and erected on such property at city expense suitable plaques or signs recognizing the landmark. Such plaques shall

be placed for ease of pedestrian visibility. The plaques shall contain all information deemed appropriate for the landmark by the commission.

(Code 1986, § 12.135(8))

Sec. 38-39. - Rescission of landmark designation.

- (a) Designation may be rescinded upon petition to the commission and compliance with the procedures as follows:
 - (1) Petitions for rescission may be submitted to the landmarks commission for consideration and public hearing.
 - (2) When considering rescission of a landmark designation, the commission shall consider whether the landmark or district no longer meets the criteria for designation.
 - (3) The commission shall make a recommendation to the city council including a report regarding whether the landmark or district does or does not continue to retain significance and integrity.
 - (4) The council shall make its decision only after the above procedures have been followed.
 - (5) The council shall rescind a designation only upon a finding based on the commission recommendations that the designated landmark or district no longer meets the criteria in accordance with section 38-34.
- (b) In the event of rescission, the commission shall notify the city clerk, building inspector and assessor of the rescission and shall cause the rescission to be recorded at its expense in the county register of deeds.
- (c) Following any such rescission, the commission may not redesignate the subject property as a landmark or landmark site for at least five years from the date of rescission.

(Code 1986, § 12.135(9); Ord. No. 0-2-2015, 7-14-2015)

Sec. 38-40. - Procedures.

- (a) Before establishing any landmark or landmark site, the commission shall hold a public hearing thereon after giving at least ten days written notice of such hearing and appeal procedures to the owners and occupants of the affected premises and the

owners of land located within 200 feet of the affected property. Notice of such hearing shall also be published as a class 1 notice under the statute. The commission shall also notify the building inspector and the public works committee of the hearing and they may respond to the commission's proposed designation in writing or by appearance. At any time after the closing of the public hearing, the commission may recommend that the city council designate the affected property as either a landmark or landmark site. Upon the request of any aldermember or the owner of a landmark or landmark site, a public hearing shall be held by the city council before it votes on whether or not to establish the landmark or landmark site. Notice of such designation shall be given to the property owner, the city clerk, building inspector, assessor and the county register of deeds.

- (b) The owner of any landmark or landmark site may, following the designation of the property, enter into voluntary restrictive covenants on the property with the commission. The commission may assist the owner in preparing the covenants in the interest of preserving the landmark or landmark site and the owner shall record such covenant in the county register of deeds and notify the assessor thereof.

(Code 1986, § 12.135(10))

Sec. 38-41. - Historic districts.

The commission may select geographically defined areas for recommendation for designation by the city council as historic districts and shall prepare, in ordinance form, an historic preservation and land usage plan for each such area. The designation criteria for such historic district shall be in accordance with section 38-36. Each historic preservation and land usage plan shall contain specific guidelines for development, a list of appropriate and banned land usage and a statement of preservation objectives within the district.

- (a) The commission shall hold a public hearing when considering the plan for a historic district. Notice of the time, place and purpose of such hearing shall be given by publication as a class 2 notice under statute in the official city newspaper. Such notice shall also be sent by the city clerk to the aldermember of the aldermanic ward in which the historic district is located as well as the owners of record, as listed by the assessor, of property located at least in part within the district at least ten days prior to the date of such hearing. Following the public hearing, the commission shall vote to recommend, reject or withhold action on the plan. The recommendation, if any, shall be forwarded to the city council for its action.
- (b) Upon receipt of such recommendation, the city council may by majority vote either designate or reject the historic district. Designation of the historic district shall constitute adoption of the district in ordinance form.

- (c) Every person in charge of any landmark, landmark site or improvement in a historic district shall conform to the guidelines for development of land usage for property within the district as well as any regulations developed under this article.
- (d) Following the designation of the historic district, the city council shall direct the department of planning and development staff to modify the official zoning map to reflect this change.
- ~~(e) To the extent to which such is reasonably possible, the commission is empowered to invoke the provisions of sections 38-36 and 38-37, giving due consideration to the larger area of land involved and the degree to which the proposed change would materially affect the preservation objectives and design criteria of the historic preservation plan as duly adopted by the city council.~~

(Code 1986, § 12.135(11); Ord. No. 0-2-2015, 7-14-2015)

Cross reference— Districts and areas, § 78-61 et seq.

Sec. 38-42. - Maintenance of improvement on landmark site or within historic district.

Every person in charge of an improvement on a landmark site or within a historic district shall keep in good repair all of the exterior portions of such improvement to prevent it from becoming damaged or falling into a state of disrepair. This section shall be in addition to all other provisions of law relating to a premises repair.

(Code 1986, § 12.135(12))

Sec. 38-43. - Penalties for violations.

