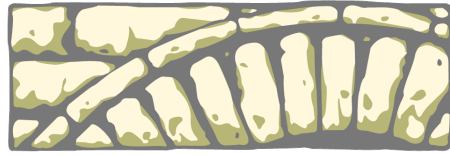


MADISON TRUST



for Historic Preservation

Advocacy News

September 2023

Update regarding the landmarked Old Spring Tavern site

By Kurt Stege

Madison Trust Advocacy Committee Co-chair



Does the building on the right complement the one on the left, or does it detract from it? Image by Tom Kuech

Past issues of the [Advocacy News](#) have attempted to keep you abreast of proposed changes to the two lots that are part of the [locally landmarked Old Spring Tavern site](#) located between Nakoma Road and Council Crest.

The most recent development in this saga was a review by the Landmarks Commission on August 14 of a proposal by the owners of the parcel adjacent to Council Crest to construct a 4500-square-foot residence on that property. The proposal came in the form of an application for a Certificate of Appropriateness (COA) from the Landmarks Commission. A COA is a pre-requisite for any construction on a locally landmarked site.

The staff report, which was filed several days prior to the Commission meeting, recommended approval of the application. However, it addressed how the front of the

(Continued)

new residence would fit in with the nearby homes on Council Crest, and gave little consideration to how the rear (western face) of the new house would either complement or detract from the front (eastern face) of the Old Spring Tavern.

During its nearly three-hour meeting, the Commission heard from 11 speakers who opposed the project, as well as from the property owner. The speakers raised numerous issues with the proposal, many of which were directly tied to at least one of the following Secretary of Interior's standards that served as the basis for the Commission review:

Standard 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Registrants opposed to the new residence outnumbered those in favor by a factor of four.

Five commissioners attended the meeting. One, Alder Latimer Burriss, spoke of how she had visited the landmark site with the expectation of voting to approve the application, but came away from the visit convinced that the proposed residence compromised the significance of the landmarked site. The other commissioners reached the conclusion that the width of the new residence, at 88 feet and with setbacks of 9 feet to the north and to 8 feet to the south, was too wide. Commissioner Latimer Burriss voted to cleanly reject the application, but the other four commissioners voted to refer the matter to an unspecified future meeting in order to provide time for the applicants to develop a somewhat narrower design that would satisfy the commissioners.

The Wisconsin State Journal's Dean Mosiman provided an overview of the Landmarks Commission meeting in an [article](#) published the following day.¹

(Continued)

¹ The article incorrectly suggests that a reduction in the width of the new residence "would provide more buffer between the home and tavern." A narrower new residence would not alter the distance (78 feet) between the two buildings.



This view of the Old Spring Tavern will be gone if the proposal to build another house on the landmarked site passes the Landmarks Commission. Amber Arnold, Wisconsin State Journal Archives

Even though the Landmarks Commission did not vote to reject the application and deny the Certificate of Appropriateness, the Commission's action of indicating a level of dissatisfaction with the initial design should be viewed as a near term preservation victory.

The result can be attributed to a variety of factors, not the least of which was a proposal to build what most people would consider a very large residence. The multi-faceted objections to the application also played a role, as did the neighborhood's strong opposition. The site visit by one of the Commissioners was key to her opposition, and the presence of two Alders at the public hearing and subsequent discussion reflected there were city-wide concerns about the proposal. Finally, the opponents to the application had an unusually long time to identify supporting voices and to prepare for the public hearing.

The property owners determine what happens next. Asked if they could shrink the square footage of the house if the Commission had concerns about its size, the owner

(Continued)

responded: “We’ve done everything that we could do to provide a footprint that works for us. Can we make it smaller? . . . I’ve got to be super blunt with you guys, at some point it is just not worth it.” This comment leaves open the question of whether the current applicants will choose to continue pursuing construction on the site.