



Approved

**MINUTES  
CITY OF DUBUQUE HISTORIC PRESERVATION COMMISSION  
REGULAR SESSION**

5:30 p.m., Thursday, February 19, 2009  
Room 223, Historic Federal Building  
350 W. 6<sup>th</sup> Street, Dubuque IA 52001

**Commissioners Present:** Chairperson Christine Olson; Commissioners John Whalen, Michael Knight, Mary Loney Bichell, Joseph Rapp, Chris Wand, Matthew Lundh and Bob McDonell.

**Commissioners Excused:** Commissioner Eli Licht.

**Staff Members Present:** Laura Carstens and David Johnson.

**CALL TO ORDER:** The meeting was called to order by Chairperson Olson at 5:35 p.m.

**CERTIFICATION 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 Bichell, to approve the minutes of the December 18, 2008 meeting as submitted. Motion carried by the following vote: Aye – Whalen, Olson, Knight, Bichell, Rapp, Wand, Lundh and McDonell; Nay – None.

Chairperson Olson asked if any members of the Commission would need to abstain from any items on the agenda. No Commissioners indicated a conflict with the agenda items.

**Election of Officers:** Chairperson Olson asked for nominations to elect a new Chairperson and Vice Chairperson. Discussion and review of the Commission by-laws followed.

Motion by Wand, seconded by McDonell, to elect Matt Lundh as Chairperson and Mary Loney Bichell as the first Vice Chairperson and Chris Wand as the second Vice Chairperson. Motion carried by the following vote: Aye – Whalen, Olson, Knight, Rapp, Wand, and McDonell; Nay – none; Abstain – Lundh and Bichell.

**DESIGN REVIEW:** Application of Gronen Restoration / Verizon Wireless for a Section 106 Review to install rooftop equipment on the former Roshek Building located at 700 Locust Street.

Steve Edwards, Verizon Wireless and John Gronen, Gronen Restoration, were present for the project. Mr. Gronen explained the Section 106 review is required by the FCC license for Verizon Wireless.

Staff Member Johnson reviewed the Section 106 process, the application, the revised project due to preliminary State Historic Preservation Office review and the new plans. He noted the antennas have been shortened and will be affixed to the penthouse.

John Gronen reviewed the project in greater detail and the rationale for the State Historic Preservation Office changes.

Steve Edwards stated there currently are three antennas on the building. He referred to the photo simulation provided in the revised application. He noted the three antennas are shown on Page 4. He explained Verizon Wireless wants to remove the antennas and put new antennas more to the center of the building. The antennas are proposed to be mounted against the penthouse, and will be painted to match the brown columns on the east façade. He explained on the south façade, the antennas will be below the parapet wall.

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

**DESIGN REVIEW:** Application of Julie Lott for a Section 106 Review to install aluminum clad windows for property located at 583/593 Arlington Street in the W. 11<sup>th</sup> Historic Preservation District.

Staff Member Johnson reviewed the staff report. He explained the applicant is requesting Section 106 approval to install aluminum clad windows. He stated the application explains the existing wrapped aluminum windows are in poor condition and need replacement. He explained the building is considered supportive to the West 11<sup>th</sup> Street Historic District.

He noted that according to Chapter 25 of the City Code, replacement of aluminum clad windows with in-kind windows would be considered to have a no material effect on the exterior architectural appearance or features of the building. He added that according to the HPC policy for window replacement and alteration in historic districts, staff can approve the replacement or alteration of windows that are the same size, shape, style and material as the original window without the property owner having to go before the Historic Preservation Commission for design review.

For buildings that are not national or state significant, City Code and HPC current window policy would allow the in-kind replacement of the windows; however, HUD funds in the form of Lead Paint Hazard Reduction Program funds will finance the project, and a Section 106 review is required. He explained Section 106 of the National Historic Preservation Act requires federal agencies to take into account the affects of the undertakings on historic properties. He said the City of Dubuque Programmatic Agreement with the State Historic Preservation Office allows the City to conduct in-

house Section 106 reviews for HUD funded projects. He explained the Planning Services staff is deferring the Section 106 review for this particular project to the Historic Preservation Commission. He noted when projects utilize a source of public funding, the Commission generally holds the projects to a higher standard.

