

AGENDA # 2

City of Madison, Wisconsin

REPORT OF: LANDMARKS COMMISSION

PRESENTED: February 27, 2012

TITLE: 100 Block State Street Development – Proposed Demolition of Designated Landmark at 120 West Mifflin Street (Schubert Building), Exterior Alteration to Landmark at 125 State Street (Castle & Doyle Building), and Proposed New Development Adjacent to Landmarks. 4th Ald District. Contact: George Austin, AVA Civic Enterprises (24480)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Amy Scanlon, Secretary

ADOPTED:

POF:

DATED: February 27, 2012

ID NUMBER:

Members present were: Stu Levitan, Chair; Erica Gehrig, Vice Chair; Christina Slattery, David McLean, Marsha Rummel, Robin Taylor, and Michael Rosenblum.

SUMMARY:

David Stark, representing Greater Madison Chamber of Commerce, 5047 St. Cyr Road, registering in support and wishing to speak. He passed out a Chamber of Commerce position letter and a letter from his father, Phil Stark. His grandfather built the Stark Building and he believes there are many benefits to this development proposal. Gehrig asked if he thought the existing building was obsolete. He said that he had never been in it and that the building is not part of the Frautschi vision.

Jason Tish, representing Madison Trust for Historic Preservation, 2714 Lafollette Avenue, registering in opposition and wishing to speak. Mr. Tish thinks the Stark Building is a solid handsome building that is not obsolete. He noted that the building holds the edges of the block and addresses the corner with prominent entrance. It is likely eligible to meet the criteria for landmark status. He said Kitty Rankin, former preservation planner for the City of Madison, said the Schubert Building is one of the best examples of a Queen Anne style commercial building in the City. The Schubert Building went through the arduous process of nomination and contributes to the urban landscape. The loss of these buildings would erode the urban fabric. The proposed design is not an appropriate trade off for what is lost. Gehrig asked Mr. Tish if he thought a physical building with activities in them would provide more activity and interest than an open space. Mr. Tish noted that an indoor space in January will provide more activity and interest than an outdoor open space in January.

Gary Peterson, 210 Marinette Trail, registering in support and wishing to speak. He has been a city planning consultant for many years. He prepared a blight study of this block a few years ago. He noted that City and School District operations need the additional assessed value that this proposal will provide. He feels that the process should not block progress. Rummel asked about the blight study and noted that a “blighted” building

can be improved to have that label removed. Mr. Peterson said the blight study was prepared 6 months before Overture development project in 2001. Gehrig asked Mr. Peterson what issues would be surveyed in a blight study. Mr. Peterson explained that one would look at the condition of building elements including foundations, exterior walls, roof, windows, window frames, doors door frames, etc.

Gehrig and Rosenblum asked Mr. Peterson to clarify when the study was completed. Mr. Peterson stated that it was done 6 months before Overture started. It was part of the same study that was done for the development of Overture.

Levitan asked for Mr. Peterson to give his opinion on the historic value on Fairchild Building. Mr. Peterson said that blight studies do not take historic properties into account.

Ledell Zellers, 510 North Carroll Street, registering in opposition and wishing to speak. Ms. Zellers noted that she owns a landmark residence that was once determined to be blighted. She said the blight is not a reason for demolition and explained that the blight definition is general and could be used for many buildings in the city. She does not want to weaken the Landmarks Ordinance or the quality of the built environment. Schubert is a designated landmark building and the Stark building has historic value. Demolishing them for a private garden with limited public access would lower the quality of the built environment. The goals of the project can be achieved without demolishing these viable historic resources.

Betty Harris Custer, representing the Overture Center Foundation Board as the Chair of the Development Committee, 14 Pinehurst Circle, registering in support and wishing to speak. Ms. Custer is appreciative of the generous donation of project profits from the project toward the Overture. She noted that she has seen many buildings of her youth removed for new buildings and explained that some memories remain in the heart and the mind. She explained that the Fairchild Mifflin corner has already been changed by the Overture, the Library and the potential development of the Hovde properties. This project is keeping with the vision of the block.

