

MINUTES
HISTORIC PRESERVATION COMMISSION
REGULAR SESSION
5:30 p.m.
Thursday, October 21, 2010
City Council Chamber, Historic Federal Building

Commissioners Present: Chairperson Michael Knight; Commissioners David Klavitter, Christine Olson, John Whalen, Mary Loney-Bichell, Joseph Rapp, Chris Wand, Peggy Stover and Bob McDonell.

Commissioners Excused: None.

Staff Members Present: Laura Carstens and David Johnson

CALL TO ORDER: The meeting was called to order by Chairperson Knight at 5:32 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 Stover, to approve the minutes of the September 16, 2010 meeting, as submitted. Motion carried by the following vote: Aye – Klavitter, Olson, Whalen, Knight, Rapp, Wand, Stover and McDonell; Nay - None.

DESIGN REVIEW: Application of Jeanelle Westerfield for a Certificate of Appropriateness and up to \$5,000 in Historic Preservation Housing Grant funds to replace the roof, repair the porch steps and repair the garage at 1344 Locust Street in the Jackson Park Historic Preservation District.

Staff Member Johnson noted the application is for both a Certificate of Appropriateness and Historic Preservation Housing Grant funds. He reviewed the application and staff report. He explained the deteriorated conditions of the property, as noted in the application as well as the proposed rehabilitation of the roof, front steps, garage, sink hole and sidewalk.

Staff Member Johnson reviewed the Historic Preservation Housing grant program requirements, the applicant's bids and the Historic Preservation Housing Grant Committee's recommendations for funding. He explained the Historic Preservation Housing Grant Committee has met and recommends that the Historic Preservation Commission not fund the berm and privacy fence. He explained a berm and privacy fence and sidewalk typically are not funded because they do not contribute to a historic part of the property and are not character-defining features. He explained all costs associated with fixing the roof, steps and repairing the garage are eligible. He noted the applicant is requesting the Commission make special consideration toward funding the sidewalk that needs to be replaced because it needs to be replaced as part of the repairs to the steps. He explained the Historic Preservation Housing Grant Committee is deferring the decision

to fund the sidewalk to the Historic Preservation Commission.

Staff noted the repairs total \$3,560 without the sidewalk repair. He stated bids from the sidewalk repair range from \$475 to \$890. He stated the Historic Preservation Housing Grant Committee recommends funding up to \$4,000 for the project without the sidewalk, and up to \$4,500 if the Commission determines the sidewalk is an eligible expense.

NOTE: Commissioner Loney-Bichell arrived at 5:38 p.m.

Jeanelle Westerfield was present. In response to a question, she clarified that contractors will be paid in accordance with the City Housing and Community Development Department requirements. In response to another question, Ms. Westerfield explained the issues with the sink hole. She stated the sink hole has been created from runoff from where her property and the neighbor's property meet. She explained that the material underneath the walkway and in close proximity to the carriage house foundation is being undermined.

The Commission asked whether the repairs to the sink hole will take place on any of the neighbor's property. Staff explained that it is the property owner and applicant's responsibility to locate property lines and coordinate any repairs that may affect the neighbor's property. He explained that the City is granting the applicant funding to assist with repairs; however, it is not a City project.

Motion by Wand, seconded by Whalen, to approve the application as submitted, and up to \$4,000 in Historic Preservation Housing Grant Funds, as recommended by the Historic Preservation Housing Grant Committee, with the allowance for the property owner to use any remaining balance toward outstanding items not included in the Historic Preservation Housing Grant Committee's recommendation; such as the berm, privacy fence, and/or sidewalk. Motion carried by the following vote: Aye – Klavitter, Whalen, Knight, Bichell, Rapp, Wand, Stover and McDonell; Nay – Olson; Abstain – None.

DESIGN REVIEW: Application of 73 CHS Forwards, LLC for a Certificate of Appropriateness to build a stairway enclosure, deck and railings on the roof for the property located at 299 Main Street in the Old Main Historic Preservation District.

Staff Member Johnson reviewed the application and the staff report. He explained the HPC didn't review the enclosure because the original approved set of plans showed a hatch accessing the roof which is not visible from the public right-of-way. Upon learning the hatch enclosure was not permitted, the applicant began work on the stairway enclosure without updating the building permit.

Staff Member Johnson reviewed the details of the project and directed the Commission to the drawings provided by the applicant and photographs provided by staff.

NOTE: Commissioner Whalen left the meeting at 5:55 p.m.