Julie Lott, 265 Alpine, requested that the Commission allow her to use aluminum clad windows. She explained she has invested \$100,000 into the building to date. She explained the cost of the wood windows was prohibitive for this project.

The Commission discussed the project, and Ms. Lott explained the exterior changes in greater detail.

Motion by Wand, seconded by McDonell, to approve the application as submitted. Motion carried by the following vote: Aye – Whalen, Olson, Knight, Bichell, Rapp, Wand, Lundh and McDonell; Nay – none.

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM COMMISSION:**

Expand Downtown Neighborhood Conservation District: Staff Member Johnson explained that Commissioner Joseph Rapp has requested the Historic Preservation Commission discuss expanding the Downtown Neighborhood Conservation District to include the area known historically as part of Little Dublin that lies south of Jones Street, west of Locust Street, north of Dodge Street, and east of Bluff Street. He reviewed what a conservation district is, and the process for its establishment. He reviewed the regulations for conservation districts, their locations and the buildings contained in the area subject to expansion. He noted the lack of information in the Phase 3 master list of surveyed downtown properties. He explained it is either an omission on the consultant's behalf or intentionally was not evaluated because the consultant did not find enough historic fabric to warrant extending the conservation district down to Dodge Street. He explained the Commission should make a determination whether the area subject to expansion has sufficient historic or architectural significance to the Downtown Neighborhood Conservation District and community. He stated that if the Commission believes the area does have historic or architectural significance, the Commission can direct staff to start the process for expanding the Downtown Neighborhood Conservation District.

Commissioner Rapp reviewed the history of the area, noting the uninterrupted history of settlements since 1833. He noted the area is a gateway to Dubuque and acknowledged the high traffic count and declining architecture of the area. He explained part of the area known as Little Dublin is already located in the Downtown Neighborhood Conservation District. He noted that after participating on the Downtown Design Guidelines Task Force, he would like to see these guidelines applied to the subject area. He provided a photo of the area along Locust Street from 1991. He reviewed the Historic American Buildings Survey report for the properties in the subject area. He reviewed the buildings that have

historical significance as well as the area's strong association with the lives of people significant in the past of the city of Dubuque as well as the area's importance in the initial settlement of the city of Dubuque. He noted the area's connection to John S. Murphy, 29 Locust Street, and editor of the newspaper, whose son was a United States Senator for whom Murphy Park was named.

Commissioner Wand noted that no buildings in the area will be lost to the new bridge alignment.

Commissioner Rapp again reiterated the area's importance as being one of the few remaining uninterrupted areas of habitation in the city of Dubuque.

The Commission reviewed the historical significance of the buildings. Commissioner Wand noted portions of the Bridge Restaurant would be considered contributing. Chairperson Olson acknowledged that the area is important to Dubuque's history but may not have the architectural and historic fabric to warrant expansion of a conservation district. Commissioner Wand disagreed and identified historic structures that have architectural significance in the area. The Commission identified the center portion of the Bridge Restaurant, 35 Locust Street, and the garage located behind 30 Bluff as the buildings in the subject area that would not have architectural significance. Chairperson Olson commented that Jim Jacobsen may not have evaluated the area because most of the historic fabric of what was once there is now missing. The Commission identified eight buildings in the area that should be surveyed. Commissioner Rapp noted that the area and immediate vicinity at one time contained lead mining pits and shafts.

Motion by Wand, seconded by Bichell, to direct staff to contact Jim Jacobsen about surveying the area and begin the process for expanding the Downtown Neighborhood Conservation District to include the subject area. Motion carried by the following vote: Aye – Whalen, Olson, Knight, Bichell, Wand, Lundh and McDonell; Nay – none; Abstain - Rapp.

#### **ITEMS FROM STAFF:**

IHPA-2009 Preservation at its Best Awards Nominations: Staff Member Johnson explained each year the Iowa Historic Preservation Alliance seeks to honor individuals, organizations projects and programs that demonstrate a commitment to excellence in historic preservation. He reviewed the categories for the awards. He explained that nominated projects must have been completed within the last two years.