Rosemary Lee, 111 West Wilson #108, registering in opposition and wishing to speak. Ms. Lee has lived in and supported the downtown for 44 years and is a CNI member. She explained that both the Schubert and Stark Buildings should not be sacrificed for this proposal. The proposal is disrespectful to building's uniqueness and have suffered from benign neglect since acquisition by Central Focus. Any structure can be rehabbed if an owner chooses to do so. Mr. Frautschi's letter to the Urban Design Commission that says they will cancel the project if they do not get the approvals is disrespectful. Outdoor private space is too limiting. The design is not worth the loss of the two iconic buildings.

Susan Schmitz, 210 Marinette Trail, representing Downtown Madison Inc., 122 West Washington Avenue, registering in support, wishing to speak, and available to answer questions. Ms. Schmitz explained that the downtown has experienced a renaissance since the opening of Monona Terrace. A pedestrian-friendly vibrant downtown was desired at that time as a way to strengthen the community. She noted that we most continue to nurture and care for the downtown. This proposal will improve an important block of State Street and will improve the outer ring.

Gehrig asked if the Business Improvement District (BID) has a support system for businesses with month to month leases. Ms. Schmitz stated that the BID pays attention to these issues because State Street is "fragile". Gehrig asked if there is more value to the proposal than the existing buildings. Ms. Schmitz explained that DMI believes the proposal will increase the amount of people in the area and that is a good thing for business. Gehrig asked if DMI would support a proposal involving the restoration of the buildings to promote a domino effect of restoration down State Street. Ms. Schmitz explained that the City Façade Grant Program was put in place as a

tool to help the businesses and property owners on State Street raise the bar in light of the development of Overture. The Façade Grant Program should continue to be promoted.

Rosenblum asked if the renovation of the two buildings would attract people. Ms. Schmitz agreed, but noted that the proposed design would bring more interest to the area.

Rummel asked if retail studies have been done to quantify the needs of the downtown regarding configuration and size. Ms. Schmitz explained that DMI measures the downtown to understand what elements create a successful mix.

McLean asked if this proposal would raise rental rates and have an effect on the whole street. Ms. Schmitz explained that State Street is no longer a “mom and pop” rental area and that rental rates along the street are similar to other areas. She explained that this proposal would probably attract a more experienced retailer.

Gehrig asked if the open space would draw more people to the corner than a building. Ms. Schmitz noted that the open space should be designed to attract people and that more people make urban spaces safe.

McLean asked about other measures to make the outer ring more pedestrian friendly. Ms. Schmitz explained that there is a desire for complete streets improvements with the Transportation Master Plan.

Eileen Kolbach, 542 Evergreen, registering in opposition and wishing to speak. She lives downtown and she doesn't own a car. As a pedestrian she feels the Fairchild and Schubert Buildings provide a friendly scale that the proposed project lacks. She encouraged the Landmarks Commission to not approve the demolition.

Linda Baldwin, representing Overture Center Foundation, 2930 Lakeland Avenue, registering in support and wishing to speak. Ms. Baldwin explained that she is a preservationist. She lives in a landmark and in her past experience, she was involved in the Main Street Program of the National Trust and she started a preservation organization. Ms. Baldwin explained that streets change over time. She noted that design is only a part of a healthy downtown and that scale and street access can be maintained with old and new buildings. She noted that being mired to buildings from the past that need updating seems to be backward thinking and that Madison needs to move on to the 21st Century. She explained that the opportunities to refresh the block and add vitality outweigh the things that she does not like about the proposal. She said that she is willing to sacrifice an older building for the benefits of increased vitality, increased tax revenue and new jobs.

Rummel asked what parts of the project were not liked. Ms. Baldwin stated that she does not like the recreated storefront and that would prefer that the style of new construction be consistent with its age. Rummel also asked if the proposal on the Mifflin and Fairchild sides have a similar scale to what exists now. Ms. Baldwin stated that the proposal seems to be in scale.

Levitan asked about the historic value of the Fairchild Building. Ms. Baldwin stated that it is unfortunate to lose the Fairchild Building, but that issue cannot be separated out from the overall proposal.

McLean asked what about the current proposal was more successful than adapting the buildings that are already there. Ms. Baldwin stated that new spaces will bring new retailers and while rehabilitation of existing buildings may also, a rehabilitation project is not being proposed.

