

Landmarks Commission  
Meeting of July 13, 2020  
Legistar 59708, Agenda item #2, 817-821 Williamson St.

This project was before the Landmarks Commission ("LC") and referred to a future meeting due to concerns with the visual compatibility of the gross volume and the height. The applicant made a few changes, presumably to address those concerns. Before getting to those changes, I would first like to discuss how the visual compatibility of mass and height are assessed.

### **Assessment of "Visually Compatible"**

It is useful to look at prior projects that were deemed visually compatible and received a Certificate of Appropriateness ("CoA"). In particular, it is useful to look at (1) particular reasons for approval and (2) any conditions imposed on the CoA approval. However, those projects do not serve as a benchmark for what new projects can look like – no building constructed after 1929 can serve as a guide for whether a proposed project is visually compatible.

Visually compatible lacks a precise meaning, and staff interpretations may help the LC assess whether a proposal is visually compatible. The professional evaluations made by the LC members who meet the Secretary's Professional Qualifications Standards can also be used to help guide decisions.

The Third Lake Ridge Historic District Plan design criteria can be used as a guide to help determine whether a proposed project is visually compatible.

### **Precedent**

The LC often uses precedent to help guide the decision making process on a particular project. And that makes sense – the Third Lake Ridge Historic District ordinance has been in effect since 1979, without substantial change. Though interpretations of "visually compatible" may evolve over 40 years, without consistency the criteria/standards for CoA approval would be meaningless. But it is not enough to look at a prior CoA approval without looking at the context of that approval.

#### 803 Williamson

The staff report for this project, document #8 of Legistar 59708, uses as precedent 803 Williamson, which obtained a CoA in 2017. Commissioners expressed various concerns about 803 – it was not a project that clearly met the visually compatible standards. Commissioners' comments included:

- would like to see a smaller building, building looks too big;
- building is dissimilar to other buildings on the block constructed within the period of significance, agrees that it seems too large;
- usage of the lot was not similar to the other buildings in the visually compatible area, building takes up the entire lot; and,
- wondered if the building could be made shorter.

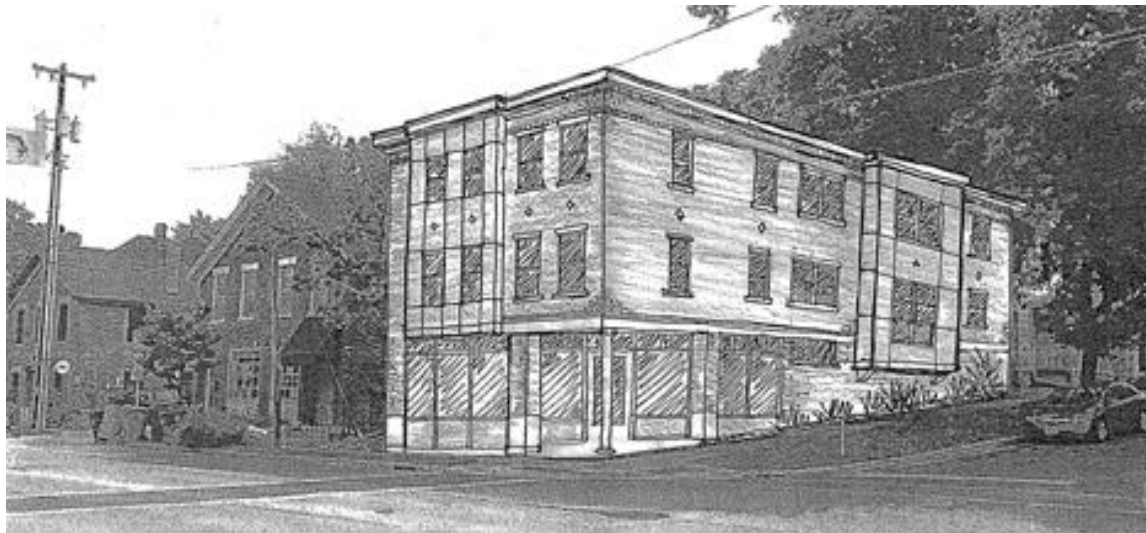
The developer told the LC that 803 was 3 feet taller than the immediate neighbor. (Legistar 43805, document 19: "Cook indicated that the difference in height between the structure at 805 Williamson Street and the proposed structure at 801 Williamson Street is three feet.")

The LC's approved motion for CoA approval stipulated the *height not exceed 33 feet*. (Note: this height maximum was applied for a project located on a corner, where, historically, larger buildings were built.) The June 1 staff report, document #8 of Legistar 59708, included a street view of 803 Williamson.



Streetview of 803-811 Williamson Street illustrating a similar street façade height

What is interesting is how much higher the building actually is as compared to what was presented to, and voted on by, the LC (in particular, compare the phone/power lines).



801 WILLIAMSON STREET

Perspective also matters. 803 looks less outsized looking from the northeast.



