



**Project Name & Address:** 134-150 S Blair Street

**Application Type(s):** Certificate of Appropriateness for a variance, land combination, and new construction

**Legistar File ID #** [79566](#)

**Prepared By:** Heather Bailey, Preservation Planner, Planning Division

**Date Prepared:** April 9, 2024

**Summary**

**Project Applicant/Contact:** Brian Johnson, JCAP Real Estate

**Requested Action:** The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for an Alternative Design Variance, land combination, and new construction of a principal structure

**Background Information**

**Parcel Location/Information:** The subject property is in the First Settlement historic district.

**Relevant Ordinance Sections:**

**41.19 VARIANCES.**

- (6) Alternative Design Variance. The Landmarks Commission may grant a variance allowing, in a new or altered structure, elements that are otherwise prohibited under Sec. 41.18 if all of the following apply:
  - (a) The elements will enhance the quality of the design.
  - (b) The design complies with all other applicable standards under Sec. 41.18.
  - (c) The design does not allow material deviations from historic district standards and guidelines that would undermine the character or purpose of the historic district.
  - (d) The design will have a beneficial effect on the historic character of the area within two hundred (200) feet of the subject property.

**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.
- (4) Land Divisions and Combinations. The commission shall approve a certificate of appropriateness for land divisions, combinations, and subdivision plats of landmark sites and properties in historic districts, unless it finds that the proposed lot sizes adversely impact the historic character or significance of a landmark, are incompatible with adjacent lot sizes, or fail to maintain the general lot size pattern of the historic district.

**41.27 STANDARDS FOR NEW STRUCTURES.**

(1) General

(a) Primary Structures

The design for a new structure in a historic district shall be visually compatible with other historic resources within two hundred (200) feet in the following ways:

1. Building Placement. When determining visual compatibility for building placement, the Landmarks Commission shall consider factors such as lot coverage, setbacks, building orientation, and historic relationships between the building and site.
2. Street Setback. When determining visual compatibility for street setbacks, the Landmarks Commission shall consider factors such as the average setback of historic resources on the same block face within two hundred (200) feet, and the setback of adjacent structures.
3. Visual Size. When determining visual compatibility for visual size, the Landmarks Commission shall consider factors such as massing, building height in feet and stories, the gross area of the front elevation (i.e., all walls facing the street), street presence, and the dominant proportion of width to height in the façade.
4. Building Form. When determining visual compatibility for building form, the Landmarks Commission shall consider factors such as building type and use, roof shape, symmetry or asymmetry, and its dominant vertical or horizontal expression.
5. Architectural Expression. When determining visual compatibility for architectural expression, the Landmarks Commission shall consider factors such as the building's modulation, articulation, building planes, proportion of building elements, and rhythm of solids to voids created by openings in the façade.

(2) Building Site

(a) General

1. New parking areas, access ramps, trash or mechanical equipment enclosures shall be designed so that they are as unobtrusive as possible, retain the historic relationship between the buildings and the building and the landscape, and are visually compatible with other historic resources in the district.

(3) Exterior Walls

(a) General

1. Materials used for new structures shall be similar in design, scale and architectural appearance to materials that date to the period of significance on historic resources within two hundred (200) feet, but differentiated enough so that it is not confused as a historic building.

(4) Roofs

(a) Form

1. Roof form and pitch shall be similar to the form and pitch of the roofs on historic resources within two hundred (200) feet.

