

**HERITAGE PRESERVATION COMMISSION REPORT**  
Certificate of Appropriateness- Downtown Commercial Historic District.  
Section 115-320(d)(2)

**TO:** Heritage Preservation Commission  
**FROM:** Planning Staff  
**MEETING DATE:** June 15, 2017

**PROPOSAL:** The applicant is proposing to fill in ten (10) existing window openings on the south facing alley and fourteen (14) existing window openings on the east facing façades.

**PROPERTY OWNER:**

Mark Nolop  
111-115 3<sup>rd</sup> Street S  
La Crosse, WI 54601

**APPLICANT:**

Same as above.

**BACKGROUND:** The Downtown Commercial Historic District was established by Ordinance in April 2016 along with design standards that are specific to the styles of architecture found within. The local district designation of the Downtown Commercial Historic District was created to encourage preservation of the historic resources of the district, which was named to the National Register of Historic Places in 1994. The design standards and review procedures are used to guide preservation, rehabilitation, new construction, relocation and demolitions. Plans or requests must be approved by the Heritage Preservation Commission prior to any building/demolition permit being issued. In determining whether to issue a Certificate of Appropriateness for Demolition, the HPC shall:

1. Consider factors such as whether the structure is of historical significance, the state of repair of the building, and whether denial of a permit would create a significant economic hardship for the owner.
2. Issue the certificate only if the owner can demonstrate that the building is structurally unsound and/or that denial of a demolition permit would create a significant economic hardship for the owner.

**PROJECT DESCRIPTION:** The applicant was issued an Order to Correct from the Fire Prevention and Building Safety Department in December 2016 that included approximately 24 window openings that were filled in with non-permitted siding materials. The applicant would like to replace the non-permitted materials with permitted siding materials and not install windows due to the upper floors being vacant and to the large expense of custom made windows.

SEE ATTACHED OTC AND PICTURES FOR MORE INFORMATION.

## **ANALYSIS:**

Design standards for windows are:

### *Windows .*

1. Original window openings shall be retained. Street facing facade window openings shall be filled in with a window consistent with the Secretary of the Interior's Standards for Rehabilitation. They shall not be filled in with wood, brick, or any other materials. Window openings on street viewable, side and rear facades may be filled in with any other permitted siding materials only if approved by the Heritage Preservation Commission.
2. Retain all decorative trim around windows, including lintels, pediments and hoods. If replacement of trim is necessary, maintain the appearance of the original material.
3. New window openings shall not be added on the primary façade without the approval of the HPC.
4. If replacement windows are required, wood windows are preferred. (If metal is chosen, it should have a baked enamel or other appropriate factory finish) Metal-clad and/or vinyl-clad windows may be considered for upper level windows or rear façade windows, with the approval of the HPC.
5. Sash shall be replaced with the same size and number of panes as the original sash. New sash, if required, shall match the original style and not the most recent. Replacement of double-hung windows with single panes of glass or crank-out windows is not permitted.
6. The HPC may require samples or examples of replacement windows to determine whether a request other than the original or period type is an appropriate replacement

Replacing the window openings with anything other than a window is not consistent with the Downtown Design Standards or the Secretary of Interior's Standards for Rehabilitation.

This request has also been submitted to the Fire Prevention and Building Safety Department for review and comment. They have stated that current code requires a minimum amount of windows on at least two sides of the building. If these windows remain covered up the owner may be required to make other arrangements, such as a sprinkle system. They have scheduled an inspection of the upper floors of the building for the afternoon of June 15<sup>th</sup> and will provide staff with more information on this issue afterwards.

## **FINDING**

Filling in the ten (10) window openings on the south facing alley façade is not keeping with the historic character of the building. Filling in these window openings may also not be in keeping with current code regarding fire access. This façade can be significantly viewed from 3<sup>rd</sup> Street. Installing windows on this façade would complement the upper floor street facing façade on the property to the south as well as the street facing façade of the applicant's property, of which is very nicely maintained.

Filling in the two (2) window openings located on the east facing (rear) façade on either side of a doorway would not affect the historic character of the building. These windows openings do not appear to be original to the building. Staff would support filling in these openings with brick only that is appropriate to the existing brick size and material.

Filling in the twelve (12) window openings on the east facing (rear) façade is not keeping with the historic character of the building and may also not be in keeping with current code regarding fire access. Installing windows on this façade would improve the visual appeal of the alley. Staff does understand the concerns of the applicant regarding safety and vandalism in the alley as well as the expense of installing windows on a facade where the interior is not being used and is less visible to street traffic.

**RECOMMENDED ACTION BY STAFF:**

This Certificate of Appropriateness for the ten (10) windows on the south facing façade is recommended for denial. These window openings should be replaced with a window.