Google Maps, July 2019

A comparison of the two buildings:

	803	817
Location	Corner	Mid-Block
	At sidewalk	At sidewalk
Adjacent bldg location	At sidewalk	Setback approx 24 feet
Lot street frontage	33 feet	97.5 feet
Building width	24.5 feet	80.67 feet
		61.17 feet (front)
		41.75 feet (abutting sidewalk)
Building height	33 feet	40.31 feet
Ground floor area	1,408 sq ft	7,500 sq ft
		3,500 sq ft (front portion)
Volume	48,100 cub ft	270,000+ cub ft
		125,000+ cub ft (front portion)
Lot size	2,178 sq ft	12,870 sq ft

### 739 Williamson

739 Williamson is a 46-foot wide mid-block in-fill project approved in 2014. Commissioners had concern about the width, and staff thought the project was better suited to the north side of Williamson. Ultimately, the project was approved contingent on a living wall breaking up the mass.

Comments regarding the width:

- width issue of greater concern than height;
- width issue of greater concern than height, but two houses next door read like they are almost one unit, too, and that maybe this doesn't disrupt the rhythm that much;
- this project is pushing the limits;
- elevator shaft should really try to break up the two masses;
- the living wall may really help separate the massing into two;
- even with the green wall, uncomfortable with how the building relates to the VRA; and,
- height and appearance of the building reads successfully as two buildings given the green wall element.

Staff:

- **"In addition, staff explained that the building would be better suited to the north side of the street than the south side given the different characters of the different sides of the street."** (emphasis added)

The LC approved the CoA for 739 with a requirement that the property owner continue to maintain the living wall. With the required living wall, the building was broken into three elements:

- the easterly side is 20 feet;
- the living wall is 9 feet; and,
- the westerly side is 17 feet.

Each of the three elements has varying setbacks and varying heights. Unlike the proposed 817 project, there is not a single massive presence of 40+ feet along Williamson.

739 setback variations:

- Easternmost portion of the easterly element has 3 different setbacks
  - Ground, 4 feet
  - 2<sup>nd</sup> and 3<sup>rd</sup>, building is setback 5½ feet, porch railing is setback 1 foot
  - 4<sup>th</sup>, building setback is 12½ feet, railing is set back 6½ feet
- The next portion of the easterly element is the stairs
  - No setback
- Living wall
  - Setback 4 feet
- Westernmost portion
  - Ground, 10 feet
  - 2<sup>nd</sup> and 3<sup>rd</sup>, building is setback 1 foot for about half the width, then for the westernmost portion the building is setback 5½ feet, porch railing is setback 1 foot
  - 4<sup>th</sup>, 3 different building setbacks, 1 foot, 6½ feet, 12½ feet

739 height variations.

- Easternmost portion of the easterly element is 30 feet, with a 4<sup>th</sup> story setback at 41 feet
- The next portion of the easterly element, the stairs, is 33 feet along Williamson, with a sloped roof rising to 41 feet.
- The living wall is 44 feet.
- The westernmost portion has a sloped roof starting at about 34 feet, sloping down to about 29 feet, with the setback 4<sup>th</sup> story at 41 feet.

739, like 817, is a mid-block project that sits at the sidewalk. However, 739's neighbors sit at or close to the sidewalk - the house to the east has about a 6 foot setback, and the two houses to the west sit at the sidewalk. 817's neighbors, in contrast, have about a 24 foot setback from the sidewalk. This difference in setbacks will further increase 817's visual mass.

### **Visual compatibility with non-historic resources**

At the June 1 meeting, staff compared the back portion of the 817 project to 831 Williamson, a historic resource that has a long warehouse attached at the back. This warehouse was built in 1965. As such, it is not a valid comparison since the ordinance requires visual compatibility with historic resources: "Any new structures on parcels zoned for mixed-use and commercial 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:" MGO 41.23(6)

Similarly, visual compatibility with a newer building that obtained a CoA is irrelevant (e.g., 808 Williamson and 803 Williamson, illustrated in the June 1 staff presentation). If visual compatibility with new buildings was part of the approval standard, then each project progressing from west to east could get progressively larger. For example, since 803 squeaked by, then it would be okay to compare the 817 project to 803 and allow for even more height/mass.

### **Staff recommendations**

At the June 1 meeting, one Commissioner indicated some degree of reluctance to go against staff recommendations. Staff recommendations are certainly worthy of consideration and discussion. However, it is up to the LC to make the CoA decision and staff opinions are only one factor to consider. This is particularly true when the approval standards are squishy – "visually compatible" is a matter of opinion/judgement.

The ordinance foresaw the need for expertise on the LC. The LC must include a historian, a licensed architect, and a licensed real estate professional. Two members must meet the Professional Qualifications Standards established by the United States Secretary of the Interior for History, Archeology, Architectural History, Architecture, or Historic Architecture. All members should have a known interest in historic preservation. Certainly, the two members meet the Professional Qualifications Standards have at least as much professional knowledge as the Preservation Planner and are clearly qualified to independently judge whether a project is visually compatible.

In addition, the LC has disagreed with staff recommendations in the past. See, for example, Legistar 60204 (demolition of a landmark, 7-11 N. Pinckney).