- (b) Materials
  - 2. Any roofing material shall be permitted on flat or slightly pitched roofs not visible from the developed public right-of-way.
- (e) Rooftop Features
  - 1. Rooftop decks or terraces and green roofs or other roof landscaping, railings, or furnishings shall be installed so that they are inconspicuous and minimally visible on the site and from the street.
- (5) Windows and Doors
  - (a) General
    - 1. Door and window styles should both match the style of the new structure and be compatible with those on historic resources within two hundred (200) feet.
  - (b) Windows and Storm Windows
    - 1. Multi-light windows shall have true divided lights or simulated divided lights with muntin grids on the exterior and interior with spacer bars between the panes of glass.
  - (c) Entrance Doors and Storm Doors
    - 1. Sliding glass doors shall not be installed on the ground floor elevation along any street frontage.
  - (f) Garage Doors
    - 1. Garage doors shall be similar in design, scale, architectural appearance, and other visual qualities prevalent within the historic district.
- (6) Entrances, Porches, Balconies and Decks
  - (a) Porch Elements
    - 1. Entrances and porches shall be of a size and configuration consistent with the historic resources in the district.
    - 2. The primary entrance for the structure shall be located on the front elevation, or, structures on a corner lot may have a corner entrance.
  - (b) Balconies and Decks
    - 1. Projecting, partially projecting/inset, and inset balconies are prohibited on elevations visible from the developed public right-of-way, unless there is precedent on the historic resources in the district.
- (7) Building Systems
  - (a) Mechanical Systems
    - 1. Mechanical equipment shall be screened if it is visible from the developed public right-of-way.
    - 2. Static vents, electric vents, wind turbines, and attic fans visible from the developed public right-of-way are prohibited.
    - 3. Grilles, vents, equipment, and meters shall be finished or painted to match adjacent building materials.
  - (c) Lighting and Electrical Systems
    - 1. Decorative light fixtures shall be compatible in style and location with the overall design of the building.
    - 2. Security light fixtures or security cameras shall be installed so that they are as unobtrusive as possible.
    - 3. Exterior mounted conduit on elevations visible from the developed public right-of-way is prohibited.
    - 4. Roof appurtenances such as antennas, satellite dishes, or communications equipment should be installed so that they are minimally visible from the developed public right-of-way and do not damage or obscure historic features.”

## Analysis and Conclusion

The applicant is requesting a Certificate of Appropriateness to resolve the underlying platted lot lines on a lot of record, and construction of a new principal structure with an Alternative Design Variance request in order to meet the new construction standards for the new structure. While this redevelopment project involves multiple lots, the request before the Landmarks Commission at this time only involves the lot of record within the First Settlement Historic District. The redevelopment project also involves the Hotel Ruby Marie, which is located within the Third Lake Ridge Historic District, but no exterior changes are proposed at this time for that property.

The lot of record included in this proposal is currently a surface parking lot. Per the application materials, it has operated as a single lot since 1955, which makes the resolution of the underlying platted lot lines is more of a platting exercise rather than the consideration of combining separate smaller lots that have functioned independently. The application materials state that the current parcel/lot of record was created in 1955 and has operated as a single parcel/lot of record since that time. The aerial imagery supports the gradual evolution of that lot to become more paved over time until it became a surface parking lot. Per the standards of approval and previous precedent, this proposal appears to meet the standards for lot combination.

For the new construction, redevelopment of this property faces several challenges. Its mid-20th century reconfiguration to accommodate a larger commercial building and the subsequent commercial use of the site changed the physical character of this segment of the block. The longtime lot is dramatically larger than all other lots in the First Settlement Historic District. However, it is in keeping with the larger commercial and industrial lots that characterize this end of the Third Lake Ridge Historic District, which is immediately adjacent to this lot. The lot development pattern history of this lot aligns with the lot development pattern of the Third Lake Ridge lots in the vicinity. As such, the proposal for the new principal structure is asking for an Alternative Design Variance that would reference the size and character of the historic resources within 200 feet of the subject property that are located within the adjoining historic district, with this property then serving as a transition between the two local historic districts.

The applicant team worked with the Preservation Planner and the UDC Secretary to try and make a design that would meet both sets of standards and after extensive attempts to design a structure that referenced the historic resources in First Settlement without success, the team shifted to linking this edge property to the edge of the adjacent historic district, which has several larger historic resources within 200 feet. While the current iteration is a substantial improvement, staff does still have concerns about how the design meets the historic district new construction standards. The new design draws references from nearby historic resources, but does so in a disjointed manner that does not result in a cohesive design. The window grid pattern from the Beaux-Arts style depot across the street is in all of the first floor windows of the street façade of the new structure, but the style of arched window openings is not. The large glass entry feature from the Beaux-Arts building is on the new building, but the design of the window surround and the central bay on the new structure is in a Stripped Classicism design instead of Beaux Arts. That central bay is then flanked by two bays that use the architectural vocabulary of the early 20<sup>th</sup> century commercial building that is also across the street, but with no entrances and still including the multi-light window pattern of the Beaux-Arts building. Staff advises that the design of the new building should use a single architectural vocabulary rather than picking disparate pieces from different types of historic resources that have resulted in a disjointed design. The building form, materials, and site design all appear to meet the standards of approval, but the Architectural Expression standard does not appear to be met yet and the design needs to refine the wall cladding on the front façade and the window styles in order to meet those standards. However, staff believes that some tweaks to the existing design are possible.