- (a) Failure to perform any action required by the article or performance of any act prohibited by the article shall constitute a violation. Any persons violating any provision of this article shall be subject to a fine of up to \$500.00 for each separate violation. Each and every day during which a violation continues shall be deemed to be a separate offense. Notice of violations shall be issued by the building inspector.
- (b) Additionally, the commission may seek reversal of prohibited work without regard to economic hardship. Procedures for the reversal of prohibited work shall be outlined in a COA approved by the commission.

(Ord. No. 0-2-2015, 7-14-2015)

Sec. 38-44. - Commission records.

The city staff person for the commission shall cause to be prepared permanent public records of all actions taken by the commission in connection with landmarks, landmark sites and historic districts. Such records shall be maintained in such form as to permit ease of access and the city staff person shall provide guidance for any person seeking to search its records. The commission secretary is responsible for taking minutes and maintaining records if the city staff person is unable to attend a commission meeting.

(Code 1986, § 12.135(13); Ord. No. 0-2-2015, 7-14-2015)

Editor's note— Ord. No. 0-2-2015, adopted July 14, 2015, renumbered § 38-43 as § 38-44 to read as set out herein.

EXHIBIT B

Sec. 78-517. - Downtown design overlay district.

- (1) *Purpose.* This district is intended to preserve and enhance the historical and aesthetic qualities of the downtown, and retain a consistent and visually pleasing image for the downtown area.
- (2) *Boundaries.* This district has the same boundaries as the Main Street Historic District as listed on the National Register of Historic Places, as depicted on the official zoning map.
- (3) *Definitions.* In this section, the following terms have the following meanings:
 - (a) "Maintenance" means work involving maintaining the existing, exterior appearance of a building or structure (such as repainting, re-roofing, residing or replacing with identical colors, finishes, and materials).
 - (b) "Renovation" means work involving a change in the appearance of a building or structure (such as painting, roofing, siding, architectural component substitution, fencing, paving, or signage with different colors, finishes, or materials).
 - (c) "Structural Project" means work involving modification to the physical configuration of an existing building or structure (such as grading, the erection of a new building or structure, or the addition or removal of bulk to an existing building or structure).
 - (d) "Demolition" means the razing or destruction, entirely or in significant part, of a building or structure, and includes the removal or destruction of any façade of a building or structure.
 - (e) "Design Guidelines" means the guidelines set forth in the booklet entitled *Historic Downtown Stoughton Design Guidelines – A Guide to Renovation and Rehabilitation of Commercial Buildings on Main Street*, prepared by Lynch & Company, Ltd., Waukesha, June 1993, and on file with the Stoughton City Clerk.
 - (f) "Development Agreement" means an agreement that requires an owner to construct a new building or structure that is replacing an existing building or structure in the district, within a reasonable time.
- (4) *Application of Regulations.*
 - (a) Except as expressly provided otherwise in this Section, the regulations of this section apply to all maintenance, renovation, structural projects and demolition within the district.

- (b) This section does not apply to any building or improvement designated as a landmark or located within a historic district established pursuant to Chapter 38 of this Code.
 - (c) This section does not apply to the demolition of a building or structure has been ordered to be razed by a court of competent jurisdiction pursuant to Wis. Stat. § 66.0413(2).
 - (d) This section does apply to the demolition of a building or structure ordered razed by the building inspector pursuant to Wis. Stat. § 66.0413(1), and neither the owner, the city nor any city official may demolish a building pursuant to Wis. Stat. § 66.0413 without first obtaining approval pursuant to this section.
- (5) *Procedural Requirements and Standards for Approval.*
- (a) Maintenance. Maintenance shall be subject to approval by the Zoning Administrator. The Zoning Administrator shall approve a maintenance application upon verifying that the proposed work consists only of maintenance.
 - (b) Renovation. Renovation shall be subject to approval by the Plan Commission. The Plan Commission shall approve an application for renovation if the applicant demonstrates that the renovation will conform with the Design Guidelines. Applications for approval of renovation shall be made to the Zoning Administrator, and shall be accompanied by all of the following:
 - 1. The building permit application.
 - 2. A clear depiction of the existing appearance of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the City;
 - 3. A clear depiction of the proposed appearance of the property. Paint charts, promotional brochures, and/or clear color photographs of replacement architectural components are recommended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the City;
 - 4. A written description of the proposed modification, including a complete listing of proposed components, materials, and colors.

