

PLANNING DIVISION STAFF REPORT

August 12, 2019

PREPARED FOR THE LANDMARKS COMMISSION



Project Name & Address: 2115 Kendall Avenue

Application Type(s): Certificate of Appropriateness for exterior alterations in the University Heights historic district

Legistar File ID # [56714](#)

Prepared By: Heather Bailey, Preservation Planner, Planning Division

Date Prepared: August 5, 2019

Summary

Project Applicant/Contact: Victoria Frank/Raj Shulka

Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for the replacement of windows.

Background Information

Parcel Location/Information: The subject site is located in the University Heights 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.

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- (5) Standards for the Review of Exterior Alterations and Repairs in TR-C2, TR-C3, and TR-C4, Zoning Districts.
- (a) Height. No alterations shall be higher than the existing structure; however, if the existing structure is already a nonconforming one, alteration shall be made thereto except in accordance with Section 28.192. Roof alterations resulting in an increased structure volume are prohibited unless they meet the requirements in Sec. 41.24(4)(a)5. and are permitted under Chapter 28, or approved as a variance pursuant to Sec. 28.184 or approved as a conditional use or as part of a planned residential development.
 - (b) Second Exit Platforms and Fire Escapes. Second exit platforms and fire escapes shall be invisible from the street, wherever possible, and shall be of a plain and unobtrusive design in all cases. In instances where an automatic combustion products detection and alarm system is permitted as an alternative to second exits, use of such a system shall be mandatory.
 - (c) Repairs. Materials used in exterior repairs shall duplicate the original building materials in texture and appearance, unless the Landmarks Commission approves duplication of the existing building materials where the existing building materials differ from the original. Repairs using materials that exactly duplicate the original in composition are encouraged.
 - (d) Restoration. Projects that will restore the appearance of a structure to its original appearance are encouraged and will be approved by the Landmarks Commission if such projects are documented by photographs, architectural or archeological research or other suitable evidence.
 - (e) Re-Siding. Re-siding with aluminum or vinyl that replaces or covers clapboards or nonoriginal siding on structures originally sided with clapboards will be approved by the Landmarks Commission provided that the new siding imitates the width of the original clapboard siding to within one (1) inch and provided further that all architectural details including, but not limited to, window trim, wood cornices and ornament either remain uncovered or are duplicated exactly in appearance. Where more than one layer of siding exists on the structure, all layers except the first must be removed before new siding is applied. If insulation is applied under the new siding, all trim must be built up so that it projects from the new siding to the same extent it did with the original siding.
 - (f) Alterations Visible from the Street and Alterations to Street Facades. Alterations visible from the street, including alterations to the top of structures, and alterations to street facades shall be compatible with the existing structure in architectural design, scale, color, texture, proportion and rhythm of solids to voids and proportion of widths to heights of doors and windows. Materials used in such alterations shall duplicate in texture and appearance, and architectural details used therein shall duplicate in design, the materials and details used in the original construction of the existing structure or of other structures in University Heights of similar materials, age and architectural style, unless the Landmarks Commission approves duplication of the texture and appearance of materials and the design of architectural details used in the existing structure where the existing building materials and architectural details differ from the original. Alterations that exactly duplicate the original materials in composition are encouraged. Alterations that destroy significant architectural features are prohibited. Side alterations shall not detract from the design composition of the original facade.
 - (g) Additions and Exterior Alterations Not Visible from the Street. Additions and exterior alterations that are not visible from any streets contiguous to the lot lines upon which the structure is located will be approved by the Landmarks Commission if their design is compatible with the scale of the existing structure and, further, if the materials used are

compatible with the existing materials in texture, color and architectural details. Additions and alterations shall harmonize with the architectural design of the structure rather than contrast with it.

- (h) Roof Shape. The roof shape of the front of a structure shall not be altered except to restore it to the original documentable appearance or to add a dormer or dormers in a location and shape compatible with the architectural design of the structure and similar in location and shape to original dormers on structures of the same vintage and style within the district. Alterations of the roof shape of the sides or back of a structure shall be visually compatible with the architectural design of the existing structure.

- (i) Roof Material.

1. If the existing roof is tile, slate or other material that is original to the structure and/or contributes to its historic character, all repairs thereto shall be made using the same materials. In addition, in all cases any such roof must be repaired rather than replaced, unless the documented cost of repair exceeds the documented cost of re-roofing with a substitute material that approximates the appearance of the original roofing material as closely as possible, in which case re-roofing with a material that approximates the appearance of the original roofing material as closely as possible will be approved by the Landmarks Commission.

2. If the existing roofing material is asphalt shingles, sawn wood shingles or a nonhistoric material such as fiberglass, all repairs shall match in appearance the existing roof material; however, if any such roof is covered or replaced, re-roofing must be done using rectangular sawn wood shingles or rectangular shingles that are similar in width, thickness and apparent length to sawn wood shingles, for example, 3-in-1 tab asphalt shingles. Modern style shingles, such as thick wood shakes, Dutch lap, French method and interlock shingles that are incompatible with the historic character of the district are prohibited.