In discussion with the Urban Design Commission Secretary, the concerns of that commission's review related to this design would be the proportions of the building's configuration. Every building needs a top, middle, and

bottom, but the base of this building is small in relation to the middle. This could be resolved with possibly making the base a three-story element and also including more substantial architectural detailing on the base. As part of that, with this being a residential building, there is the likelihood that the UDC will ask for more street activation, such as the inclusion of street-level entries to the ground-floor units. UDC is also likely to have concerns about the expanses of blank walls on the north and west sides of the building. The applicant team should take that into consideration if they modify the proposed design.

A discussion of relevant standards follows:

**41.19 VARIANCES.**

- (6) Alternative Design Variance. The Landmarks Commission may grant a variance allowing, in a new or altered structure, elements that are otherwise prohibited under Sec. 41.18 if all of the following apply:
- (a) The concept of referencing the historic resources within 200 feet from the Third Lake Ridge Historic District will enhance the quality of the design. The design team tried designs that referenced the smaller residential styles that are within 200 feet in the First Settlement District and they did not work for this lot that had such a different development history. The direction of the current concept is trending towards a quality design that will allow this infill to serve as a bridge between the two historic districts.
  - (b) The design currently does not comply with all of the standards in MGO 41.18 because staff does not believe that the current design meets the Architectural Expression standard of approval from the historic district standards. This standard can be met once the architectural design complies with the historic district standards.
  - (c) This is an unusual situation in that a lot at the edge of the First Settlement Historic District has a different lot development pattern and history from the other residential properties within 200 feet of that district. The historic properties within 200 feet of the subject property in the adjacent Third Lake Ridge Historic District does provide a reference where the character and purpose of the historic district standards could be met and an infill structure that could be visually compatible with historic resources within 200 feet if taking into context the properties that have a similar commercial development history.
  - (d) The variance request takes into account all of the historic resources within 200 feet, beyond the boundaries of the First Settlement Historic District, which would result in the beneficial effect of an infill building that is in keeping with the architectural character of historic resources within 200 feet of the subject property.

**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 current design does not appear to meet the Architectural Expression standard in MGO 41.27(1)(a)(5), and the design needs refinement to meet the exterior cladding standards in MGO 41.27(3) and window standards in MGO 41.27(5).
  - (d) The proposed project will not frustrate the public interest expressed in this ordinance. The surface parking lot does not contribute to the historic character of either of the historic districts and this is a site that would benefit from compatible infill, as specified in this ordinance.

- (4) Land Divisions and Combinations. This end of the block has larger lots and the documented history of the lot development pattern of this lot of record shows that it is a part of the history of this area, albeit it is more aligned with the history of the properties in the adjacent Third Lake Ridge Historic District rather than the First Settlement Historic District.

#### 41.27 STANDARDS FOR NEW STRUCTURES.

(1) General

(a) Primary Structures

The design for a new structure in a historic district shall be visually compatible with other historic resources within two hundred (200) feet in the following ways:

***[with the variance request, the historic resources within 200 feet include those in the Third Lake Ridge Historic District]***

1. Building Placement. The lot coverage, setbacks and building orientation are visually compatible with the historic resources within 200 feet.
2. Street Setback. The proposed building is visually compatible with the street setbacks of historic resources within 200 feet.
3. Visual Size. This will be a substantially larger building than the historic resources within 200 feet. The historic passenger and freight depots across the street are hyphenated to the larger MG&E building, which rises behind them. The proposed design with a two-story podium level, with the articulation to provide the sense of there being three separate façades and then the step back to the additional stories does reference the evolution of the properties across the street.
4. Building Form. The flat roof and symmetrical configuration is in keeping with the commercial forms of the historic resources within 200 feet.
5. Architectural Expression. Of the commercial historic resources within 200 feet, there is the Beaux Arts passenger depot, a Beaux Arts influenced early 20<sup>th</sup> Century commercial on the freight depot, early 20<sup>th</sup> Century commercial on the Wisconsin Wagon Company building, and the vernacular Italianate style Hotel Ruby Marie. The modulation, articulation, and building planes appear to be largely aligned with the historic resources. The proportion of the building elements will be shaped by the finalized architectural vocabulary. While the larger rhythm of solids to voids is similar to historic resources, the voids on historic resources predominately feature arched windows and there are none of this proposed building.

