

AGENDA # 1

City of Madison, Wisconsin

REPORT OF: LANDMARKS COMMISSION **PRESENTED:** January 22, 2014

TITLE: 121, 123, 127 West Gilman Street – **REFERRED:**
 Mansion Hill historic District – **REREFERRED:**
 Construct new apartment buildings. **REPORTED BACK:**
 2nd Ald. District. Contact: Dan Seeley
 (32027)

AUTHOR: Amy Scanlon, Secretary **ADOPTED:** **POF:**

DATED: January 22, 2014 **ID NUMBER:**

Members present were: Stu Levitan, Chair; Erica Fox Gehrig, Vice Chair; Christina Slattery, David McLean, Marsha Rummel, and Michael Rosenblum. Jason Fowler was excused. Rummel present at 5:49 p.m.

SUMMARY:

Margaret Watson, registering in support and wishing to speak. Watson introduced the project.

Shane Fry, representing Brownhouse, registering in support and wishing to speak. Fry explained there were changes since the last meeting. The drive aisle for the parking entrance was moved to Gorham Street and with this change there are other site ramifications. For example, the building sits 27 ½ inches lower on the site. The buildings are 12 feet shorter than the original iteration and an additional unit was added to the first level. In addition, the window proportions were changed to 8:10, masonry has been added on all 3 rear elevations, the architectural style has been simplified, and accessibility ramps were simplified on the front elevations.

Fry explained that these concessions come at a cost to the Steve Brown Apartments (SBA) and that the team believes these changes satisfy the criteria of the Landmarks Ordinance.

Dan Seeley, registering in support, wishing to speak, and available to answer questions. Seeley explained that there are numerous condition reports and the Charlie Quagliana report that explain the reasons that the building at 127 is not able to be relocated.

Seeley also described the VRA issues related to volume ratios and how there is a wide range of volume ratios in the district.

Seeley explained that the current proposal reflects opinions and suggestions of those involved and the proposed project contributes to the neighborhood and historic district.

Fry showed the Commission the articulation of the facades at flanking balconies. The buildings are 57 feet, 58 feet, and 59 feet tall.

Fry – the garage will not be visible above grade which will slope.

Levitan stated that the Buss report asks for concrete block (CMU) to stabilize the foundation. If that task had been completed would that have covered the Findorff concern?

Seeley explained that the Buss report noted that the building would essentially need to be gutted to make necessary structural repairs and upgrade plumbing and electrical systems.

Levitan asked how much deterioration occurred since 1994. How much less work would they have to do now if they had done repairs in 1994 or 2000?

Seeley explained that the condition was due to the first 100 years of existence, not first 6 years of SBA's ownership.

Levitan asked if by 2002, the SBA team knew preservation/restoration of 127 was not going to happen.

Watson explained that the building was closed at that time and that they began considerations for redevelopment in 2002.

Gehrig asked Watson if previous repairs were made using methods and materials that could be dated to a certain period of construction. Watson stated that the Severn report discusses joist sistering of certain nominal sizes.

Levitan asked what made it inhabitable in 2002.

Seeley said rooming houses are not desirable and are difficult to rent. Given the condition, they were trying to make it more marketable and decided to consider redevelopment.

Ald. Zellers requested that the SBA team further explain a claim that there were no notations/citations on this property from 1994 on.

Watson explained that the Building Inspection citations included exterior painting and soffit repair. The painting was done in 2002.

Fry explained that SBA maintains its properties.

Levitan questioned economics of properties on Gilman Street. Why were 121 and 123 assessed at \$29-\$35/square foot, and 127 was assessed at \$48/square foot?

Ald. Zellers stated that she had similar questions and spoke with the Assessor's Office and there are reasons that a vacant building has a higher assessment value per square foot.

Rosenblum stated there were lengthy citations in 1996 for 127. He asked why there was no examination of the foundation completed with that long list.

Fry explained that cosmetics were done for rental purposes.

Watson explained that the numerous citations were covered when they were received.

Rosenblum asked what inspections were done when the properties were purchased.

Watson explained that due diligence issues have been refined over the history of SBA, but that no inspections were done at time of purchase.

