

PLANNING DIVISION STAFF REPORT

March 7, 2022

PREPARED FOR THE LANDMARKS COMMISSION



Project Name & Address: 1319 Rutledge Street

Application Type(s): Certificate of Appropriateness for demolition and new construction in the Third Lake Ridge historic district

Legistar File ID # [63101](#)

Prepared By: Heather Bailey, Preservation Planner, Planning Division

Date Prepared: March 1, 2022

Summary

Project Applicant/Contact: Nina Lebwohl, Foundry Apartments LLC

Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for the demolition of an existing garage structure and construction of a new garage structure.

Background Information

Parcel Location/Information: The subject site is located in the Third Lake Ridge Local Historic District.

Relevant State Statute Section:

Wisc SS 62.23(7)(em)2m. In the repair or replacement of a property that is designated as a historic landmark or included within a historic district or neighborhood conservation district under this paragraph, a city shall allow an owner to use materials that are similar in design, color, scale, architectural appearance, and other visual qualities.

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.
- (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.
 - (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.

41.23 THIRD LAKE RIDGE HISTORIC DISTRICT.

- (8) Standards for New Structures in the Third Lake Ridge Historic District - Parcels Zoned for Residential Use. Any new structures on parcels zoned for mixed-use and residential use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways: (Am. by ORD-16-00082, 9-15-16)
 - (a) Gross Volume.
 - (b) Height.
 - (c) The proportion and rhythm of solids to voids in the street facades.
 - (d) Materials used in the street facades.
 - (e) The design of the roof.
 - (f) The rhythm of buildings and masses.
 - (g) Directional expression.
 - (h) Materials, patterns and textures.
 - (i) Landscape treatment.

Analysis and Conclusion

The applicant is requesting a Certificate of Appropriateness to demolish an existing detached garage structure and construct a new detached garage structure. The existing garage is suffering several structural failures that require its demolition. The proposal would allow for possible salvage of the decorative limestone elements on the existing garage (which mimic the design of the principal structure), and salvage of the historic window/door in the front

gable, and the nonhistoric vehicle doors. The new garage would largely replicate the design of the existing, but rather than reinstalling the existing window on the side, the applicant will instead install a period-appropriate pedestrian door. The existing brick on the structure has a distinct texture and the two proposed replacement brick samples are lacking that characteristic. However, the subtle change in the colors and the different in texture will allow this new garage to read as new construction that uses a similar architectural vocabulary to the historic garage and the principal structure without creating a false sense of history.

A discussion of the relevant ordinance sections follows:

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) While the gable-roofed brick garage is unusual for the Third Lake Ridge historic district, it is not architecturally significant in its own right.
 - (b) N/A.
 - (c) Preserving the existing failing structure will not benefit the character of the historic district.
 - (d) Removal of a failing accessory structure is not contrary to the purpose of this ordinance.
 - (e) This proposal would reproduce the existing structure.
 - (f) Retention of the failing accessory structure would not promote the general welcome of the public.
 - (g) The deterioration of the garage is not due to lack of maintenance on the part of the property owner.
 - (h) The new garage structure will be compatible with other garages within 200 feet and will largely replicate the appearance of the existing garage it is replacing.

Staff does not recommend any additional photographic documentation prior to demolition.

41.23 THIRD LAKE RIDGE HISTORIC DISTRICT.

- (8) Standards for New Structures in the Third Lake Ridge Historic District - Parcels Zoned for Residential Use. Any new structures on parcels zoned for mixed-use and residential use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways: (Am. by ORD-16-00082, 9-15-16)
 - (a) The gross volume of the replacement garage will replicate that of the existing and is similar in size to other accessory structures in the vicinity.
 - (b) The height of the new garage will replicate the height of the existing, and be of a similar height to other gable-roofed garages in the vicinity.
 - (c) The new garage will duplicate the rhythm of solids and voids on the existing garage it is replacing.
 - (d) The new garage will use the same materials on the street façade as the one it is replacing.
 - (e) The new garage will replicate the gable-roofed appearance of the existing garage.
 - (f) Accessory structures are primarily located on the rear of a parcel. The new garage will be located within the same footprint as the existing, and be located behind the principal structure on the back of the parcel.
 - (g) The new garage will replicate the directional expression of the existing.
 - (h) The proposal is to salvage the decorative limestone elements, if possible, and otherwise replicate the materials and patterns of the existing. The texture of the new brick will be

slightly different, but this will help subtly differentiate this new structure from historic structures.

(i) N/A

Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness are met and recommends that the Landmarks Commission approve the project with the following conditions:

1. Submit final roofing and pedestrian door specifications to staff for approval.
2. All composite materials that are intended to replicate wood be smooth surfaced, without faux wood grain texture.