## Meaning of visually compatible

MGO 41.23(10) states: The public policy guidelines in this subsection derive from a plan entitled "Third Lake Ridge Historic District," City Planning Department, January, 1978. The Third Lake Ridge Historic District Plan contained "Development Handbook Design Criteria."

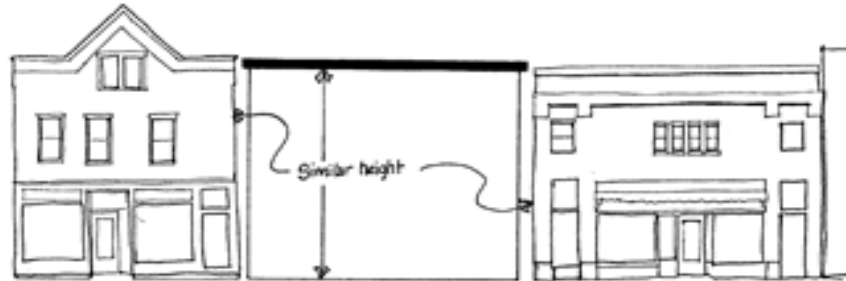
These height/mass design criteria can, at a minimum, be used as guidance or to interpret ambiguities.

"... to the extent any portions [of the Third Lake Ridge Historic District Plan] were adopted verbatim in the ordinance, they are binding as the criteria. If there are portions of the plan which are not adopted verbatim, then they are not, but can be used as guidance or to interpret ambiguities." ACA Strange email to Alder Rummel, dated 4.17.2014

Development Handbook   
Commercial Criteria



In new construction the gross volume of a new building shall be compatible with its older neighbors.



In new construction the height of a new building shall be compatible with its older neighbors. Additions to existing buildings shall be made in compatibility with larger older buildings in the area.

### Revised plans dated 7-13-20 (Legistar document #27)

At the June 1 meeting, Commissioners expressed concerns about height and mass. The revised plans address those concerns in the following ways:

1. Height has been reduced by 1' – the first and second stories are each 6" less.
2. The center portion of the building is about 1.5' lower than the core of the building. (The portion at the sidewalk, not including the two setback corners.)
3. The overhanging cornice has been moved from the center portion of the building to the core.
4. The color of the brick has changed. It was a dark red, now it is a light cream – lighter than any other historic building.

Note: In addition, the western corner is setback 8'2", the same as the eastern corner - it had been setback 2'. However, this was agreed to by the applicant at the start of the June 1 meeting. Thus, this change was not in response to the adopted motion.

The Staff report also mentions that City Engineering required an additional 1' setback from the street. If this is like other projects on Williamson, that means the City wants the sidewalk setback one additional foot from the street – which means the projects would still have a 2' setback.

Changes labeled 1-3 are tweaks. Tweaks that, when analyzed, may make a slightly perceptible difference in perceived height and mass. Tweaks that are unlikely to make a difference in the height/mass to the average person on the street. Tweaks that are inadequate to make the building visually compatible with the height and mass of historic resources within 200 feet.

Change #4, the lighter blond brick, was presumably done in order to decrease the appearance of mass. But light brick does not necessarily create the perception of less mass/height. The art and science of visual perception is complex. For example, size perception can depend upon the surroundings. (One example I came across is that a white house in a forest seems bigger than a dark house because it does not blend into the surroundings.) One widely accepted principle is that light colors advance and dark colors recede. That principle could mean that the 817 project would appear to have even more mass/height with a blond brick. And this is what Sherwin Williams posted about the effect of brightness on size perception:

"Psychological studies on human perception and distance (the earliest study I found dates to 1898) have consistently found that observers perceive bright objects to be nearer than the same objects in darker colors. Additionally, bright objects appear larger than dark objects. In design textbooks, this finding has been converted into the mantra "light colors advance and dark colors recede."

<https://www.sherwin-williams.com/architects-specifiers-designers/inspiration/styles-and-techniques/sw-article-pro-mcdebunking>

The last three pages of the revised materials are comparisons of the dark and blonde brick. Perhaps the blonde does seem somewhat less intrusive. But that perception could well be caused by the fact that the surrounding buildings are bright white boxes and the blonde brick is less of a contrast – a visual perception that would not carryover to the real world.

The next page has a Google street view of approximately the same angle as page 19 of applicant's 7-13-20 revised plans. It is worth noting that the dark brick of 803 really seems to pop out and make the building look big compared to the blond brick of 817. But when put into the actual street context, the dark brick of 803 blends. The mass of 825 seems much larger as a white box (and a box with a solid porch railing, porch columns that are too substantial, a lack of side windows, a lack of window trim) than it does in the real world.

It is also worth noting, again, the skewed perspectives of the applicant's renderings. In the real world, 805 comes to the stone lintel of 803, not to the middle of the window. 825 has a much narrower appearance in the real world, and a smaller volume.





Google Maps, July 2019



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Respectfully Submitted,  
Linda Lehnertz