(2) Building Site

(a) General

1. All parking will be interior structure parking, but the access ramp is located on the back (southwest) of the lot on the end of the south façade furthest from the street and nested behind a projecting bay to further help to limit its visibility from the developed public right-of-way, making it as unobtrusive as possible. The rest of the hardscaped site leading to the drive aisle appears to be compatible with the design of the building.

(3) Exterior Walls

(a) General

1. The materials on the proposed building exterior are a mix of masonry and metal panels. There does not appear to be any precedent for metal cladding on historic resources within 200 feet and staff would recommend that on the areas on the front elevation of the building, that only masonry be used for the cladding. The areas minimally visible from the developed public right-of-way and on the rear of the structure that include metal panels would not detract from the historic

character of the historic resources within 200 feet. The new materials will allow the building to be differentiate from historic resources.

(4) Roofs

(a) Form

1. The flat roof form is found on historic resources within two hundred feet.

(b) Materials

2. Any roofing material shall be permitted on flat or slightly pitched roofs not visible from the developed public right-of-way.

(e) Rooftop Features

1. The front of the building includes rooftop decks that are nested behind the parapets of the level below. There is also a larger rooftop deck that is located on the rear of the building, and that will not be visible from the street.

(5) Windows and Doors

(a) General

1. The proposed doors shown in the renderings appear to match the styles on historic resources within 200 feet. The window openings on historic resources are predominately arched and there are no arched windows on the proposed structure. The windows on the first floor of the front façade include the window grid pattern found on the Beaux-Arts passenger depot across the street, but do not replicate the window form. Staff would recommend replicating window form and styles found on historic resources in the vicinity.

(b) Windows and Storm Windows

1. There are no specifications for the proposed windows included in the submittal. If the applicant proceeds with multi-light windows, they will have to be true divided lights or simulated divided lights with muntin grids on the exterior and interior with spacer bars between the panes of glass.

(c) Entrance Doors and Storm Doors

1. Sliding glass doors shall not be installed on the ground floor elevation along any street frontage. There are sliding glass doors on the rear of the structure.

(f) Garage Doors

1. There are no specifications included for the proposed garage door, but the design included in the rendering will allow that space to read as a void.

(6) Entrances, Porches, Balconies and Decks

(a) Porch Elements

1. The proposed entrances to the building are in keeping with the character of the entrances, including an architectural canopy as found on the Beaux Arts Depot across the street.

2. The primary entrance is on the front of the building.

(b) Balconies and Decks

1. The projecting balconies are located on elevations that are not visible from the developed public right-of-way. There are no specifications provided for the style of railings.

(7) Building Systems

(a) Mechanical Systems

1. Mechanical equipment shall be screened if it is visible from the developed public right-of-way. There is currently no information on the mechanical equipment that will serve this building.

2. The vents shown on the building are not on the front of the building are substantially set back from the front of the building to be minimally, if at all visible from the developed public right-of-way are prohibited.
  3. Grilles, vents, equipment, and meters shall be finished or painted to match adjacent building materials.
- (c) Lighting and Electrical Systems
1. The proposed decorative light fixtures appear to be compatible in style and location with the overall design of the building.
  2. Security light fixtures or security cameras shall be installed so that they are as unobtrusive as possible.
  3. Exterior mounted conduit on elevations visible from the developed public right-of-way is prohibited.
  4. Roof appurtenances such as antennas, satellite dishes, or communications equipment should be installed so that they are minimally visible from the developed public right-of-way and do not damage or obscure historic features.”

## Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness could be met and recommends that the Landmarks Commission refer the proposal to a future meeting with specific guidance on how to meet the standards of approval, with the following recommended conditions of approval:

1. Redesign the front façade of the building to utilize a single architectural vocabulary and only use masonry cladding on the front façade
2. Final door, window, and railing specifications either be administratively approved by staff or included in an updated submittal
3. Information on mechanicals and utility locations on the building either be administratively approved by staff or included in an updated submittal