Gehrig said that the Commission must determine the building's conditions outside of the opinions in the paid reports to understand what happened to the building.

Levitan asked why there is not a Building Inspection report explaining the condition of the foundation.

George Hank, Building Inspection, stated that the Inspection Division has not been inside the building since 1995.

Hank said Building Inspection would have to have permission from the property owner to access the interior.

Levitan asked what else does the Landmarks Commission need to know about the condition of the building(s).

Hank said there were order for routine maintenance in 1995. SBA completed the work as requested in a timely manner.

Hank stated that vacant buildings are typically not inspected, but the owner needs to make contact with the City for inspection before the building is reoccupied.

Levitan asked Hank if Building Inspection could provide the Landmarks Commission with a professional evaluation of the foundation condition.

Hank stated that Building Inspection can provide the assessment but not the costs related to repairs.

Ald. Zellers explained that there were many items listed in the condition assessment reports and rehabilitation estimates that relate to wiring, plaster repair, plumbing, etc., all routine things that are necessary to continue to use a building. Zellers asked if the Applicant completed these routine improvements for their other historic buildings.

Fry explained that any building that has had a complete overhaul has also experienced upgraded infrastructure and systems.

McLean asked about discussing the extent of the repairs to the floors and structural members.

McLean asked if the building structure may have been overloaded since it was not originally built as a rooming house.

Fry stated that many framing members have dry rot and have been notched.

McLean said that some things in the Buss report relate to cosmetics that are not necessary for building maintenance or repairs.

Seeley explained that the report notes adequate mechanicals and sound structure. In the case of 127 there are neither.

Watson stated that the conclusions in the Buss report inspired SBA to have another report completed which came back with more serious recommendations.

Gehrig asked how many SBA properties were rooming houses in 2002. Did this weigh in on how they went forward with 127?

Seeley explained that it was not based on the fact that it was a rooming house; it was based on findings in condition reports and financial implications.

Gehrig asked how many properties SBA owns outside of historic districts. Do they treat those buildings in historic districts differently than the others?

Seeley explained that the location in a historic district doesn't matter. If the work needs to be done, it is done whether in a historic district or not. He explained that SBA owns approximately 70 properties.

Watson explained that capital improvements and maintenance are completed every year.

Levitan said that the Landmarks Commission wants to see the building materials.

Fry explained that the proposed Renaissance stone is the veneer stone. The first floor of all three proposed buildings will be masonry due to the need for fire protection.

Levitan asked about the gross volume of the proposed buildings at 200,000 cu. feet each.

Seeley provided the gross volume number for other buildings in the historic district and provided addresses where large buildings are adjacent to smaller buildings in the district. There were 3 constructions during the period of significance and 3 after, but before the establishment of the historic district.

Fry asked Hank if he would give his opinion on ability to relocate the building at 127. Hank answered no. Fry asked if he would assess the foundation and if it can be repaired. Hank answered yes.

Levitan asked if an independent City opinion could be more objective than the report of a paid consultant. He also asked what the Applicant would do if the project were not approved by any City body.

Watson explained that they would repair the exterior of 127, continue to operate 123, and in a few years the Highlander would be closed. They may redevelop the Highlander site with another taller 10-story building which they feel is not appropriate in the historic district. Watson also explained that it was unlikely that 121 would be demolished and redeveloped and that it is more likely that it would be gutted and renovated inside.

Ross Wuennenberg, registering in opposition and wishing to speak. Wuennenberg said he grew up in the Mansion Hill Neighborhood. His parents owned 123 until Clarenbach purchased it. He said that relocation would change the character of the street. In regards to 127, when maintaining properties you must look at the bones. The bones are the first thing to be maintained. The cosmetics are not important over the structure and infrastructure. Foundation repairs are common and have been done on his properties.

Gary Peterson, registering in support and wishing to speak. He is in favor of the demolition and of the project. Mansion Hill is a blighted area. Wood rots. This was built in an era when buildings codes did not exist and some were built to substandard conditions. The foundation is deteriorated. Don't try to make it something it is not. He conducted a blight study in Mansion Hill and found that numerous buildings have foundation problems.

