THE CITY OF DUBUQUE
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Dubuque All-America City 2007

Approved

MINUTES
HISTORIC PRESERVATION COMMISSION
REGULAR SESSION
5:30 p.m., Thursday, July 16, 2009
City Council Chamber, Historic Federal Building

Commissioners Present: Chairperson Michael Knight; Commissioners John Whalen, Christine Olson, Eli Licht, Joseph Rapp, Chris Wand, and Peggy Stover.

Commissioners Excused: Commissioners Mary Loney-Bichell, and Bob McDonell.

Staff Members Present: Dave Johnson and Jennifer Bahls.

CALL TO ORDER: The meeting was called to order by Chairperson Knight 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 Wand, seconded by Olson to approve the Minutes of the June 18, 2009 Historic Preservation Commission Work Session as submitted. Motion carried by the following vote: Aye – Whalen, Olson, Licht, Knight, Rapp, Wand and Stover; Nay – None.

Commissioner Wand noted corrections to the draft minutes of the June 18, 2009 Historic Preservation Commission regular session meeting. He noted the 2nd sentence of the last paragraph on the 1st page, the word "measures" should read, "measure." Commissioner Wand stated the 1st sentence of the 5th paragraph on page 2 should read, "Commissioner Wand asked what rooms the stairs would access if they were moved to the northwest corner of the house." Commissioner Wand noted in the 2nd line of the last paragraph of page 3 and the 4th line of the 4th paragraph on page 4, the words "sight" should be replaced with the word "site".

Motion by Wand, seconded by Stover, to approve the minutes of June 18, 2009 of the Historic Preservation Commission Regular Session with the noted corrections. Motion carried by the following vote: Aye- Whalen, Olson, Licht, Knight, Rapp, Wand, and Stover; Nay- None.

DESIGN REVIEW: Tabled application of Matt Weimerskirch, MW Construction, for a Certificate of Appropriateness to construct a second story deck and stairs and remove the stairs on the south side of the building located at 1105 Walnut Street in the W. 11th Street Historic Preservation District.

Staff Member Johnson presented the staff report.

Motion by Wand, seconded by Olson, to remove the item from the table and bring it back to the Commission for consideration. Motion carried by the following vote: Aye- Whalen, Olson, Licht, Knight, Rapp, Wand, and Stover; Nay- None.

Chairperson Knight asked for the staff report for the request. Staff Member Johnson explained Steve Cook, property owner of 1105 Walnut Street, will be the applicant and representing the project. He stated the applicant is requesting a Certificate of Appropriateness to construct a second story wood deck and stairs and remove the stairs on the south side of the building. He stated the application was tabled from the June 18th meeting at the applicant's request. He clarified the request before the Commission at the June 18th meeting was to allow a 12' by 10' deck and stairs to be located on the side of the building around the existing 3' by 8' side bay and remove the stairs on the south side of the building. He stated the Commission felt the side bay was a character-defining feature and the deck and stairs should be located towards the rear of the property. He stated the new deck proposal will measure 7' by 7' and be located on the rear of the building. He explained the deck will be elevated 10 feet off the ground. He stated the second story window on the rear of the house will be replaced with a steel four-panel door with fan lites at the top. He stated the applicant has provided an image of the door. He stated the application explains that due to safety issues, the applicant wishes to remove the existing stairs on the south side of the building leaving only the landing portion to create a balcony for his tenants. That balcony will be enclosed with like materials. Staff noted the applicant has provided revised drawings for the Commission's review. Staff noted that the rail design will mimic the separate rail design enclosed with the application and not the rail design depicted with the elevation view of the deck and stairs.

The Commission clarified that the new deck will be located on the rear of the house and the existing window will be replaced with the steel door. Mr. Cook confirmed that this is the case.

Commissioner Olson requested that the decking and stairs be painted or opaque stained. Mr. Cook confirmed that the deck, stairs and railing would be painted or stained with a solid color.

The Commission reviewed that their previous objection was that the deck was located on the side of the house and the side bay is a character-defining feature. The Commission stated the revised location is a preferred location for the deck.

Motion by Whalen, seconded by Wand, to approve the request as presented noting that the deck, stairs and railing should be painted or opaque stained. Motion carried by the following vote: Aye- Whalen, Olson, Licht, Knight, Rapp, Wand, and Stover; Nay- None.

DESIGN REVIEW: Application of Tim Greenfield / Jerry Anderson for a Certificate of Appropriateness to construct a fire escape on the rear of building, ADA access for the side entrances, and vents located at 197 Main Street in the Old Main Historic Preservation District.