Marty Knapp, Conlon Construction, explained the project components and options they had

considered for colors, location and height of the stair enclosure. The Commission discussed the project details. Mr. Knapp confirmed that the stairway to the roof is required by the International Building Code.

The Commission discussed the enclosure's color and siding options.

NOTE: Commissioner Whalen returned to the meeting at 6:02 p.m.

The Commission discussed the color of similar stairway enclosures on other downtown buildings. In response to a question from the Commission; Staff Member Johnson confirmed the design guidelines review colors, so the Historic Preservation Commission may discuss colors with this project.

The Commission discussed changing the shape of the enclosure to be level instead of sloped. The Commission felt a rectangular appearance would be more in keeping with other rooftop structures on downtown buildings.

Motion by Wand, seconded by Stover, to approve the application, as submitted, with the following conditions: 1) The roofline of the stair tower should be level in form with a rectangular appearance; 2) the color of the finish material be selected so as to minimize its visual impact, using an earth tone, with a recommendation of color that is slightly darker than the color of the split block enclosure on the Platinum Building; 3) the roof of the enclosure should be the same color as the roof of the building or black, and material can be EPDM.; 4) the deck and condenser unit railings are approved as submitted; and 5) the door for the stair enclosure should be lowered to 6 feet 8 inches in height so the stair tower can be lowered. Motion carried by the following vote: Aye – Klavitter, Olson, Whalen, Knight, Bichell, Rapp, Wand, Stover and McDonell; Nay – None.

DESIGN REVIEW: Application of Mark and Deb McDonell for a Certificate of Appropriateness to install new windows, gutters and soffits located at 314 Jones Street in the Cathedral Historic Preservation District.

Staff Member Johnson reviewed the staff report and explained the applicant wishes to replace all of the windows with vinyl windows that will match in size and shape. He stated the applicant also wishes to replace the metal half round gutters on the core of the building with aluminum box-style gutters. He explained the applicant also would like to replace the existing wood soffit and fascia with aluminum. He stated the aluminum treatment will also most likely have an effect of the profile of the brackets.

Staff Member Johnson explained the request has been brought before the Historic Preservation Commission because the requested vinyl windows are inconsistent with the window policy for historic districts because the building is considered City significant. Staff explained the policy requires wood windows that are the same size, style and shape as the original openings for City-significant properties.

Mark and Deb McDonell were present. Mr. McDonell noted they have been looking for

funding sources to assist with the cost of wood versus vinyl windows. They discussed that they are not located in an urban renewal district. Mrs. McDonell reviewed the difference in cost between wood and vinyl windows. The McDonells confirmed that the property is a rental property. Mrs. McDonell noted the poor condition of the windows. They noted they would like to repair the roof and can't afford both the roof and wood windows. The McDonells noted safety concerns with the condition of the windows.

Staff Member Johnson reviewed funding opportunities for the property owners. Staff Member Johnson noted that because the property is located in a historic preservation district, the applicants could be eligible for a Historic Preservation Revolving Loan Fund.

Staff Member Johnson explained all of the City historic districts also are located in an urban revitalization district and, therefore, the property owners could be eligible for property tax exemption for new improvements made to the property.

Staff and the Commission reviewed the lead paint program and encouraged the property owners to contact the Housing and Community Development Department for more information. Staff Member Johnson noted the program is very popular in replacing windows that have lead paint. Window replacement is oftentimes a mitigation strategy. Staff noted the lead paint program funds are allocated for this year; however, funding may become available in the future.

The Commission discussed the configuration of the windows and the option to repair the windows. The Commission discussed the age of the building and the various porch additions. The applicants and Commission discussed the condition of the porch and windows as well as the lack of maintenance by previous homeowners. The Commission discussed the cost of repairing the windows and the longer lifespan of repairing the original wood windows versus replacement vinyl windows. The Commission noted a small investment in the existing wood windows will go much further than the life expectancy of new vinyl windows. The Commission noted vinyl windows would be inconsistent with the architectural guidelines.

NOTE: Commissioner Whalen left the meeting at 6:40 p.m.

Motion by Wand, seconded by Stover, to approve the gutters as submitted. Motion carried by the following vote: Aye – Klavitter, Olson, Knight, Bichell, Rapp, Wand, Stover and McDonell; Nay – None; Abstain – Whalen.

Motion by Olson, seconded by Wand, to approve the windows and soffits as submitted. Motion denied by the following vote: Aye – None; Nay – Klavitter, Olson, Knight, Bichell, Rapp, Wand, Stover and McDonell; Abstain – Whalen.