Rosenblum asked if they would suggest TIF for the exterior of the existing buildings in the proposal.

Peterson said no to TIF funds for this project because those buildings are gone.

Rummel asked if some blighted buildings are assets. How do you rectify that?

Peterson said that fixing up the neighborhood increases the tax base due to increased sales prices.

Steven Fabick, registering in opposition, wishing to speak, and available to answer questions. Fabick spent 2 years looking for a house in the downtown. 127 is currently not for sale. Unfortunately that owner sits on property when it is no longer needed, but could meet needs of someone else. If this building no longer makes economic sense for SBA, why are they holding on to it? SBA is holding onto it to request demolition due to poor condition to allow for a larger development which will set a precedent. He explained he could use the same arguments for his property the purchased the house but the carriage house was part of the package deal. The carriage house had significant condition issues when he bought it and he looked into fixing them, but it was too costly. Now that a few years have gone by and the condition is worse, he would like to have a new garage building constructed. While this is hypothetical, it shows how the precedent could be used.

He also explained that when looking into renovating the carriage house, he found the exterior wall sat over a property line by 3 inches and that he could not demolish that wall because it was a contributing building. When a private owner requests to demolish part of a building to retain the building, why are they turned away, but a developer is allowed to demolish an entire building that they let deteriorate? He realized his proposal needed to be reevaluated given ordinances and laws and that is how the process should work. The enforcement of the ordinance will attract more owner occupants.

Susan Schmitz, representing Downtown Madison Inc. (DMI), registering in support, wishing to speak, and available to answer questions. Schmitz explained DMI does not support individual projects. She is looking at how this proposal would affect the broad development in downtown. DMI worked on the Zoning Code rewrite and the Downtown Plan. She explained that the proposal meets the Downtown Plan recommendations and would improve blighted area and construct future landmark.

DMI requests a conversation between developers and preservationists because we cannot have one without the other.

Gene Devitt, representing Mansion Hill Neighborhood, registering in opposition and wishing to speak. Devitt said he lives in blighted area in a rooming house on beams that will not support him. He would like to see the information on the assessment information. He stated he has been in other SBA owned buildings with similar foundation issues that have been repaired. He said relocation of houses is not good preservation practice. He said Fabick cannot do certain things to repair the carriage house, but the Landmarks Commission is considering demolition of an entire building that has not been maintained. He gave Quisling and Hart House development as an example because the developer was not able to relocate Hart House so they incorporated it into the development.

VRA contains buildings of all 3 stories. 5-story building are too big and do not meet Ordinance.

Levitan asked if 127 is economically and structurally feasible to restore.

Devitt answered yes. Many buildings in the area have been brought back. This building can be repaired. He disagrees with the Findorff report.

Levitan asked if it is restored, what is the use of 127.

Devitt stated it was up to the property owner. Roomers were common practice in the past to provide additional assistance or income to family living there.

Gehrig asked if there were any demolitions in Mansion Hill since historic district was created in 1976.

Devitt answered yes, but only a few.

Franny Ingebritson, registering in opposition and wishing to speak. Ingebritson passed out a revised timeline based on her research. Ingebritson described the findings and passed around City Directory entries for 127 for 2001, 2002, 2003, and 2005 showing 1 tenant. Rooming houses were commonplace in history and are still common in this neighborhood.

Peter Ostlind, registering in opposition and wishing to speak. Ostlind referred to comments related to structural and economic feasibility. In his 30 years of experience, he has prepared numerous condition assessment reports. All reports discuss work to be completed and estimates to do the work. He stated that the economic feasibility is not adequately addressed in the reports. Most reports address regular maintenance and repairs. He explained that it is important to separate out the costs for structural repairs from the costs for typical maintenance associated with any building over time. Owner has been working toward demolition and redevelopment for more than half of their time of ownership instead of working on maintenance. He stated that the Owner has known for 13 years that structural repairs have been needed and they have chosen not to preserve integrity of the building which proves that the condition is self-created.

Levitan asked if Ostlind could address costs related to Findorff letter.