Staff Member Johnson presented the staff report. He explained the fire escape will provide needed egress for the 2nd and 3rd floors of the building due to the change in use from retail to multi-family. He stated the railing will be constructed of steel and be black in color. He

explained the railing will have square spindles, a guardrail and a separate handrail to meet Code. He referred the Commission to drawings provided by the applicant of the proposed fire escape.

Staff Member Johnson reviewed the ADA entrances. He explained the railings will be constructed of metal and located at the entrances on the north side of the building. He stated both will be painted black and run parallel to the building. He stated the City of Dubuque Building and Engineering Departments have been consulted on the ADA, code, and right-of-way requirements of the ramps. He stated the designs of the ramps reflect those requirements from a code perspective.

Staff next reviewed the vents. Staff Member Johnson stated four 4" diameter PVC tubes will be vented to the outside of the building and painted to match the brick. Two vents will be located on each side of the stack. The venting is needed at its proposed location for the installation of high efficiency furnaces. Staff noted the venting will only be visible from the alley.

Commissioner Stover asked whether the upstairs apartments would also be ADA accessible. Mr. Greenfield confirmed that they would be.

Motion by Wand, seconded by Whalen, to approve the request as submitted. Motion carried by the following vote. Aye - Whalen, Olson, Licht, Knight, Rapp, Wand, and Stover; Nay- None.

DESIGN REVIEW: Application of Timothy Toomey for a Certificate of Appropriateness to remove the roof solarium/porch over the porch located at 306 W. Locust Street in the Jackson Park Historic Preservation District.

Staff Member Johnson presented the staff report. He explained the long shed roof dormer was added in 1946, and no permanent information is available for the solarium/porch. He explained the removal of the solarium/porch is the first step in a larger rehabilitation project. Staff Member Johnson stated future alterations to the exterior of the residence will be reviewed by the Historic Preservation Commission.

Mr. Tommey referenced the photographs of the solarium/porch included in the staff report. He stated the roof of the first story porch is rotting away and water is collecting on porch. He explained he intends to remove the lap siding currently on the porch, and replace it with more appropriate balusters. Mr. Toomey stated that the columns on the porch are original and in good shape so they will be retained. Staff Member Johnson noted some alterations to the porch can be signed off on by staff as no material change of effect. He noted the discussed porch alterations are under the purview of the Historic Preservation Commission and will need to be reviewed at a future meeting. He noted for the Commission that he was approached by Mr. Toomey close to the application deadline about the larger porch project. Staff explained due to time constraints, adequate drawings and supporting documentation could not be provided in time for the meeting, and therefore suggested

removing the solarium first and presenting the application for a Certificate of Appropriateness for the remaining of the porch work at a future meeting.

Commissioner Stover asked about the estimated cost of the project. Mr. Toomey stated the only cost associated with this aspect of the project is the dump charges for the materials. Mr. Toomey noted that he is involved in historic preservation Iowa City. He stated he runs the Salvage Barn for the Friends of Historic Preservation and also directs their salvage crews. Mr. Toomey noted that the full length porch on the Italianate building is not typical of that design period; that the 1891 Sanborn maps support the fact that a full length porch was original to the structure. Commissioner Wand reiterated that the application before the Commission is to remove the sunroom with the understanding that staff has the ability to sign-off on necessary roofing materials where the sunroom was removed. Commissioner Rapp asked whether there is a door connecting the sunroom and house. Mr. Toomey believed the doorway leading out to the sunroom was an original doorway. Commissioner Rapp asked Mr. Toomey to be sure the door or doorway is appropriately secured.

Motion by Whalen, seconded by Stover, to approve the request to remove the roof solarium/porch over the first story porch as submitted. Motion carried by the following vote: Aye- Whalen, Olson, Licht, Knight, Rapp, Wand, and Stover. Nay- None.

DESIGN REVIEW: Application of Tim McNamara for a Certificate of Appropriateness to install a door, windows and a new entrance located at 110 E. 9th Street in the Downtown Design Guidelines/Greater Downtown Urban Renewal District.

Staff Member Johnson presented the staff report. He stated the property is within the Dubuque Millworking District Master Plan area, Downtown Design Guidelines project area, and the Greater Downtown Urban Renewal District. He stated the Historic Preservation Commission is responsible for reviewing projects in the Downtown Design Guidelines project area and the Greater Downtown Urban Renewal District that use public funds, and that involve exterior alterations that require a building or sign permit, requests for demolition permits, and/or site improvements that require a site plan. Staff noted the project is utilizing a Façade Grant from the Economic Development Department.

Staff Member Johnson stated the old 36” by 80” door opening on the north façade will be replaced with a window to compliment the design of the adjacent windows. Staff noted the applicant has provided a drawing of the proposed window at the meeting. He explained the property owner would like to install new windows on the north and west sides of the building. The application states the windows will bring in daylight and help meet the needs of future occupants. Staff explained some window openings have already been cut. Staff stated the work began prior to the date the Downtown Design Guidelines were adopted.