5. Written justification for the proposed alteration consisting of the reasons why the applicant believes the requested alteration is in harmony with the Design Guidelines.
- (c) Structural Projects. Structural Project applications shall be subject to approval by the Plan Commission. Before acting on an application for a Structural Project, the Plan Commission shall conduct a public hearing on the application, which hearing shall be preceded by publication of a Class 2 Notice. The Plan Commission shall approve an application for renovation if the applicant demonstrates that the Structural Project will conform to the Design Guidelines. Applications for approval of Structural Projects shall be made to the Zoning Administrator, and shall be accompanied by all of the following:
1. A building permit application.
 2. A clear depiction of the existing appearance of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the City.
 3. A clear depiction of the proposed appearance of the property. Paint charts, promotional brochures, and/or clear color photographs of replacement architectural components are recommended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the City.
 4. For all projects involving a new building, or an addition exceeding 100 square feet of gross floor area, a detailed site plan which provides the following information:
 - a. A title block indicating name and address of the current property owner, developer and project consultants;
 - b. The date of the original plan and the latest date of revision to the plan;
 - c. A north arrow and a graphic scale. Said scale shall not be smaller than one inch equals 100 feet;
 - d. All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled;

- e. All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose;
 - f. All existing and proposed buildings, structures, and paved areas, including walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls;
 - g. All required building setback lines;
 - h. A legal description of the subject property;
 - i. The location, type and size of all signage on the site;
 - j. The location, type and orientation of all exterior lighting on the subject property;
 - k. The location of all access points, parking and loading areas on the subject property, including a summary of the number of parking stalls and labels indicating the dimension of such areas;
 - l. The location of all outdoor storage areas;
 - m. The location and type of any permanently protected green space areas;
 - n. The location of existing and proposed drainage facilities;
 - o. In the legend, the following data for the subject property:
 - Lot area;
 - Floor area;
 - Floor area ratio;
 - Impervious surface area;
 - Impervious surface ratio; and
 - Building height.
5. A detailed landscaping plan of the subject property, at the same scale as the main plan, showing the location, species and size of all proposed plant materials.
 6. A written description of the proposed project, including a complete listing of proposed components, materials, and colors.

7. Written justification for the proposed alteration consisting of the reasons why the applicant believes the requested alteration is in harmony with the Design Guidelines.

(6) *Demolition.*

- (a) Demolition is subject to approval by the Common Council. Before the Common Council may act on a demolition application, the application shall be submitted to the Landmarks Commission and the Plan Commission for review and recommendation to the Common Council. If either the Landmarks Commission, the Plan Commission or both have not made their recommendation to the Common Council within 60 days after the application has been submitted to the Landmarks Commission and Plan Commission, the Common Council may act on the application without such recommendation or recommendations.
- (b) Demolition shall not be approved unless the applicant demonstrates any of the following:
 1. (i) Notwithstanding the condition of the building or structure, there is no economically viable use of the building or structure, and (ii) a permit for construction of a new building or structure on the site has been approved and issued, and (iii) the owner has entered into a Development Agreement with the City; or
 2. (i) The building or structure is in not in good repair; (ii) the cost of repairing the building or structure would exceed 85% of the assessed value of the building or structure, and (iii) a permit for construction of a new building or structure on the site has been approved and issued prior to or simultaneously, and (iv) the owner has entered into a Development Agreement with the City; or
 3. The building or structure, through no fault of an owner, is detrimental to, or does not contribute to, the architectural or aesthetic character of the district. Where a building or structure has been allowed to deteriorate in a manner that failed to comply with City property maintenance ordinances, such deterioration is the fault of the owner.
 4. A failure to issue the permit will result in a taking of the of the owner's property without just compensation in violation of the Constitution of the State of Wisconsin or the Constitution of the United States of America.

REDEVELOPMENT AUTHORITY MEETING MINUTES

Wednesday, November 8, 2017 . 5:30 p.m.

Mayor's Office

Present:

Roger Springman, Ron Christianson, Peter Sveum, Regina Hirsch, Denise Duranczyk, John Kramper and Finance Director Tammy LaBorde

Absent and excused:

Scott Truehl

Others Present:

Gary Becker

Call to order:

Springman called the meeting to order at 5:30 p.m.

Communications:

Sveum reported that the Carpet Warehouse closing will hopefully happen on November 10th with a contingency that the property is empty and ready for demolition. Becker will inspect and let the lawyers know if the closing can take place.

Approval of the October 11, 2017 RDA Meeting Minutes:

Duranczyk requested that under the approval of the September 20, 2017 minutes section that the wording be changed to add ~~those~~ absent if they were not excused and excused if they contacted the chair or staff. The October 11, 2017 minutes will be revised to reflect Duranczyk's changes. Moved by Duranczyk, seconded by Hirsch, to approve the minutes of the October 11, 2017 RDA meeting as presented and amended. Motion carried unanimously.