Ostlind stated in its current condition you would not be able to lift it, but with structural repairs, it would be able to be relocated.

Levitan asked what the ultimate use of the building would be given the economics.

Ostlind explained that it could be a residential building given current configuration, may be able to be a single-family residence or changed to individual apartments.

Levitan asked what would happen to the structural integrity of the building if it were mothballed and allowed to sit.

Ostlind explained that you must slow deterioration or it will obviously continue. The owner could also choose to sell the property.

James McFadden, registering in opposition and wishing to speak. McFadden stated he was an architect with experience in rehabilitation of buildings. He explained that he agrees with the Pierce report which states "Remedial measures must be taken." He stated that the report says "some remediation is required prior to occupancy". It says nothing about demolition. It is of the opinion of the engineer is that it is not structurally infeasible to repair. The report suggests that this is a restorable building.

Edward Kuharski, registering in opposition and wishing to speak. Kuharski stated he was an architect that has experience with historic buildings. He stated that when you size up a building, you would need to start with the

roof; always fix roof first. The next step would be to stabilize the foundation. You would need occupancy to keep facilities running. Heat and water should be maintained to keep the building it alive. It is also important to keep out animals and avoiding freezing pipes, etc. Rules should apply to all properties. An exception could be made only for a compassionate plea. 121 could be developed as affordable housing. Every upscale project removes the option for affordable housing. There is social and economic damage being done. 1325 East Johnson Street is an example of relocating a house.

Rummel stated that older buildings are easier to fix.

Kuharski stated that real old-growth wood had structural value and strength compared to new engineered lumber that is more difficult to work with.

John Martens, registering in opposition and wishing to speak. Martens provided volume measurements and methodology. He finds that there is a conflict between his calculations and those provided by applicant. The footprints have not changed with recent revisions and the heights are not clearly stated. Conservatively consider 60 foot building height, $4000 \times 60 = 240,000$ c.f. He stated that in no way are these buildings 200,000 c.f. Buildings are sitting on a pedestal. It looks like they are planning to berm the grade to cover the ramp plinth. There are many ways to get renovation work done to keep things in budget. He has previous experience with professionals that prepared the condition reports and all provide quality work. Buss typically estimates higher than other contractors. There is a happy medium between quality and cost.

Jason Tish, representing Madison Trust for Historic Preservation, registering in opposition and available to answer questions. Tish provided comments that he previously submitted.

Bill White, representing Steve Brown Apartments, registering in support and wishing to speak. He is supposed to advise SBA about options to move forward. SBA is a quality property owner that uses quality professionals. This is not precedent-setting. SBA is invested in this district. To repair this building would mean to build a replica. This is not a museum district. White stated that the City creates a dynamic that SBA must respond to in order to relate to the market. Currently, 80% of Mansion Hill is rental property with 20% being owner/occupied.

Rummel stated that according to the Pierce report, the building can be fixed.

White replied that the building would be a replica.

Rummel stated that she needed help to understand how it would become a replica.

White stated that the building was not strong enough to move and that repairing it would mean rebuilding the structure. This would not be the same house.

Rummel stated that all buildings should be improved and maintained to give the next generation of life.

White stated that the existing structure elements are not stable and it is not able to be restored.

Gehrig explained that replacing structural elements is different than complete replication.

Gehrig asked that in a historic district, how many buildings should be allowed to come down.

White responded: Few. It should be rare.

Fred Mohs, registering in opposition and wishing to speak. Mohs explained that when he went through it a few years ago, it was in rough shape, but repairable. Mohs said that numerous houses in the district have experienced fires. There was no obvious damage to the structure and rubble foundations are common given the age. Jacking up the building to repair the foundation is fairly easy. These buildings could be restored and maintained as rentals or owner-occupied with rental units.

Ald. Zellers requested clarification of the language of the requested clarification of the ordinance section related to demolition Standard f.

O'Brien stated the second part is a subpart. Give decisive weight to any or all. If then going to weigh, using this standard, you must read entire standard.

Levitan said hypothetically, the building has deterioration and is not economically feasible to restore. Then it must be determined if a certain percentage is not self-created. Does this mean the remaining percentage tips the scale?

