

Whitewater Landmarks Commission
Thursday, June 28, 2012 - 6 PM
Community Room
312 Whitewater Street
Whitewater, WI 53190

**Special meeting to approve the architectural plans for the restoration of
Whitewater Passenger Depot
301 W. Whitewater Street
Whitewater, WI 53190**

- I. Call to Order and roll call
- II. Approval of agenda and possible rearrangement
- III. Hear Citizen Comments: No formal Landmarks Commission Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Commission discusses that particular item.
- IV. Review of Whitewater Municipal Code - Title 17 Landmarks Commission items that apply to restoration.
 - A. 17.04.010 Intent (1) (2)
 - B. 17.04.020 Definitions (1) (4) (5)
 - C. 17.08.040 Powers and Duties (2)
 - D. 17.16.030 Determination by Commission
 - E. 17.16.050 Denial - Commission assistance to applicant
 - F. 17.16.060 Criteria for existing structures
 - G. 17.24.010 Appeals
- V. Action on City of Whitewater's application for restoration of Whitewater Passenger Depot.
- VI. Adjournment

17.04.010 - Intent.

It is the policy of the city that the protection, enhancement, perpetuation and use of archeological sites, geological formations, structures and city-owned historically significant personal property of special character or special historical interest or value is necessary to the prosperity and well-being of the people.

This title is adopted to:

- (1) Effect the protection, enhancement and perpetuation of such improvements and city-owned historically significant personal property and of districts which represent or reflect elements of the city's cultural, social, economic, political, architectural, archeological and geological history;
- (2) Safeguard the city's historic and cultural heritage, as embodied and reflected in such landmarks, city-owned historically significant personal property and historic districts;
- (3) Stabilize property values;
- (4) Foster civic awareness and pride in the beauty and notable accomplishments of the past;
- (5) Protect and enhance the city's attractions to residents, tourists and visitors and serve as a support and stimulus to business and industry;
- (6) Strengthen the economy of the city;
- (7) Promote the use of historic districts and landmarks for the education, pleasure and well-being of the people of the city; and
- (8) Integrate the modern environment with historic buildings and sites.

(Ord. 999 §1(1), 1982).

(Ord. No. 1733A, § 1, 6-2-2009)

17.04.020 - Definitions.

In this title, unless the context clearly requires otherwise:

(1) "Exterior alteration" means any modification of exterior dimensions of a structure including the attachment of appurtenances such as stairs, fire escapes, chimneys, carports and other similar construction or the modification of materials including, but not limited to roofing, siding, masonry, wood trim, windows or signs. Normal maintenance of existing exterior features or materials including cleaning, painting and replacement shall not be considered exterior alterations.

(2) "Historical marker" means any plaque or marker adopted by the commission to identify a specially designated landmark or landmark site.

(3) "Historic district" means an area designated by the Whitewater landmarks commission (hereinafter referred to as commission) which has a special historic, architectural or cultural interest, significance or value as part of the heritage, development or cultural characteristics of the community, state or nation.

(4) "Improvement" means any building, structure, work of art or other object which is all or part of any physical betterment of real property.

(5) "Landmark" means any building or structure which has a special historic, architectural or cultural interest, significance or value as part of the heritage, development or cultural characteristics of the community, state or nation and which has been designated as a landmark, under this section.

(6) "Landmark site" means any parcel of land of historic, geological or archeological significance due to its substantial value in tracing the history of man, or upon historic event has occurred, and which has been designated as a landmark site under this section; or any parcel of land, or part thereof, on which is situated a landmark.

(7) "Specially designated landmark" means any landmark or landmark site either within or outside an historic district of such significance that the owner agrees to special restrictions in exchange for an historical marker.

(8) "City-owned historically significant personal property" means personal property owned by the City of Whitewater that is deemed by the commission to have special historic, archaeological or aesthetic character such that it is in the City of Whitewater's best interest to preserve, protect and safeguard it.

(Ord. 999 §1(2), 1982; Ord. No. 1733A, § 1, 6-2-2009)

(Ord. 999 §1(2), 1982).

(Ord. No. 1733A, § 1, 6-2-2009)

17.08.040 - Powers and duties.