Gehrig asked about lessons learned with her experience with Main Street Program and how that relates to State Street. Ms Baldwin explained that State Street is Madison's main street and that it has good building stock. The Main Street Program is about economic restructuring, design, retail diversity, and promotion of commercial

area. All elements come together to make streets successful. Gehrig noted that the Overture was supposed to create more activity for the area and now this proposal is claiming we need another development to bring activity. Ms Baldwin noted that Overture is part of the mix and that developments spur on new developments.

Levitan disclosed that Ms. Baldwin is the associate publisher of the Isthmus which he occasionally writes for and didn't think it would be a conflict of interest.

Melanie Foxcroft, 2138 Lakeland Avenue, registering in opposition and wishing to speak. Ms. Foxcroft explained that downtown commercial districts encourage the use of historic buildings in Australia and in European communities. Historic buildings have an intangible value. She noted that new developments sometimes have a traditional appearance to mimic historic buildings because people find them inherently quaint and comfortable. Madison has this quality in the existing buildings on the site. History should not be removed because it is slightly inconvenient. Start Building is an excellent candidate for renovation. Utilizing the roof top for a garden would serve the purpose.

Gus Paras, 202 State Street, registering in support and wishing to speak. Mr. Paras was a building owner on this block and knows the buildings on State Street very well. He said it would cost more to rehabilitate the Schubert Building than to build new. He explained that the Fairchild building is not rentable due to interior configuration of spaces and that other buildings have very high utility costs. He encouraged the Commission to allow the project to move forward to improve the downtown. Levitan requested clarification about building costs because the project team stated it would cost \$488K to rehabilitate and \$1M to replace. Mr. Paras explained that he is familiar with building renovations on State Street and that the renovation costs will likely be double what were originally estimated. Gehrig asked about Mr. Paras' building ownership. He explained he owned the Haswell Building from 1985 until five or six years ago when he was approached by Mary Rifken to exchange ownership of the Haswell Building with the Associated Bank Building.

Donna Hellenbrand, 2957 Milwaukee Street, registering in opposition and wishing to speak. Ms. Hellenbrand explained that this project compromises Madison's history. The Madison Trust proposal would work well. The current proposal does not relate to its context. Allowing this proposal will encourage other similar projects to follow.

Vic Villacrez, 248 Meadowside Drive, Verona, WI registering in support and wishing to speak. He did business in the 100 Block for 16 to 17 years and was involved with the organization of the BID for the area because he felt State Street was struggling. He noted that there are numerous vacancies on State Street currently and that the majority of available spaces are smaller older spaces. He feels that newer developments would attract business. Rummel asked about the smaller proposed retail footprints. He said newer spaces are more attractive and functional to meet modern retail needs. Gehrig asked about the Façade Grant Program and how to promote the investment in the street. He said 85% of buildings on State Street are occupied by tenants, not owners and that property owners must be the ones to invest in their properties. The renovation of the Fairchild Building may not have a domino effect as previously discussed, but new development would create stimulus.

Tom Link, 1111 Willow, registering in opposition and wishing to speak. He has worked to revitalize Lisa Link Peace Park and it is a beautiful outdoor space that is not used. He noted that the proposed outdoor space may suffer the same fate – especially in winter. He suggested that the building maintenance has been recently neglected and that historic buildings belong to the collective history of a place not just the property owner.

Curt Brink, 701 East Washington Avenue, registering in support and wishing to speak. Mr. Brink explained that the two buildings must be demolished to allow the proposal to improve the downtown. He said that when going around outer loop all you see are parking garages. People coming out of Overture go directly to parking ramps

rather than going on down or up State Street to a destination. He explained that there is not lending in current economy and that renovations are not economically feasible. The open space will revitalize the area like the outside seating along State Street. Rummel asked about possible office space tenants. Mr. Brink explained that he doesn't know if there is a tenant selected but the tenant will certainly be a good one with the access to Overture and Modern Class A amenities.

Gary Tipler, 807 Jenifer Street, registering in opposition, wishing to speak, and available to answer questions. He spoke about the history and architecture of the buildings. He explained that National Register eligibility should be pursued and would benefit the property owners and the context. The Stark Building is eligible for the National Register due to its early 20th Century classically styled contemporary architecture and due to its association with Stark Real Estate Company as first building to be built specifically for real estate offices. Its construction gained national attention for the real estate industry. He further explained the importance of looking at a building in the context of its date of construction and as it historically related to its neighbors. The Schubert Building is significant for its architecture, but also for its place in the German community that relates to Holy Redeemer, numerous German businesses and German residential neighborhood in the area.

