



Project Name & Address: 717 East Main Street
Application Type(s): Certificate of Appropriateness for demolition on a landmark site
Legistar File ID # 50772
Prepared By: William Fruhling, Acting Preservation Planner, Planning Division
Date Prepared: August 20, 2018

Summary

Project Applicant/Contact: Bryan Keleinmaier, Legal Counsel – Madison Gas and Electric Company
Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for the demolition of an electrostatic precipitator on a designated landmark site.

Background Information

Parcel Location/Information: The landmark site is located at 717 East Main Street.

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.
- (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 - (b) Whether a landmark’s designation has been rescinded.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.

41.01 POLICY AND PURPOSE. The Common Council recognizes that the City of Madison contains buildings, structures, signs, features, improvements, sites, and areas that have significant architectural, archaeological, anthropological, historical, and cultural value. The Common Council further recognizes that these historic resources represent the City's unique heritage, contribute to the health, prosperity, safety and welfare of the City's residents, and serve as a source of great interest to the City's residents and visitors. Therefore, the Common Council hereby finds that it is in the public interest to identify, protect, preserve, promote, conserve and use historic resources within the City. The purpose of this chapter is therefore to:

- (1) Accomplish the identification, protection, promotion, preservation, conservation and use of the City's historic resources, as embodied and reflected in the city's historic districts and landmarks.
- (2) Ensure that the City's growth sensitively incorporates the City's historic resources.
- (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.
- (4) Provide a framework for appropriate reinvestment in the City's landmarks and historic districts that ensures new design and construction, when it happens, complements the City's historic resources and conforms to the standards of the historic district.
- (5) Safeguard the City's historic resources and investment in them by establishing an obligation to maintain them, and encouraging the vigorous enforcement of this ordinance.
- (6) Recognize that the city's historic resources are economic assets that can attract residents and visitors, create jobs, stabilize and improve property values, and stimulate business and industry.
- (7) Foster civic pride in the beauty and noble accomplishments of the past.
- (8) Promote the use of and investment in historic districts and landmarks for the education, pleasure and welfare of the people of the City.
- (9) Provide a clear regulatory framework for implementing, balancing, and accomplishing the public policy announced in this chapter.

Analysis and Conclusion

The applicant is requesting approval of an obsolete electrostatic precipitator adjacent to the brick boiler house on a landmark site. The structure was built in 1972-73 and, according to the submittal materials, does not rely on the boiler house for structural support and can be removed without modification to the boiler house.

Although a portion of the block is in the Third Lake Ridge Historic District, the portion of the site where the precipitator is located is not. In any event, because the demolition of the electrostatic precipitator does not result in an alteration to an existing building and because the demolition on a landmark site is the higher standard of review, the standards for exterior alterations in the historic district are not discussed in this staff report.

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.

- (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) Since the electrostatic precipitator was constructed in 1972-73 to comply with the federal Clean Air Act and is essentially a freestanding structure adjacent to the brick boiler house, the removal of the precipitator would not be detrimental to the public interest and contrary to the general welfare of the people of the City and the State.
 - (b) N/A
 - (c) N/A
 - (d) The removal of the electrostatic precipitator is not contrary to the policy and purpose of this ordinance.
 - (e) The electrostatic precipitator was constructed for a specific purpose and therefore is of an unusual design or uncommon design and method of construction. The precipitator is a contemporary single-purpose addition constructed of metal and aluminum. It is not of such old and unusual or uncommon design, method of construction that it could not be reproduced or be reproduced only with great difficulty and/or expense, but is functionally obsolete and cannot be adaptively reused.
 - (f) The electrostatic precipitator does not provide any architectural or historic significance, and retaining it would not 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) N/A
 - (h) N/A

Recommendation

Staff believe that the standards for granting a Certificate of Appropriateness for the removal of the electrostatic precipitator are met and recommends that the Landmarks Commission approve the Certificate of Appropriateness.