



# Approved

**MINUTES**  
**HISTORIC PRESERVATION COMMISSION**  
**REGULAR SESSION**  
Thursday, July 16, 2015  
5:30 p.m.  
City Council Chamber, Historic Federal Building

**Commissioners Present:** Chairperson Bob McDonell; Commissioners Christina Monk, Joseph Rapp, John McAndrews and Lisa Lawson.

**Commissioners Excused:** Commissioners David Klavitter and John Whalen.

**Staff Members Present:** Dave Johnson and Wally Wernimont.

**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 Monk, seconded by Rapp, to approve the minutes of the May 21, 2015 meeting as submitted. Motion carried by the following vote: Aye – Monk, Rapp, McDonell, Lawson, and McAndrews; Nay – None; Abstain – None.

**WELCOME NEW MEMBERS:** Chairperson McDonell welcomed new Commissioners Lisa Lawson and John McAndrews to the Commission.

**CERTIFICATE OF APPROPRIATENESS:** Application of Adam Johnson, Adam Johnson Architecture, for property located at 100 Main Street to construct exterior stair, balconies, roof addition and enclose window openings in the Old Main Historic District.

Staff Member Johnson reviewed the staff report. He reviewed the property's characteristics and noted the building was remodeled in 1999. He explained the Old Main Historic District comprises the best preserved and most substantial grouping of Dubuque's earliest surviving commercial buildings. The district also includes a number of noteworthy buildings that played a central role in the historical development of the city of Dubuque. He stated 100 Main Street is a contributing property to the Old Main Street city and National Register of Historic Places districts. He explained the building housed a wholesale drug firm from 1911 through 1962.

He reviewed the property owner is seeking a Certificate of Appropriateness to install an exterior stair, balconies, roof addition, and enclosed window openings. He reviewed each of the project components and their compliance with the City of Dubuque

Architectural Guidelines. He noted the proposed balconies and new doors on the primary façade or Main Street side of the building could be considered inconsistent with the Architectural Guidelines, which recommend preserving the primary façade, locating balconies to the rear and/or at a minimum two bays back on the sides of the building, preserve the position, number, and arrangement of historic windows and the building wall, and avoid installing new door openings and key character-defining walls. He noted the proposed stairs and new doors on the rear of the building are necessary for emergency egress in order to develop the upper stories of the building. He stated the stairs and new doors appear to be appropriately designed and located, and consistent with the City of Dubuque Architectural Guidelines.

Staff Member Johnson stated the elevator is a necessary component to the adaptive re-use of the upper stories of the building. Installing the elevator in the existing freight elevator shaft in the rear corner of the building is the most logical location and will have the least impact on the architectural significance of the building. He stated the new elevator will require enclosing existing windows. He explained enclosing the windows with recessed salvage brick appears to be a logical and appropriate design accommodation for the elevator. He stated there is not an established historic ratio of windows on the rear of the building and the recessed enclosure would distinguish the original openings and not create a false sense of history. He stated the bricked-in windows would be reversible and will have less of an impact on the architectural significance on the rear of the building than if the elevator were located elsewhere. He stated it appears to be a reasonable accommodation to adaptively re-use the upper stories of the building and could be considered consistent with the Architectural Guidelines.

Staff Member Johnson reviewed the roof addition is really a simple stair enclosure that provides roof access for tenants. He explained the enclosure is set back from the primary façade, modest in size and character, and will be distinguishable as new. He stated the proposed roof addition appears to be consistent with the City of Dubuque Architectural Guidelines.

Staff Member Johnson reviewed the role of the Historic Preservation Commission in reviewing the Certificate of Appropriateness is to discuss and determine whether the proposed alterations are compliant with the design standards in the City of Dubuque Architectural Guidelines, or whether changing the exterior architectural features of the structure will have a substantial adverse effect on the aesthetic, historical, or architectural significance and value of either the property itself or of the neighboring properties in the district. He noted that if the Commission finds that the proposed alterations are consistent with the standards in the City of Dubuque Architectural Guidelines, or the alterations will not adversely affect the aesthetic, historic or architectural significance and value of the property or district, the Commission should approve the Certificate of Appropriateness. He stated that if the Commission feels the project does not comply with the Architectural Guidelines or will adversely affect the

aesthetic or architectural significance of the building and district, the Commission should deny the Certificate of Appropriateness.