RDA Financial Report:

LaBorde went thru the financial spreadsheet that was in the packet. Discussion took place on the legal, electric and storm water charges. It was decided this report should be included in each meeting packet in the future.

Riverfront Redevelopment Area:

a. Millfab demolition update:

Becker reported that Earth Construction is behind in their scheduling due to weather and will likely not start demolition until January. All approvals are in place and grants are lined up and we are ready to demolish when Earth Construction is available. Becker said Earth Construction will have a meeting with staff to discuss logistics, transportation routes and public safety in that area when the time gets closer. Discussion took place on whether to do a press release and the timing of doing one. It was decided to do a press release after the public safety meeting so the neighbors and general public can be informed of the plan for demolition and if the local papers and news stations want to run it they can.

b. Grants update:

Becker reported he and Duranczyk went to the Build Grant interview and the committee was very impressed with our design charrette that we held. We were approved for the grant and a check will be sent soon to cover our expenses for that weekend.

c. Next steps for RDA/Council:

Springman reported that Truehl had attended the last Landmarks Commission meeting as a representative of the RDA and Council and will work with the Landmarks Commission to help create new historic building ordinances.

d. Budget Summary:

LaBorde presented a preliminary budget for the RDA and explained it was hard to put together a budget without knowing what the plan or direction the RDA and Council wants to take. Becker stated that he and Duranczyk are working on trying to get accurate Riverwalk and improvement numbers. Discussion took place about amending TID #5 and creating a new TID.

e. Duranczyk RDA action plan - draft:

Duranczyk presented her action plan and discussion took place on the items. Discussion included meeting with the parks and rec committee, emission issues with the wastewater treatment plant and screening the plant from the public. Duranczyk will update her action plan and bring back to the next meeting.

f. Duranczyk Redevelopment – Cost/Benefit Analysis:

Discussion took place on the wants and needs of the Riverfront Redevelopment Area and the relationship between acreage and density to the TIF. Becker stressed that those decisions are part of the tax increment restructure process. Becker believes the RDA should work on getting the numbers finalized. What expenses will we incur and how much revenue would we need to make the TIF profitable, and then bring in a consultant like Mark Ernst. Ernst would then listen to what we have and then bring back a proposal.

g. Moline building initiative:

Springman went thru his proposal. Becker stated that Mark Ernst is excited about the possibility of preserving the blacksmith shop. Discussion took place about possible uses for the building and the possibility of going in and taking pictures. LaBorde said she would have to check with Risk Management to see if it is possible to enter the building safely.

Discussion and possible action regarding TIF restructure:

Becker went thru the tax increment restructure process and timetable. Moved by Sveum, seconded by Christianson, to recommend the City Council initiate planning for an amendment of tax increment district #5 and the creation of a new tax increment district for the riverfront redevelopment area. Motion carried unanimously.

Discussion and possible action regarding Cost Estimates for Highway Trailer and Carpet Warehouse Building demolition:

There are no estimates at this time. Item tabled.

Review, discussion and possible action regarding RDA Bylaws:

Springman led the discussion on the by-laws and rules of procedure changes he recommends for the RDA. Duranczyk would like to see under section 2, General Powers and Duties, the wording of ~~on~~ matters involving property transactions and policy and financial matters+struck from what Springman proposed to add. No comments on adding the new section of Code of Ethics. To be consistent with ordinance language it was suggested dropping the phrase executive director under section 3. The need for an Ad Hoc committee can be established at the Council level so it is not needed in the RDA by-laws. The attendance policy section will be added with no changes. Under section 4 change wording to ~~The~~ City Finance Director or designee shall prepare the agenda with input and approval of the chairperson+. Under section 5 replace ~~Public Hearing~~+with ~~Public Comments~~+. Discussion took place on section 6 about voting. The question came up about what happens if there is a tie vote. LaBorde will research the language Council uses and will forward that to Springman. It was suggested the group finish reading the rest of the changes and bring back suggestions to the next meeting. Springman will bring back a red-lined copy to the next meeting.

Discussion regarding Whitewater Park:

Hirsch gave a summary of the presentation she attended last week on the whitewater park project. The Parks and Recreation Committee's next steps are to either do a feasibility study or have an economic impact analysis done and they are interested in finding out if the RDA would be interested in cost sharing. It was decided to invite Tom Lynch and Dan Glynn to the next RDA meeting to further discuss and hear about their ideas for a whitewater park.

Future agenda items – Review and Discussion:

Whitewater Park presentation by Parks Department
Riverfront Redevelopment
By-Laws

Adjourn:

Moved by Sveum, seconded by Hirsch, to adjourn at 7:52 p.m. Motion carried unanimously.

Respectfully submitted,
Lisa Aide
Deputy Treasurer