Rummel asked about his observations regarding building condition from the tour of the buildings. Tipler explained that the Stark Building has some stone and mortar deterioration that is consistent with its age and adds to its patina. Original window trims exist and would need to be removed, cleaned, repaired (may be replicated) and reinstalled. The second floor windows were previously replaced and the original light fixtures and stone details are in good condition.

The Schubert Building facade has brick on the second story that has recently been painted. The limestone at the first floor has minor damage. The storefront needs to be reconstructed and improper detailing at the parapet has allowed water infiltration and damage.

Rummel asked him to put the Schubert Building in the context of the other Queen Anne buildings on State Street. Mr. Tipler explained that would require very thorough research and examination of Queen Anne commercial buildings in the downtown. The Schubert Building has different design characteristics and qualities which make it unique when compared to other examples.

Bill White, 2708 Lakeland Avenue, registering in support and wishing to speak. Has lived, worked, and worshipped in Madison for 30 years. He believes the Square is the life blood of the community and that the growth of a city should not be only on the periphery. He believes that cities have an obligation to reinvent themselves. He notes that there has been a slow but meaningful evolution on this block over the last 30 years. He explained that the Overture has invigorated the community and that, coupled with the investment in the library and other private sector investments, provides an opportunity for reinvention. He explained that this proposal has an appropriate sensitivity to preservation combined with new development and this should be encouraged.

Scott Kolar, 333 West Mifflin Street #9020, representing Capitol Neighborhoods, Inc., registering in neither support nor opposition. Mr. Kolar is a neighborhood resident and member of the CNI Steering Committee. He explained that the neighborhood would like the character of State Street to be maintained and the Fairchild Street side to be more attractive to pedestrians. He noted that the views about the Fairchild side are divided. Some feel the civic node will achieve the goal of improving the appearance of Fairchild and that the potential building losses are balanced by what is gained. He explained that others want to retain the Fairchild and Schubert Buildings for their historic significance. He concludes by stating that he is complementary of the professional manner in which the design team engaged the neighborhood and how constructive participation results in positive project delivery.

Gehrig asked if the character that the neighborhood would like to maintain was commercial or residential. Mr. Kolar noted that this was not specified. Gehrig asked if the neighborhood discussed the demolition of a City landmark. Mr. Kolar explained that the Steering Committee primarily looked at land use issues. The neighborhood discussions have been very similar to the testimony heard at Landmarks meetings. There is not a consensus.

Mary M. Kolar, 333 West Mifflin Street, registering in support but not wishing to speak changed to wishing to speak. During her 28 year Navy career she has been all over the United States and has visited numerous cities to appreciate historic resources and to see cities that were dying. She moved to Madison in 2004 because of the vibrancy that was found here. She is President of Metropolitan Place Condo Association and the Board of Directors conducted a survey. 92.9% supported this project (27% return). She asked that the Landmarks Commission move this project forward. Rummel asked if the survey asked if the residents would support the demolition of a landmark. Ms. Kolar said the survey asked “do you support the Block 100 Foundation Proposal” – Yes or No. Slattery asked if the respondents were knowledgeable about the proposal. Ms. Kolar said they were knowledgeable. She also noted that this project is different than the Edgewater – a \$16M difference.

Edward Kuharski, 405 Sidney Street, registering in neither support nor opposition and wishing to speak. Mr. Kuharski made a metaphorical statement noting that there is usually a third way to look at an issue to find a compromise that would be more acceptable for all parties.

Stephen Fleischman, 227 State Street, registering in support but not wishing to speak.

Nick Schroeder, 213 South Baldwin Street, registering in opposition but not wishing to speak.

Franny Ingebritson, 516 Wisconsin Avenue #1, registering in opposition but not wishing to speak.

Michael Bridgeman, 106 South Franklin Street, registering in opposition but not wishing to speak.