He stated the property owner has since stopped all exterior work until design review of the project has been completed. The north wall will receive four new aluminum-clad awning windows to match the style, size and configuration of the existing warehouse window

located above the garage door. The windows on the north side of the building will be a triple set and measure 5' by 10'. The windows are aligned vertically and horizontally. The west wall will also receive four new aluminum-clad awning windows. The west wall windows are double sets and will measure 5' by 5'. The new windows are located where larger windows once existed, as evidenced by the slightly different colored infilled brick. The proposed windows are smaller and scaled to fit the intended use as an office. Bricks removed from the wall as part of the window project will be reused to fit the new window openings. Staff stated the property owner has submitted drawings, before photos, and photos with the new windows superimposed. Staff has provided current photos of the building

Staff next reviewed the new entrance for the building. Staff explained the old overhead door will be removed on the north wall and be replaced with a new entrance. The new entrance will be 9' wide and have a 36"x96" door framed with fluted columns, sidelites and a transom. The new entrance will have a curved metal handrail and be paved with brick pavers. A steel awning with a glass insert will be located above the entrance and center window. Staff referred the Commission to the drawings provided by the applicant of the entrance.

Staff Member Johnson next reviewed the review criteria for projects located in the Dubuque Millworking District Master Plan area and the Downtown Design Guidelines Project area. Staff explained the Dubuque Millworking District Master Plan development summary states the property is located in the south area of the plan. The south area is located between 6th and 9th Streets. The area is dominated by three larger warehouse buildings, each over 100,000 square feet. The three buildings are the Wilmac Building, Farley & Loetscher Building, and the Kirby Building. The plan recommends developing these three buildings with a mix of uses. Each building could be redeveloped with both housing and commercial uses.

Staff Member Johnson explained the plan proposes an approach that balances the Secretary of Interior's Preservation Guidelines and the community's desire to create a unique environment conducive to and expressive of creative and artistic endeavors of all types. The approach seeks not to freeze the district in time but rather to honor the past while welcoming the future. Staff explained essential to the approach is the embrace of an industrial aesthetic. Staff stated the plan proposes to preserve the primary facades.

Original window and door openings, cornices, and other significant features should be preserved and repaired. Significant additions such as roof gardens, greenhouses and exterior balconies should occur on secondary facades in court yards and on rooftops. Elements that made the district unique, such as loading docks, large awnings, second story passes or skyways, passages, and courtyards should be celebrated and creatively interpreted.
Staff Member Johnson reviewed the Downtown Design Guidelines review criteria. He stated the property is located in the Downtown Design Guidelines Project Area. He explained the Downtown Design Guidelines address exterior architectural design as well as

streetscape and landscape design. He stated they provide guidance for property owners planning exterior alterations, additions, or the rehabilitation of existing buildings as well as new structures and parking lots.

The guidelines seek to manage change so that traditional character of the area is respected while accommodating compatible improvements. They reflect the City's goals to promote economic development, enhance the image of the area, and reuse of historic resources. The document is designed to be compatible with Secretary of Interior Standards for the treatment of historic properties, while expanding on the basic rehabilitation principles as they apply in Dubuque. The guidelines recognize that converting a building to a new use, different from the original use, is considered to be an adaptive reuse. A good adaptive use project retains the historic character of the building while accommodating a new function.

The guidelines apply to all exterior work receiving public funding in the Downtown Design Guidelines Project Area. Staff explained different chapters will apply depending upon the type of project. He stated those that have historic significance will have guidelines for preservation along with other general standards. He explained more general guidelines for compatibility apply to a new building. In addition, some guidelines vary by building type. Staff referred to the chart outlining how the guidelines apply to the project attached with the staff report. Staff noted the subject property is considered architecturally and historically significant. Staff referred to the Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties, the Dubuque Millworking District Master Plan, and the relevant sections of the Downtown Design Guidelines enclosed with the staff report.

Property owner Tim McNamara was in attendance to present the request. Mr. McNamara explained the space will be utilized by a law office. He stated the windows are in response to the need for windows in that office space. He stated the proposed windows are designed to compliment scale, shape and orientation to the building and essentially mimick existing windows on the north and west sides. Mr. McNamara stated the proposed windows and entrance are consistent with the Downtown Design Guidelines by honoring the past while meeting future needs.