The commission shall have the following powers and duties:

- (1) To develop appropriate criteria and standards for identifying and evaluating neighborhoods, places, structures, improvements, and city-owned historically significant personal property which might be classified as landmarks, landmark sites, historic districts or specially designated landmarks or city-owned historically significant personal property;
- (2) To designate landmarks, landmark sites and historic districts or city-owned historically significant personal property within the city limits. Once designated by the commission, such landmarks, landmark sites historic districts and city-owned historically significant personal property shall be subject to all the provisions of this section;
- (3) To compile a list of structures which would be eligible for specially designated landmark status. Such structures may be within or outside of an historic district. The commission may negotiate with the owners of such structures for an agreement binding the owner and property. Such agreement may be for a specified period of time and shall be binding on subsequent owners until the end of the time specified.

Structures covered by such agreements are eligible to receive an historical marker;

- (4) To cooperate with federal, state and local agencies in pursuing the objective of historic preservation and to nominate properties designated hereunder to the National Register of Historic Places;
- (5) To develop and recommend ordinances, legislation and programs and otherwise provide information on historic preservation to the city council;
- (6) To designate appropriate markers for specially designated landmarks and historic districts;
- (7) To take all steps necessary, including the taking and collecting of photographs, drawings, descriptions, recorded interviews, written data and documentation, to permanently record the origin, development, use and historical significance of each landmark, landmark site, historic district, or city-owned historically significant personal property;
- (8) To promote public education, interest and support for the preservation and enhancement of such landmarks, landmark sites, historic districts and historically significant personal property.

(Ord. 999 § 1(3)(b)(1—8), 1982).

(Ord. No. 1733A, § 2, 6-2-2009)

17.16.030 - Building permit—Application—Determination by commission.

Upon the filing of an application, the commission shall determine whether the proposed work would destroy or deleteriously affect any feature of the landmark or landmark site, or be out of harmony with the external appearance of the site.

(Ord. 999 §1(3)(b)(9)(c), 1982).

17.16.050 - Building permit—Denial—Commission assistance to applicant.

In addition, if the commission fails to approve an application, it shall, at the request of the applicant, cooperate and work with the applicant in an attempt to obtain approval within the guidelines of this title.

(Ord. 999 §1(3)(b)(9)(e), 1982).

17.16.060 - Criteria for existing structures.

"The Secretary of the Interior's Standards for Historic Preservation Projects" dated 1980 (rev.) shall apply to reconstruction and exterior alterations to existing structures. Those standards are as follows:

- (1) The distinguishing original qualities or character of a building, structure or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (2) All buildings, structures and sites should be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (3) Changes which may have taken place in the course of time are evidence of the history and development in a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance should be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site should be treated with sensitivity.
- (5) Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) The surface cleaning of structures should be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (7) Every reasonable effort should be made to protect and preserve archeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project.

(Ord. 999 §1(3)(b)(10)(a), 1982).

Chapter 17.24 - APPEALS

Sections:

[17.24.010 - Generally.](#)

17.24.010 - Generally.

An appeal of an action of the landmarks commission relating to designation of landmarks or creation of historic districts; the regulation of construction, reconstruction or exterior alteration; or the regulation of demolition may be initiated by filing a petition to appeal, specifying the grounds for such appeal, with the city clerk within ten days of the date on which the final decision of the landmarks commission is made. The city clerk shall file the petition to appeal with the city council. After a public hearing, the city council may, by a favorable vote of two-thirds of its members, reverse or modify the decision of the landmarks commission. In modifying or reversing a decision of the landmarks commission, the city council shall find that owing to special conditions the decision of the landmarks commission would cause serious hardship to the property owner or preclude reasonable use of the property. Self-created hardship or expectation of increased economic return shall not be the basis for modifying or reversing a decision of the landmarks commission.

(Ord. 999 §1(8), 1982).

THE SECRETARY OF THE INTERIOR'S STANDARDS HOW THEY APPLY TO YOUR COMMISSION'S WORK

Janine Duncan for NAPC

Many local preservation commissions use *The Secretary of the Interior's Standards for Rehabilitation* as the basis of their Design Guidelines, but few commissioners ever stop and consider what the Standards mean for the care and feeding of historic resources. Here then, are the Standards annotated with a commissioner's work in mind.



This former service station in Atlanta, Georgia retained its architectural identity when converted to a restaurant.
NAPC file photo.

SOI standard #1:

A property shall be used for its historic purpose or be placed in a new use that requires minimal changes to the defining characteristics of the building and its site and environment.