Tim Wong, 161 Jackson, registering in opposition but not wishing to speak. Wrote: I oppose destroying the 100 Block of State Street for the sake of the ego of one of the 1%.

Lawrence Lester, 2657 Milwaukee Street, registering in opposition but not wishing to speak.

Ronnie Hess, 1819 Summit, registering in opposition but not wishing to speak.

Carole Schaeffer, representing Smart Growth Greater Madison, 282 Alpine Meadow Circle, registering in support but not wishing to speak.

Doug Hursh, representing Block 100 Foundation, 15 Ellis Potter Court, registering in support and available to answer questions.

Sarah Frautschi, 1801 Laurel Crest, registering in support but not wishing to speak.

Luke Hutchins, 2984 Waubesa Avenue, registering in support, not wishing to speak, but available to answer questions.

Ald. Verveer is at the meeting but did not wish to speak.

The project team included George Austin, representing Block 100 Foundation, 2316 Chamberlain Avenue, Eric Lawson, representing Block 100 Foundation, 15 Ellis Potter Court, Kevin Delorey, representing Block 100 Foundation, 33 East Main Street, Ste 900, and Grant Frautschi, 1801 Laurel Crest, registering in support and available to answer questions.

Mr. Austin spoke of submission materials that were given at January 30 meeting and explained that no changes had been made since then.

Mr. Lawson noted that the wrong citation was given on the last page of their submission materials.

Levitan asked if a vacated Mifflin Street would change their proposal for open space on the corner.

Mr. Austin said garden space is desirable regardless of how Mifflin Street is treated. Building to the corner will reinforce the cross roads as an intersection instead of as a “space”.

Levitan said outer corridor is a vehicular ring. Why put the open space there?

Mr. Austin said an outdoor space would “humanize” the outer ring. More recent developments on the outer ring have attempted to improve it.

Levitan asked if potential garden was ever considered on the back sides of Buell and Haswell.

Mr. Austin said the Foundation feels the proposed location on the corner is the best location for a garden. This outdoor space is completely different than the outdoor plazas of GEF 1 and 2. The proposed outdoor space will be designed to be attractive even in winter months. Rosenblum asked how it will be treated in winter. Mr. Austin explained space will not be active like it is in the other favorable weather months but it will have lights reflecting off snow and plantings from lighting system and from restaurant space to create a sculptural quality.

Rummel asked how the open space would interact with Overture and the locked doors at Fairchild.

Mr. Austin said that locking the doors is a management issue. The lobby might become a more active space and that they should not make design decision based on management issue.

Rummel asked about incorporating the Schubert Building since the footprint of the proposed design is so similar.

Austin said it could be done but there are floor height differences which make it more difficult and reduces opportunity to maximize rents. In order to repair the building for the future, it would result in the retention of the façade which is not what the Commission wanted on other aspects of this project. The expression of the Mifflin Fairchild corner (civic node) takes into account the four corners of the space. The Schubert façade is not part of the vision.

Rummel asked about the existing footprint compared to the proposed smaller footprint of Buell Building. How did you decide on this size and configuration? Mr. Lawson said that it is retail in front and storage related to retail in basement. They do not have restaurateur to date. They were just trying to represent what a restaurant may look like in the space.

Rummel asked about viable renters for retail spaces.

Austin said the proposal is to maintain the nature of State Street. The removal of a party wall provided potential for larger retail space and this was a concern of the neighborhood. The wall was restored between the Haswell Building and the Buell Building to create smaller spaces. Castle and Doyle could have been part of a larger retail space, but they decided to keep its current size. The Vallender space will also stay the same. Rummel wants this to be based on studies. Mr. Austin said they used consultants early on that pieced the markets of offices, restaurants, and retail together for the proposal.

Levitan asked about historic value of Fairchild Building.

Mr. Austin said it does have historic value but it is not so significant that it should not be removed for overall project goals. He requested that the Commission think about the project in total: 6 properties brought together for a unique set of circumstances. 100 Block Foundation believes that what is being proposed has greater value than what is lost. Rummel asked for more information about the timeline because it looks like they stopped investing in the property once it was landmarked and that the hardship of condition is somewhat self-created. Mr. Austin explained that they have maintained the basic integrity of the building. The floor repair was not part of maintenance. If it's decided that the Schubert Building should remain then those projects could be done in the future. The Foundation feels that they have been good stewards of the buildings. Gehrig asked when the Schubert Building came up for nomination, why did no one come to the Common Council to talk about these condition issues.