Susan Hess introduced herself and the project. She explained she is an attorney with Hammer, Simon, and Jensen. She stated her office is at 775 Sinsinawa Avenue, East Dubuque, IL and she is licensed to practice law in Iowa and Illinois. She stated she is representing Lot One in the application and they are requesting the Commission approve the application for a Certificate of Appropriateness as outlined in the application and staff report.

Ms. Hess stated the applicant does believe the proposed alterations are consistent with the Architectural Guidelines established by the city of Dubuque given the unique nature of the property, its location in the district, its past use of the building, the change in use of the building, and other similar properties on Main Street and historic districts, including the Millwork District.

Ms. Hess introduced Joe Zwack, 9499 Turkey Ridge Road, Dubuque, IA 52003, and stated he is the property owner of Lot One located at 100 Main Street. Mr. Zwack distributed folders containing drawings of the proposed alterations and pictures of fire escapes and balconies in downtown Dubuque to the Commission. He reviewed the plans and the need for the elevator and fire escape in the back of the building. He referenced the structural engineering plans for attaching the balconies to the building, noting they will meet or exceed all commercial requirements. He noted his business at Lot One has been an anchor for the Old Main District. He stated they were one of the first places to open. He noted all renovations made to the building were at their own cost. He noted the building was originally an industrial building, and then a retail business. Mr. Zwack reviewed that the restaurant uses the first and second floors of the building and they would like to develop the third, fourth, and fifth floors for residential use. He reviewed the business hours and number of employees.

Mr. Zwack stated the property was never designed to be a stand-alone building and the building directly to the north burned down in the late 1990s. Mr. Zwack stated the reason for installing the balconies is to provide outdoor dining opportunities for customers on Main Street. He stated the grade of the sidewalk and accessibility ramp prohibit outdoor dining along Main Street currently. He explained they attempted outdoor dining on the side of the building; however, it is noisier and less enticing to dine outside. He noted the balconies will be attached by cables similar to the awnings located at the Hotel Julien Dubuque. He noted the improvements will be metal, high beam construction similar to high beams seen throughout other buildings in the Old Main Historic District. He noted some buildings in the downtown have added fire escapes to the front of buildings so it is not unusual to have things on the fronts of buildings. Mr. Zwack also noted new construction in downtown Dubuque has allowed balconies on the front of buildings and referenced the Oky Doky at 1<sup>st</sup> and Locust Street. He stated the balconies will be installed so they are reversible should someone

in the future want to take the building back to its original appearance. Mr. Zwack noted the Busted Lift has a wooden deck off the back of their building. He stated adding balconies to the front of Lot One would be an enhancement and welcomed questions from the Commission.

Commissioner Lawson stated balconies on the front of the building would be consistent with traditional French architecture.

Chairperson McDonell clarified the style of the building is not in the French design, and is a traditional commercial building that never originally had balconies on the front of it. He referenced the Architectural Guidelines, noting the primary facades of buildings are most important to preserve in their original appearance, while flexibility is granted on the rear and sides of the building.

Mr. Zwack stated that since the building now stands alone, and is a narrow width building, that lends itself to installing balconies on the front.

The Commission asked whether enclosing the windows on the rear of the building was a Code requirement for the new elevator. Staff Member Johnson stated he believed it was a Code requirement, noting other buildings in downtown that have undertaken a similar process.

Mr. Zwack clarified the windows must be enclosed in order to meet Fire Code within the elevator shaft.

Commissioner Lawson noted Lot One's contributions to downtown and stated they serve as a venue for the film festival.

Mr. Zwack reiterated the building originally was used for industrial purposes and they propose to use it for commercial purposes.

Staff Member Johnson clarified the purview of the Commission is specific to design, and they are not to take into consideration matters such as land use. He stated the City of Dubuque Architectural Guidelines are the standards adopted by City Council by which the Commission should conduct the design review.

The Commission noted the examples depicting balconies and decks provided by the property owner are of balconies and decks that are located on the rear and sides of buildings in downtown Dubuque, whereas, the property owner is requesting to install balconies on the primary or Main Street façade.

Chairperson McDonell noted the ordinance and guidelines recommend preserving the primary façade. Mr. Zwack stated installing balconies on the rear of the building is not an option due to the fire escape. Chairperson McDonell stated he would be in support

of the proposed alterations to the rear of the building since they are required for safety and comply with the guidelines. He noted his concerns are with the proposed balconies on the primary façade. He explained the building never originally had balconies and was never designed to have balconies. He clarified the commercial style building is not a building you would find in the French Quarter, where those buildings are designed with that purpose.

