



Project Name & Address: 2122 Kendall Avenue

Application Type(s): Certificate of Appropriateness for demolition and new construction in the University Heights historic district

Legistar File ID # [54950](#)

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Summary

Project Applicant/Contact: Sam Breidenbach – TDS Custom Construction

Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for the demolition of an existing garage and the construction of a new garage.

Background Information

Parcel Location/Information: The subject site is located in the University Heights Historic District.

Relevant State Statute Section:

Wisc SS 62.23(7)(em)2m. In the repair or replacement of a property that is designated as a historic landmark or included within a historic district or neighborhood conservation district under this paragraph, a city shall allow an owner to use materials that are similar in design, color, scale, architectural appearance, and other visual qualities.

Relevant 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.
 - (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.

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- (4) Standards for the Review of New Structures in the TR-V1, TR-V2, TR-U1, TR-U2, TR-C2, TR-C3, TR-C4, MNX, TSS, and LMX Zoning Districts.
 - (b) Accessory Structures. Accessory structures, as defined in Section 28.211, MGO, shall be compatible with the design of the existing structures on the zoning lot, shall not exceed fifteen (15) feet in height and shall be as unobtrusive as possible. No accessory structure shall be erected in any yard except a rear yard. Exterior wall materials shall be the same as those for construction of new principal structures as set forth in Sec. 41.24(4)(a)2.

Analysis and Conclusion

The applicant is requesting a Certificate of Appropriateness to demolish the existing garage and replace it with a similar-style two-car garage in the same location. A garage of similar proportions and location appears on the 1942 Sanborn Map, but staff has been unable to locate any additional documentation to date the age of the garage. The two-car style and simple construction make it likely that this is a ca. 1940s garage, which would put it outside of the period of significance for University Heights. However, it is still a part of the historical development of the property.

The garage is located on a raised foundation, which has significant cracking. The shifting has resulted in structural problems for the garage itself. The applicant is proposing to demolish the existing garage, pour a new foundation, and replicate the form of the garage. The new design will include a slightly longer footprint to accommodate current vehicle sizes. The roof will be a hip style with the same pitch as the original. Rather than windows on the west and east sides, the new design will have a single window located on the west in a different location than the current window placement. The pedestrian door will be located in the same place on the east side of the structure. Rather than a wide, single garage door, the applicant is proposing two garage doors in a Craftsman style.

While replacing the foundation of the garage, the applicant is also proposing to replace the raised concrete stoop and stair that provide pedestrian access from the east side of the garage and install a simple metal railing.

A discussion of the relevant ordinance of Chapter 41.18 & 41.24 follows:

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) N/A
 - (b) N/A
 - (c) The proposed work must comply with the University Heights Historic District standards.
 - (d) The proposed work will not “frustrate the public interest.”
- (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) While the garage appears to have been constructed outside the period of significance for the historic district, it does not appear to be of exceptional significance.
 - (b) N/A
 - (c) The existing garage is minimal in its architectural detailing. As an accessory structure located at the rear of the property, it does not greatly impact the character of the historic district as seen from the street/public right-of-way.
 - (d) The commission has previously approved removal of historic garages because they are no longer functional and would not accommodate current vehicles. While the current garage at this location is already a two-car garage, the structural problems with the failing foundation mean that it needs significant intervention. As the primary building on the site is being preserved, the replacement of the garage with a similar structure fits the intent of policy 41.01(3): “Enhance the visual and aesthetic character of the City by ensuring that new design and construction, when it happens, complements the City’s historic resources;” and 41.01(4): “Provide a framework for appropriate reinvestment in the City’s landmarks and historic districts that ensure new design and construction, when it happens, complements the City’s historic resources and conforms to the standards of the historic district.”
 - (e) The garage is not of a particularly unusual design and it can be easily replicated.
 - (f) The garage does not meet the threshold of “developing an understanding of American culture and heritage.”
 - (g) The condition of the foundation and of the garage structure is not a case of demolition by neglect.

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- (4) Standards for the Review of New Structures in the TR-V1, TR-V2, TR-U1, TR-U2, TR-C2, TR-C3, TR-C4, MNX, TSS, and LMX Zoning Districts.
 - (b) The new garage will be located in the rear yard in the same location as the current garage. At 14’-14”, the new garage will be under the 15’ height maximum allowed for accessory structures in University Heights. It will be architecturally compatible with the primary structure on the property rather than a reconstruction of the existing garage. In that way, it meets the requirements of this standard in that it will replicate the design and architectural composition of the house, which is a Four Square with minimal

Craftsman detailing. The fiber cement siding of the new garage will have a similar profile to that of the house. The slight difference in materials and exposure will allow the new structure to be slightly differentiated from the historic house while still being compatible. The modifications to the fenestration for the garage will not be visible from the street. Additionally, the railing for the new stoop and stairs will likely not be visible from the street and will harmonize with the architectural design of the house.

Recommendation

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