



PLANNING DIVISION STAFF REPORT

September 16, 2019

PREPARED FOR THE LANDMARKS COMMISSION

Project Address: 317 State Street
Regarding: CLG Consulting Party Comments for FCC Undertaking
Legistar File: [55809](#)
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Background

As a Certified Local Government, the City of Madison's Landmarks Commission and Historic Preservation Program are included as consulting parties for any Federal undertakings which may have potential effects on historic properties. Most of these inquiries staff handles administratively. However, the proposal for new cellular infrastructure at 317 State Street appears that it would have an Adverse Effect on properties that are considered eligible to the National Register of Historic Places on State Street. As such, staff has referred the formal comments to the Landmarks Commission for their input prior to submitting comments on behalf of the City.

The commission reviewed a previous proposal at its May 20, 2019, meeting. As a result of the feedback the applicant received from both the City and the State Historic Preservation Office, the applicant has modified the proposal. The changes include removal of all infrastructure on the rear chimney of the building, more antennas on the sides, but none of the antennas located any closer to the front of the building than those that current exist.

Staff believes that the increase in new antenna locations on the sides of the building, particularly on the southwest side, creates a cumulative effect that detracts from the character of the National Register-eligible State Street Historic District. In discussions amongst Planning staff, possible mitigation strategies included:

- Could the equipment be consolidated into fewer separate boxes?
- Could the equipment be grouped closer together?
- Can the wires that dangle out the bottom of the box be encased?
- Can the enclosure better match the color of the color of the brick?
- Can the equipment be placed on the roof where mechanical equipment typically is located?

36CFR800

The chapter of the Code of Federal Regulations commonly referred to as Section 106 of the National Historic Preservation Act requires assessments of a Federal undertaking to first determine if there are any historic properties within the Area of Potential Effect (APE). As State Street was determined Eligible to the National Register of Historic Places in 1995, there are historic properties within the APE. The second step is to determine if the proposed undertaking will have an Adverse Effect on those properties. Per 36CFR800.5(a)(1):

"Criteria of adverse effect. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative."

Conclusion

The State Street District was determined eligible to the National Register for both its historic significance under Criterion A: Commerce, and its distinctive characteristics under Criterion C: Architecture. Staff believes that placing additional antennas on the side of the building will negatively impact the architectural character of the Irish Pub building and the properties within the viewshed of that building along State Street.

The Landmarks Commission needs to determine if

- The proposal would meet the criteria for an Adverse Effect
- The commission needs additional information to make a determination
- There are methods to mitigate the visual impacts, which the commission may suggest

Staff will submit the Landmarks Commission's comments to the FCC designee.