Commissioner Lawson stated she felt the proposed balconies would be an enhancement to the building, noting the building now stands alone, whereas historically, it did not. She reviewed the images provided by the property owner depicting fire escapes and decks adjacent to a street.

Staff Member Johnson clarified all those examples are of fire escapes and stairways that are located either on the rear or side of the building with the exception of the Hotel Julien. He stated the awnings seen on the Hotel Julien Dubuque are original in design to the hotel.

Commissioner Lawson questioned the image depicting a balcony on the Iron Works building in the Historic Millwork District. Commissioner Rapp clarified at one time, the Caradco building and Iron Works building was connected by a bridge. He stated the balcony is reflective of the original bridge opening.

Chairperson McDonell stated the discussed examples did not involve replacing historic windows with new doors and balconies on the primary façade.

Commissioner Rapp asked how the roof access will be finished. Mr. Zwack clarified the roof access will be covered with brick. In response to a question from the Commission, Staff Member Johnson explained the roof access will be visible from the street; however, it is modest in scale and will complement the existing elevator enclosure on the roof.

The Commission asked if the different components of the application can be voted on independently. Staff Member Johnson stated the Commission does have the ability to make separate motions on each of the components of the application.

Commissioner Lawson stated she believed the improvements the property owner is proposing is in harmony with the appearance and uses of historic buildings in the downtown area. Chairperson McDonell reiterated the Historic Preservation Commission is governed by the Architectural Guidelines. Commissioner Lawson questioned in what way the guidelines govern the Commission.

Staff Member Johnson explained the City of Dubuque Architectural Guidelines were developed based on the input of residents, stakeholders, Dubuque Main Street, and Commissioners in the city of Dubuque. He explained the guidelines are adopted by

City Council to give the Commission the tools necessary to consistently and fairly review proposed improvements within the City's historic districts. He noted benefits of the Architectural Guidelines are to provide design direction and prevent the Commission from making arbitrary design decisions. He noted the guidelines take the principles outlined in the Secretary of the Interior Standards for Rehabilitation and tailored them specific to Dubuque. He explained the guidelines themselves are not Code or law. He stated guidelines are recommendations that allow for design considerations on a case-by-case basis. He explained the guidelines were not written or intended to freeze a building or neighborhood in time. He stated the guidelines are intended to allow improvements to buildings that are sensitive to the historic character of the building and neighborhood. He stated it is important to the preservation program that buildings be allowed to be adapted for modern uses; however, that must be done in a manner which maintains or enhances the important historic and architectural features of buildings.

Commissioner McAndrews asked the property owner if he has considered locating the balconies on the side of the building. Mr. Zwack responded it would take considerably more structural work to locate the balconies on the side of the building.

Commissioner McAndrews asked the property owner if balconies could be added to the rear of the building. Mr. Zwack responded the fire escape will be located on the rear of the building and the view would be of the Ice Harbor.

Commissioner McAndrews stated he was not in favor of the proposed railing design for the balconies. He stated the design must enhance the building. Mr. Zwack explained the railing design is intentional and designed to be identical to the railing at the rear entrance of the building and accessibility ramp at the front of the building. He noted the design can also be seen at the Chamber of Commerce building and along the 3<sup>rd</sup> Street overpass. He stated the design provides continuity throughout the district.

Commissioner Rapp asked the property owner whether they've given any consideration to an awning similar to that found on the Hotel Julien Dubuque to be located above the doors on the rear of the building. Mr. Zwack stated they had not considered that option.

Mr. Zwack clarified the doors on the rear of the property are intended to serve as a fire exit.

Commissioner Lawson stated she felt the proposed changes were very pleasing and understated in design. She stated the proposed improvements are tasteful.

Chairperson McDonell stated his objection is to locating balconies on the primary façade of the building.

Commissioner Lawson noted it's important to allow things to be updated. Chairperson

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McDonell stated many buildings along Main Street have been updated while still preserving the historic character and features of those buildings.

Commissioner Lawson questioned the difference between the proposed balconies and the awnings on the Hotel Julien Dubuque.