Adaptive use projects frequently do not utilize a structure for its historic purpose, but the building's original use should be readily apparent. For example, the large garage door openings of an old gas station should remain identifiable as such even if the doors have been converted into walls and the space used for retail sales. Similarly, a mill converted into loft condominiums should still look like a mill. When reviewing adaptive use projects, ask yourself, "Would the property be recognized by a visitor from the property's heyday?"

SOI standard #2:

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Part of the integrity of historic buildings is in the retention of their details, features, and spaces. Examples include ornate sawn scrollwork on late nineteenth-century houses, the simple lines of craftsman style structures, and site plans that facilitate the smooth flow of vehicular traffic around bus stations and other buildings associated with the growth of the automobile age. Commissions should identify the character defining features as part of their local survey process.

SOI standard #3:

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Well meaning property owners may want to make changes to a building to make it look "more historic" by adding features from earlier styles or more ornate buildings. In some cases the motivation may be to make a building from the 1940s or '50s more compatible with older buildings in the district. Doing so creates a false sense of history and does not honestly convey the building's life. While salvaged/ recycled materials are frequently used in rehabilitation projects, they should be appropriate for the building. Sometimes, a building will have been altered to such an extent over the years that it has lost its historical identity. Avoid inappropriate conjectural alterations by requiring documentation (photographs, drawings, etc.) of the building's earlier appearance. If documentation is not available, require that the changes be in keeping with the building's original style.

SOI standard #4:

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Property owners frequently do not see "recent" changes as being part of the history of their building or structure. Even alterations and additions that fail the fifty year test, may be significant. For example, a drive-up service window and canopy added to a restaurant after the advent of the Model T Ford are indicative of a significant period of history. The significance of a later alteration should be carefully explained to applicants, though it can be challenging. Think of the applicant who says, "It can't be historic because I remember when it was added." The applicant may be in his/her nineties and the memory from when he/she was a teenager, but it unless the significance is made clear, the commission's decision will appear arbitrary and capricious. Alterations that have gained significance with time should be noted in a building's entry in the local historic resource inventory.

SOI standard #5:

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

Many historic resources have distinctive elements or were constructed using uncommon techniques that help make them unique. Preserving these elements is necessary to maintain the building's historical and architectural integrity. For example, a large cross painted on the outside of a brick church should be preserved even if the building is no longer used for Christian worship. An owner may not realize that a detail or construction method is distinctive, so the commission should make an effort to explain its significance.

SOI standard #6:

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Property owners frequently wish to replace deteriorated features with new replicas because it is easier, or because they don't realize that repair is possible. If it is determined that repair isn't feasible, the replacement should match the original as closely as possible. Repair options and an examination of the historical evidence should be included in the preservation discussion. As with Standard Number Three, missing features should not be replaced without clear documentation of the original's appearance.

SOI standard #7:

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Many of the cleaning treatments available today and with which many contractors and property owners are most familiar are simply too harsh for antique building

materials. While old buildings do require cleaning they don't require the harshest methods frequently employed. To quote Bill Kennedy, chair of the Jonesborough, Tennessee Historic Zoning Commission, "Just because grandma should exercise doesn't mean she should work out with the football team." Commissions should require proof that unfamiliar techniques be proven to not harm historic materials before approving them and should provide information about appropriate techniques.

SOI standard #8:

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

While most projects that come before a local preservation commission will not have much potential for disturbing archaeological resources, commissions should still make applicants aware of the appropriate agency to call if a contractor unearths a skeleton or a trench of pottery shards. Commissioners should be aware of the resources and on-going projects in their area in order to provide guidance to property owners.

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.

"It looks like the old house was swallowed by the addition." Don't let that be said of something your commission approved. Help property owners understand how new additions can enhance a property without being intrusive by providing clear information and examples in your design guidelines. When considering applications for new additions, carefully examine whether the addition will be easily identified as new and appear secondary to the original building. A visitor should be able to visualize the property without the new addition and be able to understand what the building/structure and site were like during their historic period.

SOI standard #10:

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Removing new construction from a property should reveal the basic form of the base structure, show it located on a site that has retained its historic character, and not require damaging the original structure or site. When reviewing applications for additions, commissions must determine that neither the construction, nor later removal of the addition, will damage the original building.

Janine Duncan serves as NAPC support staff and is a Master of Historic Preservation student at the University of Georgia.