O'Brien simply summarized the language to mean, "any portion that is your fault, you don't get credit for it."

Levitan said there is a certain amount of economics that needs to be part of the discussion of this demolition standard.

Gehrig stated that she thought the assessed value would be reduced when mothballed. What does the City require when a building is made vacant and did the owner have to explain why the building is being mothballed and that it might be due to condition?

Hank explained that buildings can be vacated for many reasons. A building can limp along with a new coat of paint for many years covering conditions that are not readily apparent. Building Inspection staff will frequently see minor rot in floor joists and beams that they may not require replacement. Building Inspection is raising standards and the orders are more directive and order replacement when necessary.

Levitan asked if Hank believes this building has reached the end of its useful life.

Hank said he did not want to speculate. There were probably issues with the building when it was purchased and unfortunately they did not make repairs at that time.

McLean asked does Building Inspection also look at grading issues.

Hank explained that in 1995 they did not, but now they are probably more apt to do it.

Rummel asked that Hank explain standards for commercial code.

Hank stated that floor loading standards are higher for commercial buildings.

Matt Tucker, Zoning Administrator, explained that the Highlander could be rebuilt to previous bulk and height as a conditional use, not an entitlement.

Levitan asked about lot division and underground parking.

Tucker said the proposed building meets code requirements. Easement and cross access agreements are necessary when combining lots into one development site.

Rosenblum asked for clarification on grade line in elevation and if grade is being raised to hide the garage.

Fry stated that you would slope grade as a typical process to drain water away from building.

Levitan suggested a discussion of the new development and whether it meet the standards?

Primarily on basis of gross volume, the Commission felt the new construction does not meet the Ordinance standards.

Rummel said one building would possibly be acceptable, but because there are three, it is not acceptable.

Gehrig said one building is already four times larger than the average of building in the VRA. Three buildings are obviously too large.

Levitan asked if one 5-story building would be OK.

Gehrig/Rosenblum said it depends on which lot. Which building is being affected?

Rummel said that economic feasibility of smaller building is important to consider.

Slattery said that the Landmarks Commission should request what is appropriate and sometimes the developer can deliver.

McLean stated that the ordinance was written in response to the construction of building like the Highlander.

Rummel said that 123 is a landmarkable building due to social history and should remain on-site.

Ald. Zellers handed out landmark-related information for 123.

McLean asked about modifications. He stated that almost anywhere else in the city this would be a successful proposal, but in this location, this isn't it.

Rosenblum stated that the character of the block would change with the 3 buildings.

Slattery stated that 4 stories is a starting point for an agreeable design.

McLean said that the building is too wide and the proportion is wrong.

Ald. Zellers explained that uniform widths, building widths, and spaces between buildings would change the character of the streetscape.

Rummel said the Landmarks Commission may want to have different lot widths on streetscape. She also thought that a taller building at 121 may work with smaller buildings transitioning to buildings further down the street.

McLean said a variety in widths would help. Proposed uniformity in width and height is a problem to fit in this varied context.

Levitan asked if three buildings of a similar size is off-putting? Give development team guidance on what might meet standards of ordinance.

Staff explained current proposal meets current zoning.

Slattery needs clarification on height.

Staff will ask the Zoning Administrator if “the big ugly is able to be developed as a 7-story building with planking smaller buildings with shared underground parking.

Rosenblum stated one building could be taller with two smaller buildings.

The Landmarks Commission discussed and found general consensus that three buildings with 4-story maximum height is the place to start. The Commission also discussed that if allowed by Zoning, one taller building with two smaller buildings might work.

Levitan asked if underground parking is relevant.

Rummel said the design is accommodating the car, instead of accommodating the historic district.

Rummel stated both contributing structures should stay in their current locations.

White requested that the Commission vote on the Certificate of Approval.

The Landmarks Commission discussed the demolition standards while reviewing the staff report.

- a) Disagree with staff as standard description relates to b. The existing building does not meet this standard. Vernacular building relates to the significance of the district.
- b) Agree with staff report.
- c) Agree with staff
- d) Agree with staff.
- e) Partially agree with staff.
- f) Take language it in parts.