Commissioner Monk noted the awnings on the front of the Hotel Julien have historical precedence. She explained the hotel had those awnings originally and they were restored to its original appearance. She noted in the case of the proposed balconies on 100 Main Street, the property owner is requesting to add something that never existed. She noted the proposed balconies are an addition to the primary street façade and need to be addressed in the context of the Architectural Guidelines. She noted it is not a question of whether the balconies are aesthetically pleasing; rather, are the balconies consistent with the City of Dubuque Architectural Guidelines, and whether they meet with the character of the building.

Chairperson McDonell noted the building was evaluated as a contributing structure to the Old Main Historic District. He noted there is an added importance to maintain the historic character of a building that contributes to a historic district.

Commissioner Lawson stated she feels the balconies do contribute to the building and are an improvement to the downtown. She noted the balconies do not contradict the historic nature of the building.

Mr. Zwack noted the balconies are reversible.

Commissioner Lawson stated she feels the Lot One contributes to the community and the Commission has an obligation to take into account all of the contributions of the property owner, which must be weighed in the balance before voting. She noted if the Commission does not allow the balconies that substantially impacts the property owner's ability to transform those apartments.

Chairperson McDonell disagreed, noting the balconies will not impede their ability to create apartments, as many apartments do not have balconies.

Commissioner Lawson reiterated that by preventing the balconies she felt the Commission will substantially be affecting the property owners business and asked if that is in their purview. Staff Member Johnson clarified that is not their purview. He stated the Commission's purview with regard to design review is strictly design. He stated the Commission is not to consider how successful a business is or its contributions. He reiterated the role of the Commission is design.

Commissioner Lawson stated she still believes the design of the balconies are in keeping with the building. She noted the photographs provided by the property owner

clearly show similar balconies.

Chairperson McDonell reiterated none of the examples provided by the property owner are of balconies on the primary façade of a building.

Commissioner Rapp suggested making motions on individual parts of the application.

Motion by Rapp, seconded by Monk, to approve the roof addition as submitted. Motion carried by the following vote: Aye – Monk, Rapp, McDonell, Lawson, and McAndrews; Nay – None.

Motion by Monk, seconded by Lawson, to enclose the exterior windows at the existing freight elevator shaft as outlined in the application. Motion carried by the following vote: Aye – Monk, Rapp, McDonell, Lawson, and McAndrews; Nay – None.

Motion by Monk, seconded by McAndrews, to approve the exterior stairs acting as a fire escape as outlined in the application. Motion carried by the following vote: Aye – Monk, Rapp, McDonell, Lawson, and McAndrews; Nay – None.

Motion by Monk, seconded by Lawson, to approve the balcony design on the primary façade of the building. Motion failed by the following vote: Aye – Lawson and McAndrews; Nay – Monk, McDonell, and Rapp.

**ELECTION OF OFFICERS:** Chairperson McDonell noted the Commission needs to elect a Chairperson and Vice Chairperson. He noted he has served two consecutive terms as chairperson, and therefore is not eligible to serve as Chairperson again. Chairperson McDonell welcomed nominations for Chairperson.

The Commission discussed their ability to serve. Staff Member Johnson clarified interim or temporary members can serve in an officer capacity. He stated Planning Services staff would assist the officers in their duties.

Motion by Lawson, seconded by Rapp, to nominate Commissioner Monk as Chairperson of the Historic Preservation Commission. Motion carried by the following vote: Aye – Rapp, McDonell, Lawson, and McAndrews; Nay – None; Abstain - Monk.

Chairperson McDonell welcomed nominations for Vice Chairperson. Staff Member Johnson noted all members of the Commission are eligible to serve as Vice Chairperson. He noted Commissioner Monk had been serving the unexpired term of former Vice Chairperson Julie Schlarman. The term is one year.

The Commission asked staff to clarify the role of the officers. Staff Member Johnson reviewed the role of the Chairperson, and noted the Vice Chairperson serves in their capacity when the Chairperson is unable to do so. He stated most aspects of the

preservation program are handled by Planning staff; however, occasionally a Commissioner may be asked to attend a City Council meeting to accept a proclamation or represent a case.

Staff Member Johnson stated the primary responsibility of the Chairperson is to run the regular Commission meetings. He noted Planning Services staff helps with that process. The Vice Chairperson may occasionally need to run the meeting in the absence of the Chairperson.

Motion by Lawson, seconded by Rapp, to nominate Commissioner McAndrews as Vice Chairperson of the Commission.

Motion by Monk, seconded by Lawson, to nominate Commissioner Rapp as Vice Chairperson of the Commission.

