



Office of the City Clerk

Jim OwczarSKI
City Clerk

Rebecca N. Grill
Deputy City Clerk

March 5, 2014

The Equitable Bank, SSB
2290 N. Mayfair Rd.
Wauwatosa, WI 53226

Dear Property Owner:

RE: Historic designation of the Germania Building at 135 W. Wells St.

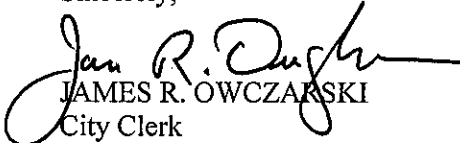
On March 4, 2014, the Common Council of the City of Milwaukee passed Resolution No. 131335, granting historic designation of the Germania Building at 135 W. Wells St. , in the 4th Aldermanic District, as a City of Milwaukee Historic Site .

As an owner of a historic property, it will now be necessary for you to obtain a Certificate of Appropriateness (COA) from the Milwaukee Historic Preservation Commission before beginning any work that will affect the exterior of your property. Building permits for work affecting the exterior of your property will not be issued until a COA is issued.

Enclosed is information literature that explains, in detail, the procedure for obtaining a COA and the preservation guidelines the Commission will review. Additional information and guides to exterior work are available from the Commission Staff.

If you have any questions, please contact Carlen Hatala of the Historic Preservation Staff at (414) 286-5722.

Sincerely,


JAMES R. OWCZARSKI
City Clerk

Enclosures

Cc: Ald. Robert Bauman
Commissioner Rocky Marcoux, DCD
Commissioner Ghassan Korban, DPW
Commissioner Art Dahlberg, DNS



PRESERVATION TOPICS #2

Historic Preservation Commission

City of Milwaukee

HOW TO OBTAIN A CERTIFICATE OF APPROPRIATENESS FOR A HISTORIC SITE OR STRUCTURE IN MILWAUKEE

The Milwaukee Historic Preservation Ordinance

The historic preservation ordinance, adopted as Section 308-81 (now 320-21) of the Milwaukee Code in June of 1981, provided certain kinds of legal protection for buildings or sites the Common Council of the City of Milwaukee has declared "Historic Structures" or "Historic Sites." The purpose of this ordinance is to preserve Milwaukee's heritage, history, and its superb collection of period architecture. A seven-member Historic Preservation Commission appointed by the Mayor administers the ordinance. The commissioners are dedicated citizens, architects, historians, and other experts selected for their interest and skills in historic preservation. The Commission and its staff are ready to assist the public in any appropriate way to meet these goals.

A complete explanation of the provisions of the ordinance can be obtained by contacting the Historic Preservation Commission staff. In brief, the ordinance provides that any individual or group may nominate a building or place for designation as a Historic Structure, Historic Site, or Historic District. The Historic Preservation Commission reviews the applications and makes a recommendation to the Common Council that a structure or site should be declared "Historic." The Council then acts upon the Commission's recommendation.

Once the structure, site, or district has been designated as locally historic by the Common Council, the structure, site or district is under the protection of the ordinance, and no changes may be made to the exterior unless the owner first obtains a "Certificate of Appropriateness" from the Historic Preservation Commission. This certificate is the Commission's written affirmation that a proposed change is sympathetic to the historic character of the property and is consistent with the intent of the ordinance. When a permit is applied for, the Development Center plan examiner will check to see if the property in question is a designated historic structure, historic site or within a historic district. If it is, the applicant is required to obtain a Certificate of Appropriateness.

Obtaining Certificates of Appropriateness

To obtain a Certificate of Appropriateness, the owner of the building files an application with the Historic Preservation Commission as outlined below.

Some certificates for simple projects are issued by staff within a few days of application. Certificate requests for larger or higher impact projects are reviewed by the Commission at a public meeting. The Commission hears opinions and evidence on the proposed changes, and then exercises its best collective judgment as to whether or not the proposed alteration or demolition is compatible with the intent of the ordinance and public interest. If the judgment is favorable, the Commission will direct staff to issue a Certificate of Appropriateness directly to the owner and submit a copy to the Development Center. The owner may then obtain the necessary building permit in the normal way. The Commission may also issue a Certificate conditioned upon the applicant's written agreement to make specified changes in the project necessary to bring it into conformance with the intent of the designation.

In the event that the Historic Preservation Commission finds that the proposed alteration is not consistent with the historic character of the site, structure, or district, and no compromise can be reached immediately, they will refuse to issue a Certificate. Should this happen, a building or demolition permit would not be issued by the Development Center.