Commissioner Stover asked Mr. McNamara whether he considered using a different awning material other than steel. Mr. McNamara stated that he has considered a number of different materials and designs but felt the proposed steel awning was in keeping with the industrial character of the building as well as not attempting to make something that was not originally there appear historic. Commissioner Stover asked about exterior lighting for the project. Mr. McNamara explained there will be exterior lighting on the project. He stated the lighting may be incorporated under the awning. He explained he is in possession of explosion proof light fixtures that were previously inside the building that he would like to install around the exterior entrance.
Commissioner Olson stated she is thrilled with the investment being made in the Warehouse District on the project. She stated she did however have questions about the entrance doorway, sidelites and transom. She suggested mimicking the proportion and pattern of the panes in the transom and sidelites. She expressed concern that the

entranceway was very architecturally refined and contradicts the industrial character of the warehouse district. Commissioner Wand agreed, noting the fluted columns and ornate style of the entrance is out of place with the warehouse district. He suggested a more simplified design that would still serve the same purpose to better fit in with the character of the area. He suggested the proposed curved railing be a straight railing. Commissioner Wand supported the window request.

Commissioner Olson suggested following the muntin pattern seen in the existing windows on the newly proposed window that used to be a door. She questioned the reason for installing the entrance awning on the 2nd floor instead of the first floor. She explained she believes the awning would be more functional on the first floor. Mr. McNamara agreed, noting much of the design elements are things that the project architect came up with, and a simpler design could be more appropriate. Mr. McNamara explained the drawings prepared by the architect are suggestions. Staff Member Johnson explained that the Historic Preservation Commission can only review and react to the application and drawings provided to them. He stated the approvals of those plans are binding. Mr. McNamara and the Commission discussed alternative options for securing and locating the awning.

Commissioner Wand asked staff the capacity of the Commission in approving the design. Staff Member Johnson explained the approval of the design review is the same as a project located in a historic district. He explained that if the application is approved, a Certificate of Appropriateness will be issued to the property owner allowing the work.

Staff Member Johnson asked Mr. McNamara his timeframe on completing the entrance. Mr. McNamara responded that work on the entrance will begin in September. Staff Member Johnson noted the discrepancy between the plans and the desired design of the Commission and Mr. McNamara. He noted Mr. McNamara has an immediate need for installing the windows and suggested the Commission limit their review and approval to the new windows and Mr. McNamara revise his drawings to more accurately reflect his and the Commission's design discussions about the entrance and resubmit those for review by the Commission at a later date. Mr. McNamara stated he would be glad to come back next month with a new design for the entryway.
Chairperson Knight suggested Mr. McNamara consider using a short brick wall with a simple set of stairs at the entryway, since the building does not have a lot of iron.

Motion by Wand, seconded by Whalen, to approve the windows as submitted on both facades, approve converting the door facing White Street to a window with the addition of additional muntins to match the windows and to table any decision on the north entrance and railing associated with it until the next meeting. Motion carried by the following vote: Aye – Whalen, Olson, Licht, Knight, Rapp, Wand, and Stover. Nay – None.
DESIGN REVIEW: Application of Greg & Peggy Stover for a Certificate of Appropriateness to build a 24 foot by 30 foot detached garage located at 1145 Locust Street in the Jackson Park Historic Preservation District.

Commissioner Stover excused herself from the table.

Staff Member Johnson presented the staff report. He stated the applicants are requesting a Certificate of Appropriateness to construct a 24' by 30' detached garage. He explained the application states the garage is needed to store vehicles and equipment, and the equipment is necessary to the maintenance of the property. The garage will have a hip roof with 6" overhangs and 50 year asphalt shingles. The roof pitch and shingles will match the house. Two - 9' wide by 8' high wood garage doors will be installed. Staff referred the Commission to the garage door design depicted in the manufacturer's brochure provided by the applicant. The north side of the garage will have three windows, the east side will have two windows and the south side will not have any windows due to Fire Code. The windows will measure 36"x 72" and be double-hung Marvin wood windows. Staff explained one dormer will be located on the north side of the garage and one dormer will be located on the west side, which is the front & Bluff Street side of the garage. The dormers will be pitched to match the house & garage and they will have 42"x52" wood double-hung windows. The garage will have copper gutters, downspouts and flashings. A brick belt course approximately 5' high on the west side of the garage will be used. A Sioux Quartzite stone belt course of the same height will be used on the north and east ends of the garage. Staff stated the stone will be laid in a random ashlar pattern. The brick and stone are original to the period of the home. Staff Member Johnson stated cedar siding painted and profiled to match the house will be located above the belt courses and the entire south side of the garage. Staff explained the applicant has a pending application to the Zoning Board of Adjustment to allow the garage to be located 1'-2" from the south property line. Staff Member Johnson explained the role of the Commission to review the building's orientation, scale, massing, height, style, materials and placement on the lot. Staff reiterated that the Zoning Board of Adjustment will review the request to allow the specific setback of 1'2" from the property line.

