



Approved

**MINUTES  
HISTORIC PRESERVATION COMMISSION  
REGULAR SESSION**

5:30 p.m.

Thursday, June 19, 2014  
City Council Chamber, Historic Federal Building

**Commissioners Present:** Chairperson Bob McDonell; Commissioners Julie Schlarman, David Klavitter, Mary Loney-Bichell, Christina Monk, Chris Olson, Joseph Rapp, and John Whalen.

**Commissioners Excused:** Commissioner Otto Krueger.

**Staff Members Present:** David Johnson and Eric Van Buskirk

**CALL TO ORDER:** The meeting was called to order by Chairperson McDonell at 5:30 p.m.

**AFFIDAVIT OF COMPLIANCE:** Staff presented an Affidavit of Compliance verifying the meeting was being held in compliance with the Iowa Open Meetings Law.

**MINUTES:** Motion by Whalen, seconded by Klavitter, to approve the minutes of the May 15, 2014 meeting as submitted. Motion carried by the following vote: Aye: McDonell, Schlarman, Klavitter, Loney-Bichell, Monk, Olson, Rapp, and Whalen; Nay - none; Abstain – none.

**DESIGN REVIEW:** Application of Jeffrey J. Jaeger for an Application for Demolition in a Conservation District for 1055, 1069, 1071, and 1073 White Street, located in the Downtown Neighborhood Conservation District.

Staff Member Johnson provided an overview of the project to the Commission. He reviewed the damage to the buildings as the result of a fire which occurred February 20, 2014. He reviewed the physical characteristics of the building noting they are treated separately since they do not share a common wall. Staff reviewed the modifications and alterations to the buildings, noting the addition of vinyl windows, aluminum casings, soffit and fascia, porch alterations and vinyl siding. He explained the buildings and neighborhood were evaluated as part of the *Phase III Architectural and Historical Survey* in 2003. He explained the report found the buildings were not eligible for listing on the National Register of Historic Places either individually or as a contributing properties to a potential district. Staff Member Johnson clarified the neighborhood has been significantly altered and a potential district was not identified in 2003. He noted no changes have occurred since the time of the survey to support eligibility.

Staff Member Johnson reviewed the standards for demolition review. He stated the City

of Dubuque's historic property inventory and subsequent architectural/historical surveys/evaluations and nominations to the National Register of Historic Places (NRHP) are guidelines for review. He added that the Commission may also consider a determination from the State Historic Preservation Office (SHPO) as to the potential eligibility for listing of the building proposed for demolition on the NRHP. He stated the Commission may also consider an application for a demolition permit in accordance with the standards for review set forth in the *Secretary of the Interior's Standards and Guidelines for Identification and Evaluation*. He reviewed identification and evaluation activities and eligibility. He noted the *Phase III Architectural and Historical Survey Report* identifies the buildings as having local interest meriting consideration under the demolition ordinance; however, the report indicates neither property is eligible for listing on the NRHP either individually or as a contributing property to a potential district. He explained a determination of local interest does not mean a building is significant or worthy of preservation; rather, it simply means further investigation is merited. Staff Member Johnson explained Planning Services Staff thoroughly researched and documented each property in an Iowa Site Inventory Form provided for the Commission's consideration and sent to the SHPO for their review and comment. He noted the SHPO reviewed the information and concurred with the findings in the Site Inventory Form that the properties do not have sufficient integrity for NRHP eligibility.

Jeffrey Jaeger, 2725 Oak Crest Drive, was present to represent the application. The Commission discussed the application, noting that the buildings were not eligible for the National Register. The Commission indicated that neighboring property owners had contacted Commissioners regarding the demolition. The Commission discussed the standards for review.

Motion by Olson, seconded by Schlarman, to approve the Application for Demolition in a Conservation District as submitted. Motion carried by the following vote: Aye: McDonell, Schlarman, Klavitter, Loney-Bichell, Monk, Olson, Rapp, and Whalen; Nay - none; Abstain – none.

**DESIGN REVIEW:** Application of Michael Belmont and Mary Pregler-Belmont for a Certificate of Appropriateness for Historic Revolving Loan Funds for 1394 Locust Street, located in the Jackson Park Historic District.