Obtaining a Certificate of Appropriateness (COA) is not difficult, but does require some time. Owners are advised to begin the process well in advance, since procedural regulations and the requirements of the ordinance do not permit hasty action on the part of the Commission. The following steps are required:

1. Historic Guidelines

Read the guidelines for the structure or district to determine if your project complies. Most guidelines are found on the Historic Preservation website, www.city.milwaukee.gov/hpc or call the office at 414/286-5712 or 286-5722 to obtain a copy.

2. Apply for a Building Permit

Apply at Development Center, on the 1st floor of 809 North Broadway, in the usual way. When the property is identified as a designated historic structure or a within a historic district, you will then be given an application for a Certificate of Appropriateness or directed to see the Historic Preservation Commission staff. Please note: If you wish to seek the advice of the Historic Preservation staff or apply for a Certificate of Appropriateness before you apply for a building permit, you may do so.

3. Complete the Application

Questions should be addressed to the Historic Preservation Commission staff located in City Hall Room B-4. Call 414/286-5712 or email HistoricPreservation@Milwaukee.gov.

4. Prepare Presentation Materials

Certain drawings may be required for review by the Development Center before a building permit can be issued. A set of these same drawings should accompany your application for a Certificate of Appropriateness. You should, in addition, include sketches, drawings, photographs, or any other material that you feel will help the Historic Preservation Commission understand the proposed changes to the structure. The quality of the presentation materials will be an important factor in enabling the Commission to fully understand what you intend to do. The presentation materials will be filed and retained by the Commission, so be sure to make copies for your own records.

5. File the Application and Presentation Materials

Mail or hand-deliver the application with accompanying photographs, drawings and materials samples to the Historic Preservation Commission staff. In most cases HPC staff will be able to approve the work outlined in the application and issue a COA in approximately 7 days. If the proposed work cannot be approved by staff, the application will be heard at the next scheduled Commission meeting provided that the application is received at least 12 working days prior to that meeting. Staff is available to meet with you to review your project at any time during the COA application process. Applicants are encouraged to attend the hearing / meeting in order to answer questions. If you have an architect or professional consultant, it may help if he or she is also available to answer questions. At the meeting, the Commission may approve the application, give approval conditioned on the owner's willingness to make specified changes, or refuse the request.

6. Public Hearings on Refused Applications

If your application is refused or you do not agree with the Commission recommendations, a public hearing will be scheduled on all refused applications within thirty days of the original review. At that time, the owner may present further cause as to why compliance with the ordinance may not be feasible or may present other relevant evidence. The Commission will issue a final decision on whether or not to grant a Certificate of Appropriateness not more than fifteen days after the public hearing. If the Commission refuses the application, construction or demolition cannot legally proceed. The applicant has the right to waive the public hearing if he or she wishes to file an appeal with the Common Council.

7. Appeal of Refused Applications

Owners denied a Certificate of Appropriateness by the Historic Preservation Commission may appeal the decision to the Common Council provided that such appeal is made within twenty days of the public hearing cited in step #5.

8. Begin Construction

Construction can proceed legally only after issuance of a Certificate of Appropriateness and obtaining a permit for the project. Work done without a Certificate of Appropriateness is a violation of Section 320-21, Milwaukee Code of Ordinances and is subject to correction orders or citations outlined in Section 12-14 of the Milwaukee Code. The progress of the construction will be monitored to assure compliance with approved plans.

9. Changes During Construction Require Approval

Changes made during the construction that affect the exterior of a building or site are not permitted unless they have been approved by the Historic Preservation Commission or Commission staff in accordance with the procedures outlined previously. The Development Center may suspend an issued permit to prevent unapproved changes from being carried forward.

If you have questions or need further information on any preservation-related topic, please contact the Commission staff:

Historic Preservation Commission
Office of the City Clerk
200 E. Wells Street, Room B-4
Milwaukee, WI 53202
Phone 414/286-5712 / 286-5722
FAX 414/286-3004
www.HistoricPreservation@milwaukee.gov

Preservation Guidelines for the Germania Building

The following preservation guidelines represent the principal concerns of the Historic Preservation Commission regarding the historic designation of the Germania Building at 135 West Wells Street. The intent of the commission is to preserve the historic, existing exterior features of the building.

Building maintenance and restoration must follow accepted preservation practices as outlined below. Any exterior changes including repair of ornamental trim but exclusive of routine painting will require a certificate of appropriateness. Most certificates are issued on a staff-approved basis and only major new construction or alteration requests typically will go before the Historic Preservation commission. The Commission reserves the right to make final decisions based upon particular design submissions.