Greg Stover presented the request. He reviewed the progress to the previously approved work to the front porch and second story side porch. Mr. Stover explained the challenges with the side porch project.

Mr. Stover next addressed the request before the Commission. He explained prior to their purchase of the home, the property had been owned by the Egelhof and Casper Funeral Home for 72 years. Mr. Stover explained there was one old garage located on the property that was torn down. Mr. Stover distributed photos of the garage that was removed. Mr. Stover stated that the previous garage was approximately 53 feet long by 22 feet wide. It was designed to allow hearses to drive through it. He explained the previous garage was located approximately eight feet from the neighbor's property line and the garage had an 11-foot driveway, of which three feet of that encroached on the neighbor's property. Mr. Stover explained that while tearing the garage down, it was discovered that the parapet wall that was covered with Ivy had original brick and stone coping. Mr. Stover stated those materials were salvaged.

Commissioner Olson left the meeting at 6:30 p.m.

Mr. Stover explained they would like to use the building as a bed and breakfast. He stated they have all the necessary approvals; however, they need a garage to park their cars and equipment. Mr. Stover reviewed a past application before the Commission to allow a large two-story garage that connected to the house. Mr. Stover explained that project did not happen and he is now requesting a simple smaller garage instead. He explained the proposed garage is 24 feet and the minimum size needed for a practical functioning garage. He explained the mid-point of the rafters will not exceed 15 feet. He stated the length of the garage will be 30 feet. He stated the length was chosen to accommodate cars as well as the equipment needed to maintain the property.

Mr. Stover explained that they are now full-time residents of Dubuque. He explained that they have looked into renting garages and there are none available in the immediate vicinity. Mr. Stover explained they attempted to purchase the property behind the bed and breakfast with the intent of storing vehicles, but it was purchased by a shelter. He explained he considered simply constructing a lawn shed; however, that would not be large enough to store the equipment that he needs to maintain the property.

Mr. Stover reviewed the garage design. He explained it was a simple design that will compliment materials and the form of the house. He explained it will have a similar roof pitch. He explained the windows are roughly the same scale as the windows in the house. He stated the copper gutters would be the same copper gutters used on the house. He explained salvaged brick will be used on the front of the garage facing Bluff Street. He stated Sioux Quartzite stone identical to the stone used in the foundation of the house will be used on the garage. He explained the stone was removed from the same quarry that the house's stone foundation came from. He explained the difference will be that the stone was cut and laid in geometric designs for the house foundation, whereas the stone used on the garage will be laid in a random ashlar pattern. He explained that the garage pattern is intentional to be consistent with the Secretary of Interior Standards for the treatment of historic buildings so the garage is differentiated from the house. He explained the same cedar siding used on the house will be used on the garage and painted. He explained the roof pitch on the house is approximately a 10:12 or 12:12 roof pitch. He stated they will exactly measure the pitch and replicate that roof pitch on the proposed garage. Mr. Stover stated he is an antique lighting dealer and wall sconces will be installed on the front of the garage facing Bluff Street.

Mr. Stover explained a past conversation with David Stuart about the Masonic Temple objecting to the garage. Mr. Stover explained he is also an active Mason and has spoken with the Masonic Temple committee members about the request. Mr. Stover stated that any objection from Mr. Stuart would be Mr. Stuart's and not that of the Masonic Temple.

Mr. Stover next addressed safety issues with regard to the proposed garage location. He stated pulling out onto Bluff Street is safe. He stated the Egelhof's were able to back out onto Bluff Street for 53 years without incident. Mr. Stover noted many of the buildings in that neighborhood have a 0 lot line.

Staff Member Johnson reiterated that the specific setback of the building will be reviewed by the Zoning Board of Adjustment and the Historic Preservation Commission will review design-related issues.

Mr. Stover estimated the cost to construct the garage would be $80,000. Mr. Stover distributed a letter from real estate agent Gwen Kosel which noted past attempts to sell the property and a lack of interest because the property did not have a garage.

Mr. Stover next spoke to other garages in the neighborhood. He explained they would like to locate the garage close to the property line so it is not located in the middle of their yard. Commissioner Wand noted any approval would be contingent upon Zoning Board of Adjustment approval of the setback.

Staff Member Johnson explained the Historic Preservation Commission's approval of a design of the garage will not affect the Zoning Board of Adjustment's review of the setback of that garage.

Commissioner Wand asked how far around the corner of the garage would the brick be used. Mr. Stover explained the brick will be used just on the face of the garage fronting Bluff Street. Commissioner Wand suggested a consistent appearance from Bluff Street. Commissioner Wand confirmed that the dormers will tie into attic space in the garage. Mr. Stover stated there will be attic space built into the garage to allow additional storage of bed and breakfast equipment.

