

PLANNING DIVISION STAFF REPORT

June 8, 2026

PREPARED FOR THE LANDMARKS COMMISSION



Project Name & Address: 110 S Hancock Street

Application Type(s): Certificate of Approval for demolition

Legistar File ID # [93072](#)

Prepared By: Heather Bailey, Preservation Planner, Planning Division

Date Prepared: June 4, 2026

Summary

Project Applicant/Contact: Colin Smith, JD McCormick Properties

Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Approval for the demolition of an accessory structure

Background Information

Parcel Location/Information: The subject property is located within the First Settlement local historic district

Relevant Ordinance Sections:

41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROVAL

A Certificate of Approval 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 Approval 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 Approval 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 Approval 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 Approval 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 Approval 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.

41.14 MAINTENANCE OBLIGATION; ENFORCEMENT; PENALTIES.

- (4) Penalties. Violations of the provisions in this ordinance shall be subject to a minimum forfeiture of two hundred fifty dollars (\$250) and a maximum forfeiture of five hundred dollars (\$500) for each separate violation. A second violation within thirty-six (36) months shall be subject to a minimum forfeiture of five hundred dollars (\$500) and maximum forfeiture of one thousand dollars (\$1,000) for each separate violation. A third violation within thirty-six (36) months shall be subject to a minimum forfeiture of one thousand dollars (\$1,000) and maximum forfeiture of two thousand dollars (\$2,000) for each separate violation. Each and every day during which a violation continues shall be deemed to be a separate violation. All fines imposed under this ordinance shall be tripled if the Court makes an additional finding that the subject property is undergoing demolition by neglect as defined by this ordinance. A finding of demolition by neglect by the Landmarks Commission as provided in Sec. [41.15](#) below shall be prima facie evidence of demolition by neglect for purposes of any civil court action.

41.21 PENALTIES FOR FAILURE TO OBTAIN CERTIFICATE OF APPROVAL.

- (1) Permits. The Building Inspector shall not issue a permit allowing alteration, construction, demolition, removal, or for any other action for which a Certificate of Approval is required unless the certificate has been approved by the Commission and issued by the Preservation Planner or designee.
- (2) Prohibition. No owner, operator, or person in charge of a landmark, landmark site or structure within an historic district shall cause or permit any painting of signs, alteration, construction, demolition or removal for which a Certificate of Approval is required unless such Certificate has been approved by the Commission.
- (3) Penalty for Work Done Without, or in Violation of, a Certificate of Approval. In addition to any other penalty provided in this chapter, the Landmarks Commission, may order the removal or modification of any alteration, construction or other work that was performed without a required Certificate of Approval, or that was not performed in compliance with the conditions of a lawfully issued Certificate of Approval, when such work does not meet the applicable standards for a certificate under Subchapter F of this ordinance. Alternatively, the Commission may order renovation to make such work comply with those standards.

Analysis and Conclusion

The proposed project is to approve the after-the-fact demolition of the historic Trachte garage on the property. The rental property is operated by JD McCormick Properties, and the staff represented that they did not know they needed a Certificate of Approval or a building permit for demolitions on this property. As part of a larger compliance case with Building Inspection, the approval for the illegal demolition of the garage is all that remains. The applicant has supplied additional photographic documentation to show the condition of the garage prior to when they demolished it. It had suffered deterioration, and a vehicle collision with one of the structural supports made the structure unsound.

As an illegal demolition, staff is requesting that the Landmarks Commission enforce the ordinance and levy the standard fine of \$250 for failure to secure the Certificate of Approval. While the ordinance does provide for additional remedies such as reconstructing the demolished historic resource, staff does not believe that would be beneficial for the preservation of this site or for the historic district. The applicant is working with Zoning on updating their site plan to address updated surface parking configuration on the property.

A discussion of relevant standards follows:

41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROVAL

A Certificate of Approval 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 Approval 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) Historic Trachtes are a rare remaining resource and it would have been in the interest of the ordinance to try and salvage or relocate the resource rather than having it demolished.
 - (b) N/A
 - (c) The historic Trachte garage was a part of the character of the district.
 - (d) As a rare remaining resource, it would have aligned with the ordinance to try and rehabilitate the historic garage structure, but the Landmarks Commission has approved the demolition of other structurally unsound garages.
 - (e) These style of Trachte outbuildings were a product of their time and it is unlikely it could be replicated without substantial expense.
 - (f) While the accessory structure contributed to the historic character of the district, its retention would not have promoted 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 was in part due to a lack of maintenance by the property owner, but the vehicle crash into the support post was an accident.
 - (h) There is no proposed replacement structure.

The applicant has provided additional pictures of the structure prior to its demolition. No additional documentation is necessary or possible at this point.

41.14 MAINTENANCE OBLIGATION; ENFORCEMENT; PENALTIES.

- (4) Penalties. Staff recommends the minimum fine of two hundred fifty dollars (\$250) for the failure to secure the required Certificate of Approval.

41.21 PENALTIES FOR FAILURE TO OBTAIN CERTIFICATE OF APPROVAL.

- (1) Permits. The applicant also did not apply for the required raze permit prior to the demolition, but has now submitted the required application materials to Building Inspection.

- (2) Prohibition. The owner of this property did work without the required approvals, in violation of the ordinance.
- (3) Penalty for Work Done Without, or in Violation of, a Certificate of Approval. Staff does not believe that additional mitigation is required in this instance as recreation of the historic garage would create a false sense of history and the surface parking will not detract from the historic resources in the district.

Recommendation

Staff believes that the standards for granting a Certificate of Approval are met and recommends the Landmarks Commission approve the demolition with the condition of Building Inspection issuing the order of a fine of \$250 for failure to secure a Certificate of Approval.