A. Roofs

Retain the roof shape. The installation of skylights where they would be visible from the street are not permitted as they would have a negative impact on the building. Skylights however may be added to the roof if they are not visible from the street or public right of way. No changes can be made to the roof shape which would alter the building height, the roofline or its pitch. Locate mechanical systems and vents on portions of the roof not visible at all from the public right of way and paint them out to minimize impact. If the building gets re-roofed, consultation with historic preservation staff is required to review and approve the new roofing material, flashing, drainage and gutters. Should a satellite dish be installed it should be placed where it is not visible from the street, preferably at the rear, away from the copper domes. No rooftop construction or addition is allowed, as this would have a negative impact on the historic character and proportions of the building. The construction of other rooftop features requires review by Historic Preservation staff and a Certificate of Appropriateness. The copper domes and orbs are not to be removed or altered as they are character-defining features of the building.

B. Materials

1. Masonry

- a. Unpainted brick or stone or terra cotta must not be painted or covered. Painting masonry is historically incorrect and could cause irreversible damage if it was decided to remove the paint at a later date. Covering masonry with other materials (wood, sheet metal, vinyl siding, etc.) is not allowed.
- b. Re-point defective mortar by duplicating the original in color, hardness, texture, joint finish and joint width. See the masonry chapters in the books, As Good As New or Good For Business for explanations on why the use of a proper mortar mix is crucial to making lasting repairs that will not contribute to new deterioration of the masonry. Using much harder, contemporary Portland cement mortar will not make a lasting repair and can damage the historic brick and stone and terra cotta. Replaced mortar joints should be tooled to match the style of the original. Do not use mortar colors and pointing styles that were unavailable or were not used when the building was constructed. Consultation with historic preservation staff and a Certificate of Appropriateness is required before starting any re-pointing.

- c. In the future should masonry cleaning be necessary it should be done only with the gentlest method possible. Sandblasting or high pressure water blasting or the use of other abrasive materials (baking soda, nut shells, dry ice, etc.) on limestone, terra cotta, pressed brick or cream brick surfaces is prohibited. This method of cleaning erodes the surface of the material and accelerates deterioration. The use of accepted chemical products to clean masonry is allowed and a test panel is required before general commencement of the work. Work should be done by experienced individuals as the chemical cleaning process can have a negative impact on the masonry. Consultation with historic preservation staff and a Certificate of Appropriateness is required before any cleaning would begin. .
- d. Repair or replace deteriorated masonry with new material that duplicates the old as closely as possible. The use of EIFS (exterior insulation and finish systems) which is synthetic stucco is not permitted. Consultation with historic preservation staff and a Certificate of Appropriateness is required before attempting work on the masonry

2. Wood/Metal

- a. Retain original material, whenever possible. Do not remove architectural features that are essential to maintaining the building's character and appearance.
- b. Retain or replace deteriorated material with new material that duplicates the appearance of the old as closely as possible. Covering wood or metal with aluminum or vinyl or other substitute material is not permitted. Spot replacement or spot repair of any deteriorated elements is encouraged rather than complete removal and replication. Structural wood epoxies are suggested for the lasting repair of damaged or decays areas of wood trim. Any new elements must replicate the pattern, dimension, spacing and material of the originals. Changes to or removal of fire escapes require consultation with Historic Preservation staff and a Certificate of Appropriateness.

C. Windows and Doors

- 1. Retain existing window and door openings. Retain the existing configuration of panes, sash, surrounds and sills, except as necessary to restore them to the original condition. Do not make additional openings or changes in existing fenestration by enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes. Do not change the size or configuration of the original window panes or sash. Use storm windows or protective glazing which have glazing configurations similar to the prime windows and which obscure the prime windows as little as possible. The use of structural wood epoxies is strongly encouraged to repair any minor damage or decay to wood windows.
- 2. Most of the windows currently visible on the building appear to be one-over-one sash. First and second story windows consist of large plate

glass panes with transoms. At some point in time window sash on the seventh floor on the Second Street façade were changed out and replaced with tinted and reflective low-e glass. Preservation of the historic windows is essential to this building's character and restoration is the accepted method of repair. In the event any windows need to be replaced, however, consultation with Historic Preservation staff is required to determine appropriate glazing patterns. Tinted low-e glass is not acceptable. New glass must match the size of the historic glass. New windows must be made of wood. Do not fill in or cover openings with inappropriate materials such as glass block or concrete block. Glass block is permitted in basement windows on the rear elevation where they are not visible from the street. Do not use modern style window units, such as horizontal sliding sash or casements, in place of double-hung sash or the substitution of units with glazing configurations not appropriate to the style of the building.

Any original windows on the building must be retained and repaired if at all possible. Vinyl, vinyl clad, metal, and metal-clad or fiberglass prime window units are not permitted. Wood combination/storm screen units or fixed storm windows that fit the shape of the original opening are permitted. The front, all glass entry doors date to the 1980s. These may be replaced with doors that are closer in appearance to the originals. Any replacement doors must be appropriate to the historic period of the building. Any changes to doors and windows, including installation of new doors and windows, require consultation with Historic Preservation staff and a Certificate of Appropriateness.