Commissioner Wand reviewed the garage with respect to scale, design and where it sits on the site. He recognized the need for a garage and stated the proposed garage is a significant improvement from the garage previously on the site. He stated matching the roof pitch and the materials from the house will be critical for the appearance of the garage. Mr. Stover explained their strained relationship and lack of communication between the neighbors. He explained the neighbors are currently working on a drainage project. Mr. Stover stated while they are working on that project, he used the opportunity to tear up the remaining blacktop left from the time when the property was owned by Egelhof's. He stated they would be more than willing to work with the neighbors towards common objectives, such as securing their properties, diverting downspout water to the street and not into their basements or cost sharing for a wall or fence.

Mr. Stover stated the proposed garage location allows for adequate room to place scaffolding for work that may need to happen in the future to their properties. The Commission again reiterated that the Historic Preservation Commission will not be making any decisions with regard to the specific setback of the garage. The Commission explained the Zoning Board of Adjustment meeting will be the opportunity to present that case and offer any objections to that setback.

Chairperson Knight asked if there was any more discussion on the issue. Commissioner Rapp asked where the service door will be located and how it will be designed. Mr. Stover indicated that a 36" pedestrian door will be installed on the side of the garage facing the house. Mr. Stover stated he will most likely install a salvaged wood door and will bring that back to the Commission for review. Chairperson Knight stated the public would have an opportunity to speak under the Items from the Public agenda item.

Motion by Whalen, seconded by Wand, to approve the design of the garage as presented contingent upon the Zoning Board of Adjustment approval of a setback for the garage and the Commission will review the design of the service door at a future meeting. Motion carried by the following vote: Aye – Whalen, Licht, Knight, Rapp, and Wand. Nay – None. Abstain – Stover.

ITEMS FROM PUBLIC: Debra Overturff, 1105 Locust Street, explained she is a neighboring property owner to the south of 1145 Locust Street. Ms. Overturff expressed disappointment that they were not allowed an opportunity to speak to the issue of the proposed garage during the design review. The Commission stated the public has opportunities to address issues under items from the public on Commission agendas.

The Commission stated they would like to hear Ms. Overturff's design issues with the proposed garage. Ms. Overturff spoke to the design of the building. She stated the Historic Preservation Commission is primarily guided by the Secretary of Interior's Standards in reviewing applications for Certificates of Appropriateness. The standards are intended to promote the responsible preservation practices that help protect cultural resources. She explained the standards recognize that the more significant a building is, the more stringent the preservation standards should be. She stated buildings individually listed on the National Register of Historic Places are often marked as preservation or restoration. She stated the more noteworthy and significant a property is, the more rigorous the restoration efforts must be to preserve and retain those materials, features, finishes, and special spatial relationships that together give the property its historic character.

Ms. Overturff stated that the Fannie Stout House is one or the most architecturally and historically significant structures in Dubuque. She noted the Jackson Park Historic District National Register listing identifies the property as being individually eligible for a listing on the National Register. Ms. Overturff acknowledged that the Secretary of Interior's Standards and Guidelines state that some changes to historic properties may be necessary. They allow only minimal changes necessary for the continued use of the property.

She explained in 2001 and 2002, the Stovers applied for a Certificate of Appropriateness to demolish the existing garage on the property and promised to restore other elements of the property. She stated that because the garage was over 50 years old, it had become historic in its own right, and the only justification the Stovers could use for removing the garage was that they were restoring the property back to its 1891 appearance. Ms.

Overturff stated most of the claimed restoration efforts have not been completed and they no longer desire to restore that part of the property as previously requested, and instead want to add a new garage with no historic precedence to the property. Ms. Overturff questioned whether the applicants would be allowed to undo the restoration they had undertaken by tearing down the historically significant garage.

Ms. Overturff reviewed the statements of Mr. Stover that stated no garage spaces were available to rent in the downtown. She explained that is because most residential properties in the downtown do not have garages. Ms. Overturff stated that the proposed garage is not necessary for the continued use of the property. Ms. Overturff noted the Masonic Temple uses a small storage shed to store their maintenance equipment. Ms. Overturff explained the Stovers had an opportunity to locate a garage in a more suitable location at the far end of their parking lot, which has since been sold to the City. She stated on that parking lot, there was an upper terrace that could have supported a garage without detracting from the historic Henry Stout residence.