Rummel said it is repairable, but we cannot determine if it is economically feasible.

Gehrig said different people have different economic realities and this standard is different depending on who is involved.

O’Brien said the Landmarks Commission cannot overlook the word “economically.”

There is general consensus that it is structurally feasible to restore the building.

Levitan said that the Landmarks Commission has to discuss this standard or judge this standard without weight.

There is not enough information to determine economic feasibility given the current information.

Watson explained it is not economically feasible for SBA to restore 127.

Rosenblum stated economic infeasibility may not need to be related to “whether it is useable as rental property. Another owner may use it as single family home and apply for tax credits for rehabilitation.”

Levitan asked what information do we need to make this determination.

Rosenblum/Gehrig – cannot find the condition is entirely self-created.

Seeley asked for the Landmarks Commission to define feasibility to guide this discussion.

The individual building should have positive cash flow or based on owner’s entire holdings? And over how many years?

Rummel said future value of money is important. Since 1994, the condition of the building has been known, yet you chose to do nothing. Conditions accumulated in severity. The lack of feasibility was created by your own inaction. The standards seem different for a commercial property owner and a single-family owner/occupied property. If the repairs had been made in 2002, the property would be in better condition today, and would be rented, to not make that income and claim poor condition now.

Slattery asked about consideration to sell.

Watson – SBA typically buys and holds properties.

Ald. Zellers remarked about absentee landlords. She is concerned that absentee landlords set up a detrimental situation of wringing life out of a building through use and neglect. The current proposal for 127 sets up a bad situation in a historic district.

Rosenblum – economic feasibility has many factors for consideration. One is that the property owner has the financial ability to hold property vacant for many years. The Landmarks Commission will never know the true economic feasibility, but educated guesses based on updated estimates would be possible.

Levitan asked the Commission to discuss if determination of economic infeasibility is based on feasibility of owner (Homeowner vs. Corporation).

The Landmarks Commission discussed how the realities of economics mean that different owners have different economic feasibilities.

Levitan asked if the Landmarks Commission needed more information of structural integrity to help make an informed decision.

Rummel noted remediation options (not demolition) outlined in Pierce report from 2013 shows a repairable building. Cost estimates are needed.

McLean noted that economic feasibility is based on bank and lending environment which are different for homeowners and corporations.

Katherine Cornwell explained that the City must apply an impartial application of Ordinances.

The resources and situation of the applicant should not matter.

Rummel said that a homeowner buyer, not commercial buyer, has different motivations. Vacant buildings are not good for the City. Homeowner has to make different decisions than commercial buyer.

Cornwell – City policy encourages actively used buildings with good maintenance. We cannot require an owner to have an active use in a building.

Cornwell stated that prosecution of maintenance issues is a separate issue.

Rummel asked that the Landmarks Commission see the Building Inspection notices from now on.

Rosenblum stated that SBA made economic choices to not invest in the building.

Cornwell said Landmarks Ordinance has numerous parts including the preservation of cultural resources and the creation of future landmarks.

Cornwell said if you owned the property would it be reasonable to repair it? Deferred maintenance passed from one property owner to another. Is value of future landmark worth the consideration?

Cornwell explained that SBA team is providing condo quality construction, brick on all elevations, minimization of impact of parking on built environment, the garage entry on rear, handicap ramps, and removal of the Highlander. Block face looks better with proposed.

Cornwell explained that it is critical that the City of Madison maintain historic resources and that the Landmarks Commission take a hard line on preservation, but cities are changing. It is difficult to demolish contributing structures. Reading from 1975 Madison Hill Preservation Plan, she explained that there are two areas of the district – the core and the buffer. The core area has the most important resources and the buffer has the smaller buildings and were included in the district to provide a protective area. This proposal is allowing the Highlander to be removed from the district which seems to be the intent of the Preservation Plan. The Landmarks Commission is being presented with rational option for redevelopment that will contribute to the district.

Levitan asked how do we avoid the appearance that we condone demolition by neglect?