This Certificate of Appropriateness for the two (2) windows on the east facing (rear) façade located on either side of the door is recommended for approval with the condition that is be filled in with brick that is appropriate to the brick size and type on building

This Certificate of Appropriateness for the twelve (12) windows on the east facing (rear) façade is recommended for denial, however, should the Commission consider approving this request it is recommended by staff that is be filled in with brick only that is appropriate to the brick size and type on building.



# Fire Prevention and Building Safety

400 La Crosse St., La Crosse, WI 54601 • (608) 789-7530 • Fax: (608) 789-7589  
<http://www.cityoflacrosse.org> [inspection@cityoflacrosse.org](mailto:inspection@cityoflacrosse.org)

Gregg A. Cleveland, Fire Chief



## OFFICIAL ORDER TO CORRECT CONDITIONS OF PREMISES APPEARANCE OF EXTERIOR OF PREMISES

GREAT DANE THIRD STREET PROPERTIES LLC  
115 3RD ST S  
LA CROSSE, WI 54601

Ref No: 21542

Parcel: 017020017040

Location: 115 3RD ST S

A recent inspection at the above address disclosed a violation of the Municipal code of ordinances regarding appearance of exterior of premises and maintenance of structures. Failure on your part to properly maintain this structure and premises within the time specified may result in the issuance of a citation, which may result in a forfeiture of up to \$1,000.00 for each day of violation or other penalties as prescribed in the Section 103-269 of the Municipal Code. Additionally, the structure or premises may be maintained and /or the nuisance may be abated by the City and the cost thereof along with the City of La Crosse costs will be charged as a tax lien against the property.

THE CITY ASKS YOU TO COMPLY WITH THE ORDER STATED BELOW BY 07/05/2017.

**NUISANCE: BUILDING REPAIRS AND MAINTENANCE NEEDED. THE HERITAGE PRESERRVATION COMMISSION HAS PROVIDED GUIDELINES FOR REPAIRS AND MAINTENANCE FOR THOSE PROPERTIES LOCATED IN THE DOWNTOWN HISTORIC DISTRICT.**

**REPAIR OR REPLACE ALL AREAS OF THE BRICK EXTERIOR WITH DETERIORATED/MISSING BRICK. RE-POINT ALL AREAS OF THE BRICK EXTERIOR WITH MISSING/DETERIORATED MORTAR JOINTS.**

**BOARDED OVER WINDOW/DOOR OPENINGS ARE NOT ALLOWED. OPENINGS MUST HAVE THEIR WINDOWS INSTALLED PER ORIGINAL DESIGN, MAKE THE NEEDED REPAIRS AND INSTALLATIONS.**

103-336 (b) Foundations, exterior walls, and roofs. No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, or own or be in control of any vacant dwelling or dwelling unit, which does not comply with the following requirements:

- (1) Every exterior wall, save, soffit, trim and similar surface shall be free of deterioration, holes, breaks, loose or rotting board or timbers.
- (2) Structures that require paint or stain, or that have been painted or stained, should have paint or stain applied at regular intervals to exterior building surfaces. If the building has more than 30 percent deterioration of its finished surface on any wall, that wall shall be painted or stained. Such painting and staining shall be completed within 90 days from the date of the first application.
- (3) All cornices, moldings, lintels, sills, oriel windows, and similar projections shall be kept in good repair and free from cracks and defects which make then hazardous or unsightly.
- (4) Roof surfaces shall be tight and have no defects which admit water. All roof drainage systems shall be secured, hung properly, and in good repair.



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(5) Chimneys, antennas, air vents, and other similar projections shall be structurally sound and in good repair. Such projections shall be secured properly, where applicable, to an exterior wall or exterior roof.

103-336 (e) (4) d. Appearance of exterior of premises and structures. The exterior of the premises, the exterior of structures and the condition of accessory structures shall be maintained so that the appearance of the premises and structures shall not constitute a blighting factor.

Municipal Code subsection 103-336 (b) (1) – (5) & 103-336 (e) (4) d. By order of Fire Department – Division of Fire Prevention & Building Safety per Inspector: MARK

For further information, call the above named Inspector at (608) 789-3863 or the department's main number (608) 789-7530. Department hours are from 7:30 a.m. to 5:00 p.m. weekdays.

This order was served via regular U.S. Mail on December 9, 2016.

Inspector: \_\_\_\_\_



10 south facing facade windows







12/05/2016 12:17





12/05/2016 12:17



2 east facing (rear) facade windows

12/05/2016 12:11





12 east facing (rear) facade windows

12/05/2016 12:16