Ms. Overturff explained that with the new bed and breakfast, parking will be a t a premium, and a proposed garage will only be able to hold the property owners vehicles, but a parking area of the same size will accommodate three vehicles. Ms. Overturff referred to the Stovers' claims that changes are needed to the Henry Stout residence to keep it commercially viable. Ms. Overturff said that putting in a garage would hinder that goal. Ms. Overturff stated the Secretary of Interior's Standards and Guidelines as well as the architectural guidelines for Dubuque discuss placing essential new construction on non-character-defining elevations. She explained the gatekeeper's residence faces Bluff Street and is the primary elevation for that portion of the property. She stated there is simply no place to locate the garage that would not obscure the character-defining features of the Stover's historic property or dramatically alter the historic site and damage character-defining features of their property.

Ms. Overturff stated that the proposed garage was larger than required. She stated the garage is 24' by 30' and 20 feet high, which is the maximum allowed. She stated the garage is larger in frontal area than the gatekeeper's residence that it is supposed to be subordinate to. She stated the old garage was 20 feet wide with a flat roof. She stated the proposed garage will lack historic site features and will also block their views out of their offices and their barn, which is something that the older and shorter garage did not do. She stated that the proposed garage violates the Secretary of Interior's Standards by not being differentiated from the historic building. Ms. Overturff stated the drawings provided to the Commission were not detailed enough to construct the garage. She stated the drawings leave too many things undefined. She stated the drawings are not to scale and only show two of the four elevations.

Ms. Overturff referenced design descriptions provided in the applicant's write-up but noted there are a number of design options for these historical features. She stated the applicants should be required to submit scale drawings that show all the features of the proposed building.

Ms. Overturff thanked the Commission for their time.

Chairperson Knight suggested staff provide past applications for design review projects for a property. Commissioner Whalen clarified that he was on the Commission when the applicants requested to remove the previous detached garage. He explained that because a building is more than 50 years old does not make it historic. He stated often times a later addition to a property doesn't belong there to begin with. He explained there was nothing historic about the detached garage that was removed.

Steve Scheckel, 1105 Locust Street, next addressed the Commission. He explained he is 50% owner of 1105 Locust Street. He stated he is very much in favor of being a good neighbor and does not, nor would he avoid communicating with the Stovers. He explained he strongly values and believes in the historic nature of Dubuque, and that is part of the reason why he owns part interest in his home. He stated the historic homes in Dubuque are not only incredibly valuable to Dubuque but also the history of Iowa and the United States. Mr. Scheckel explained one of the problems is with runoff on the property. He stated runoff and drainage from the Stovers' house goes onto their property and fills their basement. He stated he does not want to deny the Stovers a garage, but the size and location of the garage will detract from the historic character of both properties. He stated he believes the proposed garage is excessive, and does not need to be that big. He stated the garage should be sized and located to compliment the historic character of the properties.

The Commission stated Mr. Scheckel's concerns about the setback of the property and allowable size is more of a zoning issue and best addressed to the Zoning Board of Adjustment. Mr. Scheckel explained his comments were with regard to the historic integrity of the properties, which is most important to him.

Commissioner Stover removed herself from the table to respond to the public concerns regarding the proposed garage.

Peggy Stover, 1145 Locust Street, stated since her husband was no longer present, she would address the concerns of the neighbors. Ms. Stover explained the proposed garage is considerably smaller in design than what was built by the Egelhof family. She explained the proposed garage is also smaller than the neighbor's garage, and she does not believe the design will encroach on or obstruct the view of anyone. Ms. Stover explained other bed and breakfasts in town have garages, noting the Hancock House and the Richards House. She explained those garages are where those bed and breakfasts store their equipment and cars.

David Peterson, 1105 Locust Street, addressed the Commission. He explained he is Debra Overturff's brother. Mr. Peterson reviewed the 2001 application to remove the old garage. He explained the stated intent of the demolition was to restore the caretaker home and original walkway as constructed in 1891. He stated the preservation initiatives at the

primary residence have not progressed over the last eight years. He stated that none of the previous plans submitted by the Stovers have been completed or completed on time. Mr. Peterson reviewed the uncompleted projects and questioned whether it was appropriate to approve another plan before the previous plans are completed.

Mr. Scheckel stated the garage built on 1105 Locust was built in the 1940s. Commissioner Whalen explained he was a previous owner of the property, and the garage was built by the Archdiocese of Dubuque and it is not historic, but rather an add-on to the building. Commissioner Wand reiterated that a building over 50 years old is only a qualifier and does not mean it is historic. Mr. Scheckel again stated that the setback and scope of the garage is not within the spirit of historic preservation. Commissioner Whalen suggested that most of the concerns with regard to the setback and bulk requirements of the garage are best directed to the Zoning Board of Adjustment.

The Commission stated they understood the neighboring property owners' concerns, but they are best addressed to the Zoning Board of Adjustment.

Commissioner Knight thanked the public for their comments.