Staff Member Johnson reiterated how the Historic Preservation Revolving Loan Fund program works. Staff stated that replacing the roof, repairing the windows, or replacing the windows with wood windows would be eligible expenses under the revolving loan fund program. Staff explained the applicants would need approval from the HPC and the

Housing and Community Development Department for Historic Preservation Revolving Loan Funds prior to any work beginning. He stated any work done prior to approval, will not be eligible.

NOTE: Commissioner Whalen returned to the meeting at 6:50 p.m.

DESIGN REVIEW: Application of Jeff Morton / John & Cheryl Whalen for a Certificate of Appropriateness to construct a conservatory located at 1105 Highland Place in the W. 11th Street Historic Preservation District.

Dr. John Whalen removed himself from the table in order to present his application.

Staff Member Johnson reviewed the staff report. He noted the difference between the conservatory design that was approved by the Historic Preservation Commission in 2008 and the newly submitted drawings. Staff reviewed the design elements of the conservatory and noted the conservatory will be slightly set back from the garage to help distinguish new from old.

Dr. Whalen noted some changes to the new drawings that were provided to the Commission with the application. He explained the south side of the conservatory will be all glass, with copper flashing and there will not be any clay tile on the roof. He noted the north side of the conservatory will have a metal roof that will have the appearance of tile. He explained the north elevation of the conservatory is not visible.

Dr. Whalen also noted the square transom window above the door on the south elevation will be replaced with a half-moon window similar to the half-moon windows on the remainder of the south elevation of the conservatory.

Motion by Stover, seconded by Olson, to approve the application as presented. Motion carried by the following vote: Aye – Klavitter, Olson, Knight, Bichell, Rapp, Wand, Stover and McDonell; Nay – None; Abstain – Whalen.

ITEMS FROM COMMISSION:

Boarded-Up Windows and Doors: Staff Member Carstens updated the Commission on the draft Boarded-Up Windows and Doors Ordinance. She explained the draft Boarded-Up Windows and Doors Ordinance was an initiative of the Commission. She explained under the direction of the City Manager, City staff researched and drafted an Ordinance which addressed boarded-up windows and doors in historic and conservation districts.

Staff explained the ordinance received some resistance from impacted property owners as well as Dubuque Main Street. She stated Planning Services staff was directed by the Commission to share their efforts with the Safe Community Task Force after learning of their interest in this type of ordinance.

Staff reviewed the differences between the Historic Preservation Commission and Safe Community Task Force recommendations. She noted the Safe Community Task Force recommendation was to prohibit boarded up windows and doors facing streets city wide.

Staff Member Carstens explained the City Manager agreed with the recommendation of the Safe Community Task Force, but wants existing boarded up windows and doors to be grandfathered with no retroactive enforcement.

Staff explained an inventory of boarded up windows and doors will be done prior to the adoption of the ordinance.

The Commission questioned whether similar language already exists in the Unified Development Code. Staff Member Johnson explained that boarding up windows and doors is only regulated in historic districts, but the Historic Preservation Ordinance does not address boarded-up windows and doors that were introduced prior to the establishment of the ordinance. Staff explained that the Housing and Community Development Department has a Boarded-Up Windows and Doors Policy for residential properties.

The Commission discussed not doing retroactive enforcement. Staff noted that as of the last boarded up windows and doors inventory in January 2010, only 3 properties and approximately 11 windows had boarded-up windows or doors which faces a street in historic districts.

Staff Member Carstens noted the challenges of retroactive enforcement on threatened buildings as well as property owners that may be planning larger rehabilitation projects down the road. She noted retroactive enforcement on buildings such as the H&W Building, essentially would make the economic hardship case for them, should a demolition permit ever be applied for.

The Commission discussed residential and commercial applications of the ordinance. The Commission expressed the concern that, although the market has resolved a number of the boarded up windows and doors in commercial areas, it has not had the same affect in residential areas.

Staff Member Carstens noted the updated draft ordinance currently is in development.

The Commission discussed the potential for retroactive enforcement in historic districts. The Commission noted historic districts can be treated differently because historic districts have financial incentives as a resource to property owners. The Commission reviewed properties in historic districts with board-up windows and doors and different implementation strategies and issues. They noted their preference is for retroactive enforcement, but understand current conditions that do make it feasible at this time. The Commission noted there will be opportunities in the future to evaluate and reassess the ordinance and noted the current ordinance is a good step in the right direction.

