

Regarding: 100 Block State Street: 117-119, 121-123, 125, 127-129 State Street;
120, 122 West Mifflin Street. 4th Ald. District.
(Legistar #24481)
INFORMATIONAL PRESENTATION

Date: November 14, 2011
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General Information:

The Applicants are proposing to demolish two designated landmarks at 125 State Street (Castle and Doyle Building) and 120 West Mifflin Street (Schubert Building) and to construct new development adjacent to landmarks.

According to the current proposal, the Landmarks Commission will be charged with addressing the following at a future meeting:

- A Certificate of Appropriateness for the demolition of 125 State Street.
- A Certificate of Appropriateness for the demolition of 120 West Mifflin Street.
- A recommendation to the Plan Commission and Urban Design Commission for the new construction adjacent to the landmark at 125 State Street.
- A Certificate of Appropriateness for the exterior alteration of the façade of 125 State Street.

Relevant sections of the Landmarks Ordinance pertaining to each of these aspects are included below.

Relevant Landmarks Ordinance Sections for DEMOLITION:

33.19(5)(c)3 Standards In determining whether to issue a Certificate of Appropriateness for any demolition, the Landmarks Commission shall consider and may give decisive weight to any or all of the following:

- a. Whether the building or structure is of such architectural or historic significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the City and the State;
- b. Whether the building or structure, although not itself a landmark building, contributes to the distinctive architectural or historic character of the District as a whole and therefore should be preserved for the benefit of the people of the City and the State;
- c. Whether demolition of the subject property would be contrary to the purpose and intent of this chapter as set forth in Sec. 33.19 and to the objectives of the historic preservation plan for the applicable district as duly adopted by the Common Council; (*section is included below*)
- d. Whether the building or structure is of such old and unusual or uncommon design, texture and/or material that it could not be reproduced or be reproduced only with great difficulty and/or expense;
- e. Whether retention of the building or 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;
- f. Whether the building or structure is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it, provided that any hardship

or difficulty claimed by the owner which is self-created or which is the result of any failure to maintain the property in good repair cannot qualify as a basis for the issuance of a Certificate of Appropriateness;

- g. Whether any new structure proposed to be constructed or change in use proposed to be made is compatible with the buildings and environment of the district in which the subject property is located.

33.19 (1) Purpose and Intent It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people. The purpose of this section is to:

- (a) Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the City's cultural, social, economic, political and architectural history.
- (b) Safeguard the City's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts.
- (c) Stabilize and improve property values.
- (d) Foster civic pride in the beauty and noble accomplishments of the past.
- (e) Protect and enhance the City's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- (f) Strengthen the economy of the City.
- (g) Promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the City.

Relevant Ordinance Sections for NEW DEVELOPMENT ADJACENT TO LANDMARK:

The Landmarks Ordinance does not address development adjacent to Landmarks. The Zoning Code section states:

28.04(3) Scope of Regulations

- (n) Any development on a zoning lot adjoining a landmark or landmark site for which Plan Commission or Urban Design Commission review is required shall be reviewed by the Landmark Commission to determine whether the proposed development is so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark or landmark site. Landmark Commission review shall be advisory to the Plan Commission and the Urban Design Commission.

Relevant Ordinance Sections for EXTERIOR ALTERATIONS TO LANDMARK:

33.195)(b) Regulation of Construction, Reconstruction and Exterior Alteration

- 4. Upon filing of any application with the Landmarks Commission, the Landmarks Commission shall determine:
 - a. Whether, in the case of a designated landmark or landmark site, the proposed work would detrimentally change, destroy or adversely affect any exterior architectural feature of the improvement upon which said work is to be done; and
 - b. Whether, in the case of the construction of a new improvement upon a landmark site, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site;