3. Rolled roofing, tar and gravel and other similar roofing materials are prohibited except that such materials may be used on flat or slightly sloped roofs which are not visible from the ground.

Analysis and Conclusion

The applicant is requesting a Certificate of Appropriateness to replace 16 of the windows and replace the gutters. This house was constructed in 1895 as the home of Frank Stormer (and his wife, Helen), who was a laborer for the St. Paul Railroad. Its early period saw regular turnover in residents, most of whom had working class occupations (laborer at UW Farms, teamster, poultry manager, metal worker for Trachte). This home is a vernacular Victorian and its simple decorative features help to convey that history.

The applicant is proposing to replace the gutters in-kind, with the color to match the trim. That work appears to meet the historic district standards.

For the windows, the applicant claims that all of the 16 windows are beyond repair. They are proposing to replace the frames and sills with cedar, and profiles to match the existing. For the sashes, they are proposing vinyl inserts with similar dimensions for the sash components (but have provided no details of existing vs. replacement sash/component dimensions). Most of the windows are simple, one-over-one double-hung windows. The two exceptions are a window opening with two casement windows and a small fixed window.

The casements (window 9) are not original to the house and the dimensions of the window opening suggest it is not an original window opening. The applicants are proposing a slider in this opening. This will give a different profile to the current configuration, but as that is a non-original opening, non-original windows, and the windows are not visible from the street, maintaining the paired sash configuration with an altered profile does not seem to impact the historic character of the building.

The fixed window for a stair landing (window 10) is visible from the street. The proposal is to replace the 28" x 28" fixed window with a 38" x 38" double-hung window. This would be a considerable change to the appearance and function of the window, which is contrary to the standards of the University Heights Historic District.

Of the other windows, the documentation of window 11 shows significant rot to the will and frame, but it is unclear if the window sashes are similarly deteriorated. If the amount of rot on the sill and frame are also found on the sash, then this unit may warrant replacement. Window 15 also shows significant rot in the frame and sill and one of the panes is cracked. Replacement of this unit may be warranted.

For the other windows, in light of previous commission precedent and the guidance from the City Attorney's office (see attached 2017 Window Memorandum, staff believes that the other windows shown have the following treatments: lead paint should be abated or encapsulated, chipping paint should be scraped and repainted (using lead safe procedures where necessary), broken locks should be repaired or replaced, rotted sills should be repaired (through splicing or epoxy) or replaced depending on the deterioration. This property is located within the National Register district, so preservation tax credits are available to offset the costs of the work.

A discussion of the relevant ordinance of Chapter 41.18 and 41.24 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.

- (1) New construction or exterior alteration. The Landmarks Commission shall approve a certificate of appropriateness for exterior alteration or construction only if:
 - (a) N/A
 - (b) N/A
 - (c) See discussion of University Heights Historic District below.
 - (d) Removing character-defining windows which are repairable will frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources. Please see the attached memo from the City Attorney's office.

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- (5) Standards for the Review of Exterior Alterations and Repairs in TR-C2, TR-C3, and TR-C4, Zoning Districts.
 - (a) Height. N/A
 - (b) Second Exit Platforms and Fire Escapes. SeN/A
 - (c) Repairs. It is unlikely the gutters are original, but the applicant is proposing to replace the existing with materials-in-kind, which fulfills the direction and intent of this standard. Replacing original wood windows with vinyl inserts does not appear to accurately duplicate the original materials in texture and appearance. The small fixed window, if it is replaced, should be replaced with either a fixed window of the same dimension or a casement window of the same dimension rather than enlarging the window opening and changing the configuration. The nonhistoric casement windows (window 9) with a slider will not alter the nonhistoric opening and the proposal is to

replace a vinyl window with a vinyl window, which mostly meets the conditions of this standard.

- (d) Restoration. N/A
- (e) Re-Siding. N/A
- (f) Alterations Visible from the Street and Alterations to Street Facades. Several of the windows proposed for replacement are visible from the street or are on the street façade. Vinyl windows do not adequately replicate the composition of original wood windows and it is unclear if the sash dimensions of the replacements will match the original windows. Additionally, the enlargement of the small fixed window to house a double-hung window will alter the appearance of this space.
- (g) Additions and Exterior Alterations Not Visible from the Street. The commission will need to consider if the proposed vinyl replacement windows on the other elevations harmonize with the architectural design of the house rather than contrast with it. The vinyl windows will look like new windows rather than historic materials.
- (h) Roof Shape. N/A
- (i) Roof Material. N/A

Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness can be met and recommends the commission approve a Certificate of Appropriateness with the following conditions:

1. Replacement of gutters with materials-in-kind, color to match trim
2. Replacement of window 9 with proposed slider window
3. Replacement of windows 11 and 15 with dimensions of window components to be verified by staff
4. Repair remaining historic windows