Mr. Lawson said that a condition report from 2008 noted the holes in the floors. Central Focus is managed by the Rifken Group. A letter dated January 25, 2008, addressed to the Commission and the Secretary and also copied to the Mayor and Alderperson opposed the nomination and asked to put it on file. The letter questioned the criteria used for designation and offered a strategy to work with the owners on the block in order to strengthen the neighborhood instead. The letter explained the economics needed for renovation and stated the need for modern accessible updates.

Levitan asked if it would have been more persuasive to unveil the plans for the entire block in 2007. Mr. Austin said there are dynamics involved in urban development and that was not possible. Rummel asked who the owner is. Mr. Austin said Central Focus LLC owns these properties. Marty Rifken was a broker and property manager, not an owner. Taylor noted that the national economy is in a bad place and through this proposal, the Foundation is promising beautiful retail and a fantastic restaurant. Is this really a reality? Mr. Austin said that the economy is not a key factor in this decision due to the available resources. Cash flow from project doesn't have burden of debt and can provide the level of support needed for this project. They understand the rent structure to be \$17 to 32/square foot for retail space on this block. They are proposing \$27/square foot for retail space.

Rosenblum asked about Block 100 Foundation being the owner. Mr. Austin said properties were acquired over decade by Central Focus LLC which was formed to purchase these properties. Central Focus is controlled by the Overture Foundation. Block 100 Foundation was created by the Overture Foundation and it would be the entity that would transfer title from Central Focus LLC to the Block 100 Foundation. The Block 100 Foundation will build it, own it, and lease it.

Levitan asked if Mr. Austin understood the action on the Certificate of Appropriateness for the Schubert demolition would be referred to allow the Urban Design Commission and Plan Commission a chance to consider design and land use issues. Mr. Austin said the Urban Design Commission should move on the architectural design before the Commission takes up the Certificate of Appropriateness for Schubert. Then after the design and land use issues have been taken up the Commission can vote on the Certificate of

Appropriateness on Schubert. Secretary said that there was a communication from Brad Murphy that explained the process just discussed.

McLean asked about how the proposed corner park and building will change the area of the outer loop to make it more successful. Mr. Lawson explained that the reason for creating the open space is not to calm traffic but to create a special space that you experience when you drive outer loop. McLean clarified that the open space is more about the visual connection than the physical connection. Mr. Lawson explained that they are trying to create a unique space in the fabric of the city and that the suggestion to locate the garden west of Stark building creates a totally different vision and a different sense of place and doesn't connect with the Museum and the Library and the Overture Center. Mr. Austin said City Engineering has created new geometrics for the outer ring for Webster and Dayton Streets which makes the street more pedestrian friendly, bike friendly and helps lead the way for future improvements for the outer ring. Levitan said they should purchase the Ivory Room and incorporate it as a part of a whole block solution.

ACTION:

A motion was made by Gehrig, seconded by Rummel, that the Landmarks Commission make a recommendation to the Plan Commission that the Fairchild (Stark) Building at 122-124 West Mifflin has historic value and is structurally sound and that the Landmarks Commission recommend that it not be demolished. The motion was passed on a voice vote/other. (6-0)

Rummel wondered about how the Urban Design Commission will interpret the action. She is concerned that without actions on both remaining parcels, the Urban Design Commission may find a solution in the existing proposal that is not consistent with the Landmarks Commission.

Gehrig said Gary Tipler's comments were persuasive about sharing social history by retention of the built environment.

Levitan noted the architect of the Stark Building was also the architect of Terrace Home Apartments (City landmark) and Rennebohm Drug Store.

Taylor noted that the motion should include the importance of the Neo-Classical Revival style, the involvement of a noted architect and the social history.

Gehrig mentioned the greenness of buildings that exist.

Levitan noted that the Stark Building (1925) was built in the context of Kessenich's (1923) and predates the Capital and Orpheum theaters, which adds to the historic relevance that created the State Street that Madison knows today.

Gehrig said that buildings should be retained on corners instead of being removed for open space.

