



Project Name/Address: 428 N Livingston, Davies House

Application Type: Certificate of Appropriateness for exterior alterations of a landmark site

Legistar File ID # [48500](#)

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Summary

Project Applicant/Contact: James McFadden, McFadden & Company

Requested Action: The Applicant is requesting a Certificate of Appropriateness to alter exterior features of a landmark site.

Background Information

Parcel Location: The subject site is a landmark site located on Lake Mendota.

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) In the case of exterior alteration to a designated landmark, the proposed work would meet the Secretary of the Interior’s Standards for Rehabilitation.
 - (b) In the case of exterior alteration or construction of a structure on a landmark site, the proposed work would meet the Secretary of the Interior’s Standards for Rehabilitation.
 - (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.

Secretary of the Interior’s Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Analysis and Conclusion

Alterations to the exterior of the Davies House came before the Landmarks Commission on June 5, 2017. Since that meeting, the property owner has installed concrete and asphalt where a gravel parking area previously existed and begun the installation of a trash can enclosure. The concrete was poured directly against the foundation of the landmark building. Six posts were installed in the concrete to create a trash enclosure which is located against the rear elevation of the landmark building. The trash enclosure is offset in alignment with the rear elevation massing. The enclosure will have 4'-6" high vertical wide PVC boards.

41.18(1)(a) instructs the Landmarks Commission to review the alteration request using the Secretary of the Interior's Standards for Rehabilitation. The concrete and the trash enclosure generally meet the Secretary of the Interior's Standards.

41.18(1)(d) instructs the Landmarks Commission to determine if the alteration request frustrates the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources. Alterations to designated landmark buildings and sites should be carefully evaluated to ensure appropriate treatment of the landmark and the retention of architectural, cultural or historic significance. Appropriate treatment of the brick foundation of the landmark building is critical to the longevity of the material.

Recommendation

Staff believes that the standards for granting the Certificate of Appropriateness for the proposed alterations may be met and recommends approval of the Certificate of Appropriateness with the following conditions of approval:

1. The Applicant shall provide information about how the concrete touches the foundation wall and describe measures that were taken to direct surface and subsurface water away from the foundation.
2. The Applicant shall describe the steps needed to move the trash enclosure to align with the building massing.