Cornwell stated that active prosecution on this property delayed moving prosecution forward. This applicant holds some of the fault for the condition issues.

Buildings cannot be inspected annually. Periodically, some buildings will reach a similar state of disrepair.

A portion is SBA responsibility. Some buildings will reach the end of their useful life. Letting go of a contributing structure is not a decision to take lightly. The prosecution shows that the City does not condone demolition by neglect.

McLean stated that prosecution is obviously not a strong deterrent. Prosecution is part of doing business.

Cornwell explained that this is not a dagger in the heart of buildings in Mansion Hill. This is an extra-ordinary situation. It is not good for the city to have vacant buildings. City policy should react to this concern.

Ald. Zellers stated that there should be a commitment by the Landmarks Commission and Common Council to the Mansion Hill historic district.

Gehrig – This is a great project, but not in a historic district.

Cornwell – Three new structures are comparable with the buildings on the end of the block. She does not believe the gross volume argument. The Belmont hotel fits next to a smaller building.

Levitan said that the Commission's consensus on gross volume is firm.

Gehrig stated that looking at the district as a whole, it was difficult to weigh this proposal against the homeowner that maintains their property.

Cornwell said the application is a package. The Highlander comes down because the rest of the project is attached to this proposal.

Levitan asked what happens if we say no? What is the alternative? Is status quo better than the proposed development?

Rummel suggested that there are numerous solutions for a development proposal. The Applicant is presenting one solution.

Based on the discussion, there is consensus that a motion to approve Certificate of Approval for the demolition of 127 West Gilman Street cannot be approved at this time.

Levitan explained that it may be possible to give decisive weight to standard g and get to yes without condoning demolition by neglect.

Rosenblum stated that four stories would start the discussion.

Levitan explained that he wanted to approve the Certificate of Approval for the demolition of 127 West Gilman Street with the condition that new development is an option under g. Hopefully the Applicant will come back with a proposal that uses our comments from this discussion so that the Landmarks Commission can give weight to g.

Rosenblum wants more information about the replacement of the Highlander.

White requested that the Landmarks Commission provide a rejection instead of a referral.

Slattery and Rosenblum explained that 4 stories starts the gross volume conversation, but 5 is a non-starter. Levitan asked would you rather building 4 or be rejected on 5?

Ald. Zellers asked if the SBA team would entertain TIF?

White replied it would depend on the strings attached with the new TIF policy.

Levitan explained that the team is not suggesting 5 stories because it is the architecturally appropriate solution. The team is proposing 5 stories for economic reasons. The TIF option could help fill the economic gap and provide the City and the historic district with a successful project of 4 stories.

Cornwell explained that the historic district plan suggests that the Highlander is the outlier and should not be repeated.

Levitan explained that the new development reads as one unified development and that is not compatible in the historic district.

Watson explained that it was an effective height. Break in materials provides effective height. They have done other things to improve the building. Façade is articulated. In VRA there are buildings that are 4 times the size of the neighboring building.

Levitan suggested evaluating new construction in context of demolition of 127 and relocation of 123 West Gilman Street. In order to get to new construction, you are asking the Landmarks Commission to get past three difficult decisions.

Watson said she hoped that the Landmarks Commission would give weight to local developer. She hopes that the project could have contingencies for approval.

Rosenblum explained that there is some value in this project, but the Landmarks Commission must get around it so they can say that the new development outweighs the majority of the demolition standards and is something that will benefit the City and lead to precedents that damage the historic districts.

Levitan stated that this project is not approvable as it is.

Gehrig explained that what is better for the historic district might not be better for the economics of the project.

Rummel is willing to entertain a taller building with flanking smaller buildings and differing roof line heights and treatments.

Slattery explained maybe one building is 5, one is 4, and one is 3.

Rosenblum and McLean agreed that these are possibilities.

White requested referral to February 3, 2014 meeting.

Peter Butler, registering in support and available to answer questions.

Rick Wilde, registering in support but not wishing to speak.

ACTION:

A motion was made by Rosenblum, seconded by Rummel, to refer the entire project to the February 3, 2014 meeting. The motion passed by voice vote/other.