Commissioner Stover returned to the Commission at 7:15 p.m.

ITEMS FROM STAFF:

Enforcement Report Update: Staff Member Johnson reviewed the updates to the Historic Preservation Enforcement Report.

Boarded Up Windows and Doors: The Commission reviewed the requested information provided by staff. Commissioner Wand expressed concern about a building like the Hotel Julien that has infilled windows because the use behind the windows has changed. He stated if a building has plywood infilled in a window, enforcement would be obvious, but in the case of the Hotel Julien, it is filled in with stucco or a more permanent perceived fix that has been there for many years. Commissioner Whalen indicated spandrel glass would be more appropriate than an infilled plaster window. Commissioner Wand agreed but noted it will be an issue the City encounters in the future. He explained often time, when a window is filled in with a more architecturally permanent material, there is a reason why a window can no longer be there, such as a mechanical chute. Commissioner Wand also noted some of the examples provided in the staff report are of buildings currently under renovation. Staff explained with the City's enforcement efforts, staff can use discretion with time frames if someone is making efforts to improve a building. Commissioner Wand noted the ordinance is directed towards preventing owners from installing plywood where a window is broken and where plywood has been in place for a number of years.

Commissioner Wand reviewed his suggestions for the wording of the proposed ordinance. He stated under item #2, the front of a building needs to be clarified in cases where a property is on a corner lot. The Commission suggested language that would not allow

building openings on any façade that faces or adjoins the street side of a property to be boarded or covered. The Commission directed staff to work with the Legal Department on the exact language.

The Commission expressed concern over the language “protect with a shade” under Item #2. The Commission suggested that language be replaced with “painted to.”

Under Item #4, the Commission felt it was important to establish a timeframe for compliance. The commission suggested the previously discussed 12-month timeframe for compliance unless a property owner has an extenuating circumstance in which case they can request an extension. The Commission suggested the sentence under Item #4 read, “any owner of a building or structure who is required to make changes to the exterior of their building or structure shall be afforded a period of time to comply, not to exceed 12 months.”

Commissioner Rapp noted incorrect addresses for two of the buildings. On the images provided by staff, 951 Main should be 957 Main, and 957 Main should be 951 Main.

The Commission stated they would like to review the revised language to the draft Ordinance at their next meeting and then forward the draft ordinance to Dubuque Main Street for their review and comment.

By consensus, the Commission directed staff to work with Legal staff to refine the language of the draft Boarded up Windows and Doors Ordinance taking the Commission’s comments into consideration.

Demolition by Neglect in Historic and Conservation Districts: Staff Member Johnson reviewed the staff report. He explained the Historic Preservation Commission and City staff held a work session to discuss the challenges and approaches to improving enforcement of Demolition by Neglect in conservation districts. A the work session, Commission members directed Planning staff to work with Legal staff to incorporate the suggested added language, apply the demolition by neglect standards for historic districts and conservation districts, and support the procedural enforcement recommendations of Legal staff. Staff Member Johnson referred the commission to the suggested changes and proposed Ordinance amendment to Sections 25-7 and 11-4 of the City Code and make a recommendation to City Council.

Commissioner Wand asked if the Ordinance amendments would take effect in the Unified Development Code. Staff Member Johnson explained the proposed amendments will affect Sections 25-7 and 11-4 of the current City Code, so improved enforcement efforts can be made immediately until the Unified Development Code is completed and adopted. He stated the changes to the current City Code will be incorporated into the Unified Development Code.

Motion by Wand, seconded by Stover, to recommend to City council the adoption of the proposed Ordinance amendments to Sections 25-7 and 11-4 of the City Code with regard to Demolition by Neglect in historic districts and conservation districts. Motion carried by the following vote: Aye – Whalen, Licht, Knight, Rapp, Wand, and Stover; Nay – None.

ITEMS FROM COMMISSION

Public Comment: The Historic Preservation commission discussed allowing public comment for design review cases. Commissioner Whalen noted that in the past, opportunities were afforded to the public to comment on a case. Commissioner Wand stated in some cases that was allowed. He stated it is at the discretion of the chairperson and because it is a public meeting and not a public hearing, the Commission is not required to ask for public comment. The Commission discussed preferred approaches to ask for public comment. Commissioner Whalen suggested a consistent approach when handling public comments on design review cases in the future. Chairperson Knight agreed. The commission agreed using a consistent approach where the chairperson would ask whether anyone has any additional comments on a case after staff and the applicant have an opportunity to speak. The Commission stated those comments need to be limited to relevant statements.

ADJOURNMENT: The meeting adjourned at 7:45 p.m.

Respectfully submitted,

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David Johnson, Assistant Planner Adopted—August 20, 2009