

## PLANNING DIVISION STAFF REPORT

August 28, 2017

PREPARED FOR THE LANDMARKS COMMISSION



**Project Name/Address:** 1239 Spaight

**Application Type:** PUBLIC HEARING  
Demolition and new construction in the Third Lake Ridge Historic District

**Legistar File ID #** [48351](#)

**Prepared By:** Amy L. Scanlon, Preservation Planner, Planning Division

**Date Prepared:** August 12, 2017

### Summary

**Project Applicant/Contact:** Brel Hutton-Ohpalaeke

**Requested Action:** The Applicant is requesting a Certificate of Appropriateness for the demolition of the existing garage structure and a Certificate of Appropriateness for the construction of a new garage structure in the Third Lake Ridge Historic District.

### Background Information

**Parcel Location:** The subject site is located on Spaight Street in the Third Lake Ridge Historic District

#### Relevant Landmarks Ordinance Sections:

- 41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS.** A certificate of appropriateness shall be granted only if the proposed project complies with this chapter, including all of the following standards that apply.
- (1) New construction or exterior alteration. The Landmarks Commission shall approve a certificate of appropriateness for exterior alteration or construction only if:
    - (a) NA
    - (b) NA
    - (c) In the case of exterior alteration or construction on any property located in a historic district, the proposed exterior alteration or construction meets the adopted standards and guidelines for that district.
    - (d) In the case of any exterior alteration or construction for which a certificate of appropriateness is required, the proposed work will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources.
  - (2) Demolition or Removal. In determining whether to approve a certificate of appropriateness for any demolition or removal of any landmark or structure within a historic district, the Landmarks Commission shall consider all of the following, and may give decisive weight to any or all of the following:
    - (a) Whether the structure is of such architectural or historic significance that its demolition or removal would be detrimental to the public interest and contrary to the general welfare of the people of the City and the State.
    - (b) Whether a landmark's designation has been rescinded.
    - (c) Whether the structure, although not itself a landmark structure, contributes to the distinctive architectural or historic character of the historic district as a whole and therefore should be preserved for the benefit of the people of the City and the State.

- (d) Whether demolition or removal of the subject property would be contrary to the policy and purpose of this ordinance and/or to the objectives of the historic preservation plan for the applicable historic district as duly adopted by the Common Council.
- (e) Whether the structure is of such old and unusual or uncommon design, method of construction, or material that it could not be reproduced or be reproduced only with great difficulty and/or expense.
- (f) Whether retention of the structure would promote the general welfare of the people of the City and the State by encouraging study of American history, architecture and design or by developing an understanding of American culture and heritage.
- (g) The condition of the property, provided that any deterioration of the property which is self-created or which is the result of a failure to maintain the property as required by this chapter cannot qualify as a basis for the issuance of a certificate of appropriateness for demolition or removal.
- (h) Whether any new structure proposed to be constructed or change in use proposed to be made is compatible with the historic resources of the historic district in which the subject property is located, or if outside a historic district, compatible with the mass and scale of buildings within two hundred (200) feet of the boundary of the landmark site.

Prior to approving a certificate of appropriateness for demolition, the Landmarks Commission may require the applicant to provide documentation of the structure. Documentation shall be in the form required by the Commission.

#### **41.23 THIRD LAKE RIDGE HISTORIC DISTRICT.**

- (8) Standards for New Structures in the Third Lake Ridge Historic District - Parcels Zoned for Residential Use. Any new structures on parcels zoned for residential use that are located within 200 feet of other historic resources shall be visually compatible with those historic resources in the following ways:
  - (a) Gross Volume
  - (b) Height
  - (c) The proportion and rhythm of solids to voids in the street facades.
  - (d) Materials used in the street facades.
  - (e) The design of the roof.
  - (f) The rhythm of buildings and masses.
  - (g) Directional expression
  - (h) Materials, patterns and textures
  - (i) Landscape treatment

### **Analysis and Conclusion**

The existing garage building is old, but may not have been constructed concurrently with the primary residence.

#### COA for Demolition

41.18(1)(d) The Landmarks Commission shall determine if the demolition of this property frustrates the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources. The Landmarks Commission is charged with protecting and enhancing the perpetuation of historic districts and the City's cultural heritage. The demolition of any period appropriate structure would be contrary to the purpose and intent of this Ordinance and the objectives of the preservation plan for the district. The date of original construction is not known, but the existing structure probably does not date to 1908, the construction date of the main house.

A discussion of the demolition standards of 41.18(2) follows:

- (a) The existing structure is not of such architectural or historic significance that it meets the standards for landmark designation as the language of this standard suggests. Instead, this structure represents a functional accessory structure along Spaight Street which is part of the historic character of the historic district.
- (b) N/A This property is not a landmark.
- (c) The date of original construction is not known, but the existing structure probably does not date to 1908, the construction date of the main house. This vernacular and functional accessory building form contributes to the distinctive architectural and historic character of the historic district. The existing building is in poor condition and appears to have little architectural or historic significance.
- (d) The Landmarks Commission is charged with protecting and enhancing the perpetuation of historic districts and the City's cultural heritage. The demolition of any period appropriate structure would be contrary to the purpose and intent of this Ordinance and the objectives of the preservation plan for the district. The Third Lake Ridge Historic District Plan states, "The Third Lake Ridge is a study in diversity, an agglomeration of many themes: ethnic settlement, railroad development, urbanization, civic improvement. Its architecture reflects this diversity of development and change."
- (e) The date of original construction is not known, but the existing structure probably does not date to 1908, the construction date of the main house. The structure is not an example of old or uncommon design, construction or material and could be reproduced with standard construction materials and methods.
- (f) The building does not meet the intent of this standard. However, the general welfare of the public is promoted by the retention of the City's cultural resources and historic identity.
- (g) The Applicant described existing conditions of construction to be substandard. It is possible the construction methods contributed to the deterioration. The Co-op has owned the property for 17 years.
- (h) The proposed new structure is a new garage building of same size and use. The form and treatment are similar to the vernacular residential structures in the historic district.

#### COA for New Construction

41.18(1)(c) Instructs the Landmarks Commission to use the standards of 41.23(8) to determine the appropriateness of the proposed new construction. The Visual Compatibility map is attached to this report. A discussion of the new construction standards of 41.23(8) follows:

- (a) The proposed accessory building has a gross volume that is smaller than the gross volume of primary buildings in the area of visual compatibility. The gross volume is similar to other accessory buildings.
- (b) The proposed building is less than 12 feet high at the ridge which is shorter than the height of other primary buildings and similar to other accessory buildings.
- (c) The proposed garage building generally has a proportion and rhythm of solids to voids in the street facade that is similar to other garage buildings in the historic district and within the area of visual compatibility. The proposed slider window options are not compatible with other historic resources in the area of visual compatibility and should be changed to horizontal awning windows or vertical double hung windows to meet this standard.
- (d) Please review discussion of (h) below.
- (e) The proposed building has a gabled roof which is similar to the roof forms present on numerous buildings in the area of visual compatibility and to the roof of the primary building although the pitch is lower than the roof pitch of the primary building. In addition, the elevation drawing shows a closed pedimented gable form which should be simplified to remove the horizontal eave and allow the soffit and fascia to return up the gable at an angle.

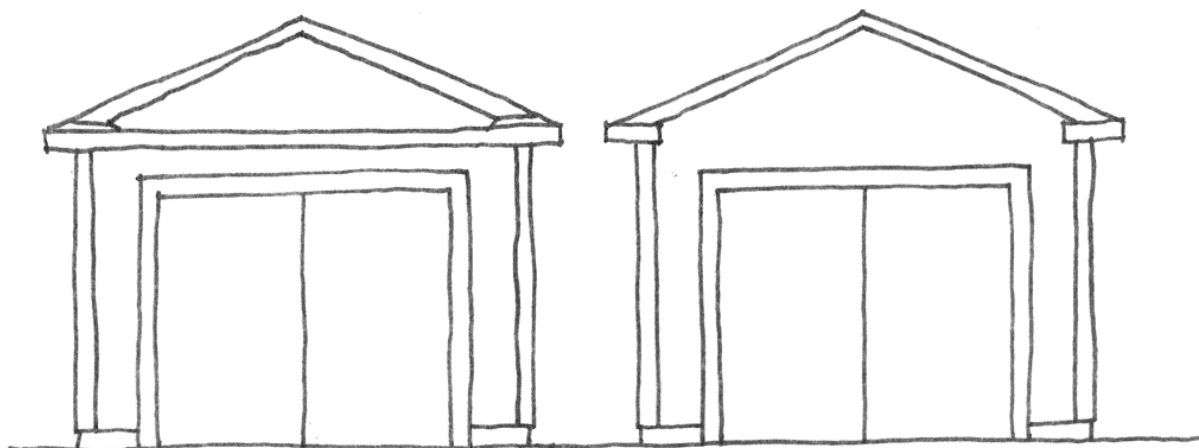
- (f) The proposed building is being located where the existing building is currently located which maintains the rhythm of buildings and masses (which should read spaces).
- (g) The proposed building has a mostly horizontal expression which is similar to the expression found in adjacent accessory buildings.
- (h) The proposed building has a fiber cement exterior wall material with a Dutch lap/German siding profile. The existing primary building has non-original wide exposure composite siding. The proposed Dutch lap siding profile exists on the existing garage and is common in the area of visual compatibility, but does not match the siding of the primary building. The majority of the street façade will be comprised of the garage doors. The proposed roof material is standing seam metal panel which is not common in the historic district or in the area of visual compatibility.
- (i) The submission materials indicate that the overall landscape treatment is very similar to other treatments present at other properties in the area of visual compatibility and to the landscape treatment that currently exists.

## Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness for the demolition of the garage are met and recommends that the Landmarks Commission approve the request.

Staff believes that the standards for granting the Certificate of Appropriateness for the new construction of a garage structure may be met and recommends that the Landmarks Commission approve the request with the following conditions of approval:

1. If operable windows are desired, the proposed windows shall be changed to awnings of similar appearance or to one over one double hungs. The fixed windows in the doors can remain as proposed.
2. The siding shall be changed to not include faux wood grain.
3. The gable roof form shall be simplified by removing the pedimented gable.
4. The roof material shall be changed to asphalt shingle.



Pedimented gable end

Open gable end