Motion by Rapp, seconded by Whalen, to support the recommendation of the City Manager and Safe Community Task Force to create a City-wide ordinance prohibiting the boarding of windows and doors fronting a street. Motion carried by the following vote: Aye – Klavitter, Olson, Whalen, Knight, Bichell, Rapp, Wand, Stover and McDonell; Nay – None.

Historic District Information Brochure: The Commission discussed ways to inform new property owners of the responsibilities and benefits of being located in a Historic Preservation District. The Commission suggested providing brochures to real estate agents. The Commission suggested updating the existing brochure that was enclosed with the HPC packets.

The Commission recommended the existing brochure enclosed with the packets be updated to include current financial incentives for property owners in historic districts. The Commission suggested approaching the Dubuque Board of Realtors with education opportunities. The Commission suggested utilizing City Channel 8 and running a routine informational presentation on historic districts. The Commission discussed forming an education subcommittee to help with educational opportunities for the public as well as the Commission.

Motion by Wand, seconded by Olson, to form an education task force of 2 to 3 members to work on educational opportunities, with the first order of business to update the informational brochure and return a mock-up at the next meeting. Motion carried by the following vote: Aye – Klavitter, Olson, Whalen, Knight, Bichell, Rapp, Wand, Stover and McDonell; Nay – None.

By consensus, the Commission selected Chairperson Knight and Commissioners McDonell and Klavitter, to serve on the education task force.

Dubuque Community School District School Closures: Staff Member Carstens reviewed the staff memo. She explained that the Chairperson and Vice-Chairperson requested the Commission have an opportunity to discuss the historic impacts of neighborhood school closures that are being considered by the Dubuque Community School District.

The Commission discussed their concerns with closing historical buildings which are important to their neighborhoods. The Commission noted the Dubuque Community School District has no plans for the reuse or renovation of those existing schools. The Commission noted the closure of the neighborhood schools contradicts the sustainability measures of the community. The Commission noted the School District's feasibility approach that did not adequately address costs for renovation or additions. The Commission also noted the lost taxpayer investment when these properties are sold. The Commission agreed that you cannot put a price on history. The Commission stated investments should be made in teachers and students, not unnecessarily on new buildings.

The Commission reviewed the facility options and agreed the best investment would be to invest in existing neighborhood schools. The Commission preferred Option 1 because it preserves more neighborhood facilities and it is the most sustainable option.

Motion by Wand, seconded by Olson, to request the City Council request the Dubuque Community School District to reconsider Option 1 and renovate existing schools because these buildings have historical importance to the community and renovating the existing facilities is consistent with the greater mission of the community to become a sustainable

community.

HPC Education: The Commission expressed an interest in discussing future education opportunities for the Commission. By consensus, the Commission requested that Historic Preservation Commission education opportunities be placed on the next Historic Preservation Commission agenda for discussion.

Carnegie Stout Public Library Signs: Commissioner Olson requested an update on the Carnegie Stout Public Library freestanding signs. Staff Member Carstens stated the issue has been forwarded to the Legal Services Department and City Manager. Staff will place the item on the November HPC agenda.

ITEMS FROM STAFF:

HPC Design Review Application: Staff Member Johnson noted the Historic Preservation Commission design review application was recently updated to incorporate changes to the Historic Preservation Ordinance with the adoption of the Unified Development Code. He noted staff prepared a design project worksheet to include as part of the application packet. He noted the worksheet is modeled after the Section 106 review application already in use in Planning Services and Housing and Community Development Departments for lead paint projects. He noted that the worksheet is tied to the Architectural Guidelines for Historic Districts. He noted the worksheet is not intended to replace drawings or the existing project description for HPC applications; rather it is intended to improve the quality of applications brought before staff and the Commission. Staff noted the design project worksheet asks more specific questions than the application and forces applicants to put more thought into their projects.

The Commission discussed having the form on-line with the ability to print the application and fill out the application on-line. The Commission suggested making the existing material and proposed material lists consistent throughout and referenced the Architectural Guidelines for the applicable project component. The Commission also inquired about creating links to certain resources such as specific design guidelines and/or tabbed sections to resources.

By consensus, the Commission supported the updated application and design project worksheet.

Building Services Historic Preservation Enforcement Report Update: Commissioners requested updates for 1589-91 Bluff Street and 1163 Highland Place.

Discussion of Items not on HPC Agenda: Staff reviewed the memorandum regarding discussion of items not on HPC agendas. Staff noted the item will be placed on the November HPC agenda for discussion.

ADJOURNMENT: The meeting adjourned at 8:00 p.m.

Respectfully submitted,



David Johnson, Assistant Planner

Adopted—December 16, 2010