Rosenblum said the Fairchild Building has great charm and that he has never perceived Fairchild as the negative place that has been discussed. The Fairchild elevation explains historic aspects of the City and anchors that part of the block.

McLean asked how many blocks on State Street are intact and retain their historic character. He notes that this building contributes to the uniqueness of the historic character of the block.

Rummel said historic flat iron blocks have through- block buildings and fabric that could accomplish goals of the Foundation if viewed in other ways.

Slattery said that there is a cohesiveness of the block. In looking at the nomination for the eligible National Historic District, 94 buildings are contributing and the Fairchild Building is one of them.

Rosenblum would like to discuss the issue of the Schubert Building but refer the action on the Schubert Building to a future meeting.

Levitan stated that the project team notes there are several other Queen Anne buildings in the area and other Kronenberg buildings in the area. Tipler addressed the differences between the various Queen Anne buildings. What do the Commissioners think about this? Gehrig noted that of the 6 buildings shown in the submission materials, only one is a designated landmark.

Taylor noted that a landmark nomination request involves a strict research, vetting, and approval processes.

Slattery said while there are other examples of the Queen Anne style, those are not landmarks. Allowing a landmark to be removed is a slippery slope.

Rosenblum noted a portion of the letter from Mr. Stark that asked “how many landmarks do we need?” Rosenblum stated that we need as many landmark buildings as necessary to convey our City history today and in the future.

Levitan said Criteria B does not apply because this is not a historic district. Criteria C is very a broad set of criteria and relates to the purpose and intent of ordinance. Rosenblum noted the overall proposal may stabilize property values and strengthen the economy. Rummel said the Secretary showed how there are alternative ways to meet the goals of the proposal. Rosenblum agreed there are alternative ways to view the block and achieve the goals. Rummel said the Schubert Building should be saved.

Levitan said Criteria D relates to whether the building or structure is of such old or unusual design that it could not be reproduced without great difficulty or expense. Staff notes that it is a landmark due to its architectural significance and therefore, it is unusual. The project team has already said there are other Queen Annes in area.

Levitan said Criteria E discusses whether the retention of the building or structure would promote the general welfare by encouraging study of American history, architecture and design or by developing an understanding of American culture and heritage. Gehrig noted the social history of the Schubert Building and how it relates to prohibition. Mr. Tipler’s testimony about the German influence in the development of that part of State Street is important for this criteria.

Levitan said Criteria F discusses whether the building is in such a deteriorated condition that it is not structurally or economically feasible to restore it. Levitan noted that this is an objective standard and that the Applicant has submitted a work plan and a budget indicating that even under the most favorable economic assumptions the building as a stand-alone restoration loses money. Is that economically unfeasible? How much do we hold against the Applicant the current condition of the building or was the explanation of the difference between the maintenance and the investment in future uses a satisfactory explanation? Rummel noted that they are a very unique developer and are in a unique position where this request is not economically infeasible.

McLean noted that this is more about what the Foundation wants than economic infeasibility. He noted that anything can be saved. He has seen buildings in worse condition be rehabilitated. It is possible to gut the building and keep the shell and we would still have a landmark based on our Ordinance.

Levitan said Criteria G which discusses if the new use is compatible with the building and environment of the district in which the subject property is located. The project team says it does not apply because it is not an historic district. Staff says the section relates to context not historic districts. The City Attorney agrees with the Applicant that the phrase in that section does relate to an historic district and that Standard G is not something we should considering for this purpose.

Levitan requested a motion to grant Certificate of Appropriateness – None was given.

A motion was made by Rosenblum, seconded by Taylor, that the Landmarks Commission refers the consideration of an issuance of a Certificate of Appropriateness to demolish the Schubert Building. The motion was passed on a voice vote/other. (6-0)

Levitan said that if we voted to reject or deny an issuance of a Certificate of Appropriateness they could take it to the Common Council like they did with Edgewater with a request to overturn or modify that action requiring 14 votes. A referral would enable Urban Design Commission and Plan Commission to weigh in on the design and land use implications without that rejection hanging over it. It would come back to the Landmarks Commission and we would have to vote on the Certificate of Appropriateness before the project can move forward.

Levitan said it would be better to see it after the Urban Design Commission and Plan Commission have seen it.