3701 Council Crest

Appeal of Certificate of Appropriateness

January 9, 2024

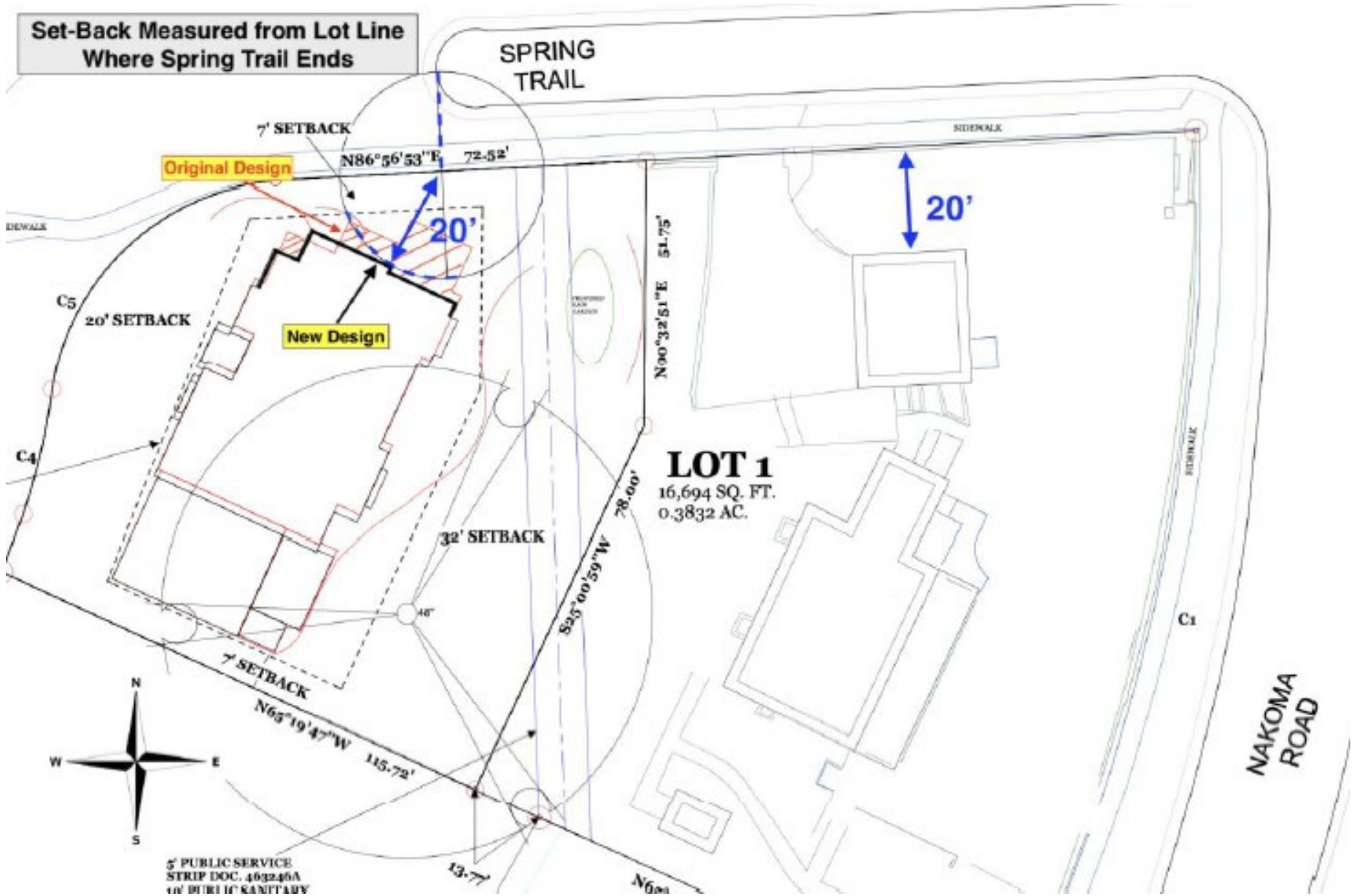
Appeal

- Appeal of Certificate of Appropriateness Landmarks Commission issued for construction of a new residence at 3701 Council Crest

History of Project Approval

New Principal Structure

- 8/14/23 Landmarks Commission meeting
  - LC asked to scale back building on north side
  - 20-foot setback from Spring Trail as guide
- 11/6/23 Landmarks Commission approved CoA
- 11/14/23 Neighbors filed appeal of CoA
- 12/5/23 Introduction at Common Council


Set-Back Measured from Lot Line
Where Spring Trail Ends
SPRING
TRAIL
7' SETBACK
N86°56'53"E 72.52'
Original Design
20'
20'
SIDEWALK
C5
20' SETBACK
New Design
N00°32'51"E 51.75'
C4
LOT 1
16,694 SQ. FT.
0.3832 AC.
32' SETBACK
S25°00'59"W 78.00'
C1
7' SETBACK
N65°19'47"W 115.72'
NAKOMA
ROAD
N
W
E
S
5' PUBLIC SERVICE
STRIP DOC. 463246A
13.77'

Original Design – East Elevation

Redesigned – East Elevation

Applicable Standards - Design

Secretary of the Interior's Standards for Rehabilitation 1-10

SOI Guidelines for Rehabilitation (2017):

"These Standards and Guidelines provide a critical part of the framework of the national preservation program. They are widely used at the federal, state, and local levels to guide work on historic buildings, and they also have been adopted by Certified Local Governments and historic preservation commissions across the nation."

Applicable Standards - Design

SOI Standard 9:

"New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

Applicable Standards - Policy

MGO 41.18(1)(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."

See MGO 41.01 Policy and Purpose

Applicable Standards - Policy

The Historic Preservation Ordinance, per MGO 41.01, encourages the sensitive incorporation of new construction in relation to historic resources and is not intended to prevent development.

The City adopted the SOI as our standards for how to treat landmark sites. They shape how development happens. They cannot prevent construction on this lot.

Common Council Actions

MGO 41.20(4)

"After a public hearing, the Common Council may, by a favorable vote of a majority of its members, reverse or modify the decision of the Landmarks Commission with or without conditions, or refer the matter back to the Commission with or without instructions, if it finds that the Commission's decision is contrary to the applicable standards under Secs. 41.18."