The Commission reviewed historic preservation projects completed in the last two years that would arise to the level of an IHPA nomination. By consensus, the Commission nominated the Silver Dollar for the Small Commercial Category, the Cottingham & Butler building for the Large Commercial Category, the Washington Neighborhood Initiative for the Community Effort Category, the Durrant Office Building for the Sustainability and

Preservation Category, and the recently rehabilitated properties along Emmett Street for the Residential Category.

Ken Kringle Award Nominations: Staff Member Johnson explained the Ken Kringle Historic Preservation Award was created by the Historic Preservation Commission. He stated the award is given out annually during Historic Preservation Week to the best rehabilitation projects located in the City of Dubuque. He reviewed the history of the award as well as the criteria for nomination. By consensus, the Commission nominated the Silver Dollar, Security Building, Washington Neighborhood Initiative, Durrant Office Building, Emmett Street properties, 563 W. 11<sup>th</sup> Street, and 1326 Elm Street for this year's Ken Kringle Historic Preservation Awards.

Building Services Department – Status Report on Historic Preservation Enforcement: Staff Member Johnson reviewed the updates to the enforcement report.

He noted that a meeting occurred between the attorney and property owner at 950 Spruce Street and City staff. He explained that Mr. Brown continues to claim that salt is responsible for the damage to the homes foundation. Mr. Brown stated that simply re-pointing the foundation will not work because salt has infiltrated the limestone and mortar will not stay, and the stone cannot be salvaged. He explained that Mr. Brown is seeking additional professional evaluations from the University of Wisconsin-Platteville, and will consider refilling the claim against the City. Mr. Brown will also give further consideration to the Historic Preservation Housing Grant.

Staff Member Johnson noted that the property at 1163 Highland has sold and Meg Wall-Wild from the Dubuque County Historical Society has now purchased the property. He explained that Planning Staff spoke with the new owner, and she was made aware of the City's enforcement efforts on the soffit and porch stairs. He explained the new owners hope to have the porch stairs and soffit fixed in the spring of 2009.

Staff Member Johnson explained that the Housing Department is in the process of obtaining the necessary bids for the work that needs to be completed at 1017 Bluff.

He explained that the Legal Services Department is still proceeding with a public nuisance case against the property owner of 1921 Madison Street.

Staff Member Johnson explained that enforcement will be stepped up on the demolition by neglect for the properties at 3000 Jackson and 3040 Elm Street. He explained the City is in the process of setting up a meeting with the property owner at 3040 Elm Street to review in detail the required repairs.

Staff Member Johnson stated a joint inspection will be completed concurrent with the annual Fire Department inspection at 1492 Locust Street.

Staff Member Johnson reported that liens and priorities are still being sorted out in the courts for the property at 1439 Bluff Street. He stated drawings have been prepared for a Certificate of Appropriateness application. He explained that application will be submitted to the Historic Preservation Commission once a title holder to the property becomes clear. He explained that the City has contacted banks involved in the process and they have indicated that if they become title holders, the repairs will be made; otherwise, Housing staff is prepared to intervene, reconstruct the porch and assess the property owner.

Planning Services staff indicated that the recent complaint against 1589-1591 Bluff Street for missing and open windows will be added to the Housing Department's current enforcement action for under the vacant and abandoned building ordinance.

The Commission requested that the property located 515 Arlington Street be added back to the enforcement report until the property owner makes the necessary corrections to the doors and transoms.

The Commission requested that the property at 1689 Main Street be added to the enforcement report for non-compliance with a Certificate of Appropriateness and Demolition by Neglect.

The Commission requested that the property at 510 W. 11<sup>th</sup> Street be added to the enforcement report due to rotting wood detailing.

The Commission requested that the building at 1392 Main Street be added to the enforcement report due to trim that is falling off and fascia and gutters that are in poor condition.

**ADJOURNMENT:** The meeting adjourned at 7:30 p.m.

Respectfully submitted,



David Johnson, Assistant Planner

Adopted—March 19, 2009