The Commission discussed the nominations. Chairperson McDonell called for a vote on the nomination to appoint Commissioner McAndrews as Vice Chairperson of the Historic Preservation Commission. Motion failed by the following vote: Aye – Lawson and Rapp; Nay – Monk and McDonell, Abstain - McAndrews.

Chairperson McDonell called for a vote on the nomination to appoint Commissioner Rapp as Vice Chairperson. Motion failed by the vote: Aye – Monk and McDonell; Nay – None; Abstain – Lawson, McAndrews, and Rapp.

The Commission noted neither motion for Vice Chairperson passed, and requested staff place election of the Vice Chairperson on the next Historic Preservation Commission agenda.

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM COMMISSION:**

**Work Plan Update:** Chairperson McDonell reviewed the history and background of the Historic Preservation Commission work plan, noting it reflects the highest priority goals of the Commission.

Staff Member Johnson reviewed the progress on the work plan items, noting the survey and registration projects, ordinance adoption, and enforcement goals are complete. He stated the comparative analysis of historic districts was discussed at the previous Commission meeting and the consensus of the Commission was that the action steps in that goal are best addressed in an economic impact study, which is part of Commissioner Klavitter's goal.

Staff Member Johnson reviewed the education plan goal. He noted Planning Services

staff conducted research to find data relevant to Dubuque with regard to preservation's impact on Dubuque. He explained local data did not exist and therefore Commissioner Klavitter recommended an economic impact study be prepared. Staff Member Johnson noted the Commission has discussed the general content of such a study and has forwarded the request as well as supporting information to the City Manager for his consideration. He noted there has been no response to the forwarding information as of yet.

Phase VI Survey: Assistant Planner Wally Wernimont presented an overview of the Phase VI Historic and Architectural Survey of Dubuque. Staff Member Johnson noted the survey is part of the Historic Preservation Commission's work plan.

Staff Member Wernimont reviewed what a Historic and Architectural Survey is, and why surveys are important to the city of Dubuque. Staff noted the survey information helps facilitate projects that are federally funded and provides the preservation program with the necessary information in order to identify potential National Register properties and districts. Staff Member Johnson noted the surveys serve as the foundation for Dubuque's Preservation Program.

Staff Member Wernimont reviewed the Phase VI Survey area, noting the acreage, number of properties and structures, and boundaries. He reviewed properties that were identified as individually eligible for listing on the National Register, including the Great Western Brunswick Hotel, Dubuque Malting & Brewing Company building, as well as potential National Register eligible districts identified in the survey, such as the Upper Couler Avenue/Holy Ghost Historic District, Jackson Street gable-front framed houses, and Washington Street Cottages and Bungalows Historic District.

The Commission discussed the survey results, noting the Jackson Street gable-front framed houses and Washington Street cottages and bungalows Historic District is affectionately locally known as “frog town”, which would make a much better district name. The Commission and staff discussed the importance of maintaining the fabric, rhythm, and alignment of residential buildings in the neighborhood districts, noting the sum of the district's parts is what makes it special.

Staff Member Wernimont reviewed architectural themes and historic context for the districts. The Commission commended the survey effort, noting the often overlooked historic and architectural significance of these neighborhoods. The Commission discussed how important these neighborhoods are to the historic fabric of the city. The Commission reviewed how residents of Dubuque identify with their neighborhood and how the design and people contribute to a neighborhood's sense of place.

Staff Member Wernimont noted that the high percentage of homes in the survey area that are owner-occupied and generational, reflecting peoples' sense of pride. Chairperson McDonell noted it is amazing how well maintained the buildings are and

recommended Commissioners take time walking these neighborhoods within the city, noting every neighborhood is amazing.

Staff Member Wernimont reviewed potential future survey areas and priorities for doing so. He reviewed how such Section 106 review requests helps City staff identify older housing stock within the community worthy of surveying. The Commission asked if any consideration has been given to the North and South Grandview areas. He did note that those areas are on the City's radar and there has been increased federal funds invested in those neighborhoods. He noted the eclectic housing styles along Grandview Avenue making it an interesting corridor to survey.

Staff and Commissioners discussed surveying areas around Third Street and Rush Street. Staff Member Wernimont reviewed the history of survey efforts in the city of Dubuque. He explained Bruce Kriviskey was the first person to survey neighborhoods in the city of Dubuque in the late 1970s. He explained information from that survey served to provide the framework for the City's preservation program and defined the city's first five historic districts. He noted all of the Dubuque surveys are available in the Planning office or on-line on the Historic Preservation webpage.