Staff Member Johnson stated the applicant has withdrawn the application. He noted the sole reason for the application was the request for Historic Preservation Revolving Loan Funds. He stated the financing is no longer needed, none of the work will result in a material change in effect, and the project is in compliance with the City of Dubuque Architectural Guidelines. He explained the project is simply repairing and replacing existing materials in-kind and Planning Services Staff will approve the building permit.

**ITEMS FROM PUBLIC:** There were no items from the public.

**ITEMS FROM COMMISSION:**

Work Plan Update: Commissioner Monk did not have any update on the Survey and Registration Project goal. Staff Member Johnson indicated City Council had approved the request for proposals for the Phase VI Intensive Survey and Evaluation as well as the Registration Program. He noted Jim Jacobsen was awarded the contract to prepare the Old Town Neighborhood National Register of Historic Places nomination project.

Commissioner Schlarman did not have an update on the Public Spaces in Historic Neighborhoods goal and the Ordinance Adoption and Enforcement goal.

Commissioner Whalen did not have an update on the Comparative Analysis of Historic Districts goal. Staff indicated a detailed Land Use Analysis was completed for the City, providing information on land use, number of dwelling units for residential structures, and number of employees in commercial buildings. Staff related that maps would be distributed to Commissioners at the next meeting so they could verify the information by walking their neighborhoods and providing comments on the analysis. Staff also indicated that information on historic property values could be provided by the City Assessor's Office.

Commissioner Klavitter provided an overview of the Education Plan goal to the Commission, noting that he met with Planning Services Staff to discuss the items included in the report.

**ITEMS FROM STAFF:**

Building Department Historic Preservation Enforcement Update: Staff Member Johnson provided an overview of updates to the Enforcement Report, informing the Commission that a notice of violation was issued to the listing agent of 1163 Highland, and that a hearing was scheduled for 1921 Madison Street on July 11.

The Commission discussed the effectiveness of the Demolition by Neglect ordinance, and potential ways to achieve better compliance with property maintenance. Staff indicated that parts of the Commission's work plan on Ordinance Adoption and Enforcement included a meeting with Legal and Building Services to discuss specific enforcement issues.

The Commission and Staff discussed the current role of the Commission in enforcement issues. Staff noted that most complaints are handled by the Building and Housing Departments and that Planning is not notified of every violation within Historic Districts. Staff Member Johnson noted the Commission and Planning Services Staff do not refer enforcement cases. The Commission and Staff reviewed past events and consensus that the Commission is not to refer enforcement concerns; instead, they are to refer concerns individually to the appropriate department or use the Citizen Support Center on the City's website similar to any other resident. The Commission discussed

reviewing active enforcement cases in Historic Districts. Staff noted doing so will not result in any greater compliance or level of maintenance.

National Park Service Annual Reports: Planning Staff noted that this item is an annual report used to collect information on local historic preservation activities and that no action by the Commission is necessary.

Notices of Decision: Planning Services Staff notified the Commission that Notices of Decision were no longer being recorded with the Recorders Office due to the cost and the lack of benefits of filing the notice. Staff reviewed the costs associated with recording documents. Staff and the Commission questioned the original intent of filing notices with Dubuque County Recorder and whether the administrative and financial costs outweighed the desired effect. The Commission discussed the costs and benefits of recording notices. Staff reviewed current mechanisms which alert property owners of historic districts including entry signs, the City Assessor's website and real estate disclosure statements.

The Commission expressed concern that property owners, or prospective property owners may not know, or claim to have not known, that a property is in a historic district after a Certificate of Appropriateness is issued or alterations are made after the fact. Planning Services Staff reviewed the City's permit's system, noting that all properties in historic districts are flagged and exterior permits are not issued without first obtaining approval from the Historic Preservation Commission or Planning Services Department. Staff noted if the Commission wanted to continue recording Notices of Decisions they will need to justify the need in a budget request for Fiscal Year 2016. Staff Member Johnson explained the Commission budget items are presented to them annually. Planning Services Staff indicated that they would continue to provide Notices of Decision to the property owner and to the Building Department following the issuance of a Certificate of Appropriateness or Demolition Review.

The Commission discussed the reasons for recording Notices of Decision and whether to bring the issue up when the Commission reviews new budget requests.

**ADJOURNMENT:** The meeting adjourned at 7:07 p.m.

Respectfully submitted,

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David Johnson, Assistant Planner

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Adopted