3. Steel bar security doors and window guards are generally not allowed where they are visible from the street. If permitted, the doors or grates must be of the simplest design and installed so as to be as unobtrusive as possible. A Certificate of Appropriateness is required for this type of installation.

D. Trim and Ornamentation

There should be no changes to the existing historic trim or ornamentation except as necessary to restore the building to its original condition. A replacement feature must match the original member in terms of scale, design, color, appearance and wood species. Existing historic trim in the form of terra cotta belt courses, trim and sculpture must not be removed unless it is for the purpose of repair. Spot repair is preferable to wholesale replacement of details. Consultation with Historic Preservation staff is required before any changes or repairs are made to the building.

E. Additions

No additions will be permitted on the Wells Street, Plankinton Avenue or North Second Street elevations as this would greatly alter the character of the building. Any rear addition requires the approval of the Commission. Ideally an addition should either compliment or have a neutral effect upon the historic character of the building. Approval shall be based upon the addition's design compatibility with the building in terms of window proportion and placement, building height, roof configuration, scale, design, color, and materials. Additions must be smaller than the original building and not obscure the historic building.

F. Signs/Exterior Lighting

The installation of any permanent exterior sign or light fixture on the building shall require the approval of the Commission. Approval will be based on the compatibility of the proposed sign or light with the historic and architectural character of the building. Consultation with Historic Preservation staff is required to assist in the selection of exterior fixtures. Plastic internally illuminated box signs with a completely acrylic face are not permitted. The current letters spelling out Germania above the entrance may remain as well as the signs at the corners along Wells Street.

G. Site Features

New plant materials, paving, and fencing shall be compatible with the historic architectural character of the building. Should the owner want to replace the current railing along the building, consultation is required with Historic Preservation staff and a Certificate of Appropriateness is necessary. At grade windows must not be removed. Any alterations to the paving, plant materials, or rear surface condition of the property require a consultation with Historic Preservation staff and a Certificate of Appropriateness.

H. Guidelines for New Construction

It is important that new construction be designed to be as sympathetic as possible with the character of the structure. It is unlikely that the property can support small-scale accessory structures, like a gazebo, garage or fountain. If zoning codes would allow for any of these types of structures, they may be permitted depending on their size, scale and form and the property's ability to accommodate such a structure. Consultation with Historic Preservation staff and a Certificate of Appropriateness is required.

1. Site work

New construction must respect the historic site and location of the building. It should be accomplished so as to maintain the appearance of the building from the street as a freestanding structure. Any new construction would be located to the rear since the lot lines and character defining features of the building would prevent any construction at the side or front elevations.

2. Scale

Overall building height and bulk, the expression of major building divisions including foundation, body and roof, and individual building components, such as overhangs and fenestration that are in close proximity to a historic building must be compatible to and sympathetic with the design of the building. New construction is to be smaller in size and shorter in height than the historic building.

3. Form

The massing of the new construction must be compatible with the goal of maintaining the integrity of the building as a freestanding structure.

4. Materials

The building materials which are visible from the public right-of-way and in close proximity to the historic building should be compatible with the colors, textures, proportions, and combinations of cladding materials used on the historic building. The physical composition of the materials may be different from that of the historic materials, but the same appearance should be maintained and materials not available when the building was constructed should be avoided.

I. Guidelines for Demolition

Although demolition is not encouraged and is generally not permissible, there may be instances when demolition may be acceptable if approved by the Historic Preservation Commission. The following guidelines, with those found in subsection 9(h) of the ordinance, shall be taken into consideration by the Commission when reviewing demolition requests.

1. Condition

Demolition requests may be granted when it can be clearly demonstrated that the condition of a building or a portion thereof is such that it constitutes an immediate threat to health and safety and is beyond hope of repair. This would generally be in case of a major fire or a natural catastrophe.

2. Importance

Consideration will be given to whether or not the building is of historical or architectural significance or displays a quality of material and craftsmanship that does not exist in other structures in the area.

3. Location

Consideration will be given to whether or not the building or portion of it contributes to the neighborhood and the general street appearance and has a positive effect on other buildings in the area.

4. Potential for Restoration

Consideration will be given to whether or not the building is beyond economically feasible repair.

5. Additions

Consideration will be given to whether or not the proposed demolition is a later addition that is not in keeping with the original design of the structure or does not contribute to its character. On the Germania Building there is really no part of the building that would be a candidate for demolition based on this criterion.

**PROPOSED HISTORIC DESIGNATION
GERMANIA BUILDING - 135 W. WELLS STREET**