The Commission asked whether Sacred Heart Church was listed on the National Register of Historic Places. Staff Member Wernimont clarified it is not currently listed on the National Register; however, it is National Register-eligible and would likely be listed as a district.

The Commission asked whether any progress has been made on the Holy Ghost campus. Staff Member Johnson stated he is not aware of any recent interest in rehabilitating the property.

Chairperson McDonell commended Planning Services staff on their work.

**ITEMS FROM STAFF:**

Staff Approvals: Staff Member Johnson noted staff approvals for the month of June.

Building Services Historic Preservation Enforcement Report: Staff Member Johnson reviewed the updates to the Historic Preservation Enforcement report.

The Commission noted progress is being made at most of the properties, which is very promising.

Chairperson McDonell entertained a motion to adjourn.

**ITEMS FROM COMMISSION:**

Commissioner Lawson requested an opportunity to make a prepared statement on the decision regarding the Certificate of Appropriateness application for 100 Main Street.

Commissioner Lawson expressed her concern to the Commission regarding the design decision for 100 Main Street. She stated it was an unjust decision regarding the balcony proposal for Lot One. She explained her concerns are in light of the extensive documentation provided by the property owner. She suggested the Commission re-examine its parameters for flexibility afforded through the guidelines in order to exercise judicious, open-minded flexibility rather than instinctive resistance to renovations which are aesthetically modest and pleasing, historic and architecturally harmonious, and clearly contributory to the key concern of revised uses of historic buildings in all of the city's historic districts.

The Commission disagreed, noting their decision was based on the City of Dubuque Architectural Guidelines. Staff reviewed the importance and purpose of the Architectural Guidelines noting they were developed with the input of the community and adopted by City Council to provide the Historic Preservation Commission with the guidance to make non-arbitrary design decisions. Commissioner reiterated her position that the Commission needs to exercise judicious, open-minded flexibility. The Commission explained every Commissioner is entitled to their own opinion with respect to a project and the Architectural Guidelines, which why the Commission votes.

Commissioner Lawson stated the property owner provided sufficient documentation and feels the property owner met every reasonable expectation for the balconies. The Commission stated all the documentation provided by the property owner to support locating balconies on the front of the building were of decks and fire escapes on the rear and sides of buildings. The Commission noted the City of Dubuque Architectural Guidelines do support decks and balconies on the rear and sides of buildings, which was suggested during the design review.

Commissioner Lawson stated there are balconies all over downtown and there was no justification for denying their proposal. Chairperson McDonell stated there are not balconies on the front or primary facade of buildings in the downtown.

Staff Member Johnson clarified one role of the Commission, as asked by City Council, is to conduct design review in historic districts. Commissioner Lawson requested the Commission reconsider the parameters of flexibility in design review. The Commission noted they did apply flexibility in approving all other aspects of the application.

Staff reviewed the importance of following the Secretary of Interior Standards as well as the Architectural Guidelines. Staff Member Johnson clarified that a property owner requesting a Certificate of Appropriateness is rarely surprised by the decision of the Commission. He explained Planning Services staff works closely with property owners and design professionals in developing applications and they are often aware of

potential inconsistencies with the guidelines. He noted the property owner of Lot One was aware the front balconies were inconsistent with the City of Dubuque Architectural Guidelines.

Commissioner Lawson stated she understands the views of the Commission; however, the Commission needs to be judicious. Staff Member Wernimont explained all Boards and Commissions have criteria that need to be followed when making decisions. He stated when Commissions do not follow the established criteria, they are acting arbitrarily. Commissioner Lawson stated that is not the case and the property owner complied with all the criteria.

Commissioner Lawson stated it is a unique property; it has been removed from its context; its adjoining buildings have disappeared, and the entire premise of the argument to reject the balconies is not applicable. Staff Member Johnson clarified the historic context of the building is the Old Main Historic District. He explained the building is a contributing building to the City and National Register of Historic Places Old Main Historic District. He stated because adjoining buildings may have been removed it does not mean a building is no longer significant.

**ADJOURNMENT:** Commissioner Rapp suggested the meeting be adjourned. Chairperson McDonell agreed. The meeting adjourned at 7:45 p.m.

Respectfully submitted,

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Laura Carstens, Planning Services Manager

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Adopted