

MINUTES
HISTORIC PRESERVATION COMMISSION
REGULAR SESSION
5:30 p.m.
Thursday, October 16, 2014
City Council Chamber, Historic Federal Building

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

Commissioners Excused: Commissioners Otto Krueger and Julie Schlarman.

Staff Members Present: David Johnson, Eric Van Buskirk, Gus Psihoyos, and Bob Schiesl.

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

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 Loney-Bichell, seconded by Whalen to approve the minutes of the September 18, 2014 meeting as submitted. Motion carried by the following vote: Aye – Klavitter, Loney-Bichell, McDonell, Monk, Olson, Rapp, Whalen; Nay – none; Abstain – none.

DESIGN REVIEW

CERTIFICATE OF APPROPRIATENESS: Application of HP Investments LLC / Greg Prehm for a Certificate of Appropriateness to construct two new duplexes at 638 and 640 Arlington Street, located in the West Eleventh Street Historic District.

Staff Member Johnson reviewed the staff report, noting that the site is zoned R-2A, Alternate Two-Family Residential, and that the plans provided are identical in design, setting and material to the adjacent duplexes at 624 and 636 Arlington Street approved by the Historic Preservation Commission on February 21, 2010. He indicated that the buildings meet the zoning requirements of the neighborhood for site location and required off street parking. He also noted that the materials used in the project will be the same as the adjacent duplexes. Staff Member Johnson outlined the criteria for review of new construction, noting the Commission can provide input on the building design, form, and materials, and referred the Commission to the City of Dubuque Architectural Guidelines for potential considerations.

Brandon Hrubish, North Liberty, Iowa, was present to represent the application. He stated he is a financial partner in the project. He did not have additional comments to add to the Staff presentation. He indicated that the new duplexes would match the design of the existing duplexes and that he hoped the project would have a positive impact on the neighborhood.

The Commission discussed the interior layout of the existing duplexes at 624 and 636 Arlington Street, interior alterations to the garage, number of bedrooms, and whether floor plans were completed for the

new duplexes. The applicant stated that the new duplexes would be identical to the existing duplexes adjacent to the site.

Staff Member Johnson reiterated the purview of the Commission in reviewing the application, noting that the Commission should look at the exterior design and materials of the proposal. He also indicated that the Housing Department is responsible for approving the number of units and people living in the duplexes.

The Commission cited examples of unrelated persons living in the duplexes from neighborhood observation and that this information was relevant to the application because of the impact it has on the neighborhood. The Commission indicated that this information was relevant to the application being discussed because of the lack of clarity as to the number of rooms in the unit and that this lack of clarity speaks to the integrity of the application and where it comes from. Staff Member Johnson indicated that for each unit there could be four unrelated persons, and that is something addressed by the Housing and Community Development Department.

The Commission discussed parking for the site, and the impact of residents parking on the street. The Commission noted that parking is already a challenge in the neighborhood because of the existing duplexes and these issues would be compounded by the addition of four more units.

The Commission discussed the necessity of the proposed garage doors. The applicant indicated that the garage doors provide access to storage for the units. The Commission noted that the design of the duplexes were intended to resemble a Carriage House. The Commission noted that the design is identical to the previous application with the exception of the garage door. The applicant indicated that the door was being changed to have some variety between the buildings. He indicated that he was open to suggestions but could keep the doors the same if the Commission requested it. The applicant acknowledged that extensive time was taken to review and approve the existing duplexes.

Staff Member Johnson indicated that the existing duplexes were designed over a period of four or five meetings and was originally presented as a Federal Style side-by-side Eight-Plex that was located up to the lot line with parking on the side yard. He also indicated that, at the time, the Commission felt the massing was too big for the neighborhood. Staff noted that the initial applicant, Ken Moore, redesigned the plan into two duplexes and then finalized the design over several subsequent meetings.

The Commission discussed the alterations to the existing duplexes after the design was presented and approved. The Commission expressed concern that the applicant did not have an understanding of some of the questions being raised by the Commission, and the apparent lack of communication between the applicants was a concern. The Commission also discussed the number of units, noting that this was discussed previously. The Commission discussed the number of bedrooms and potential for unrelated person living in the units.

Planning Staff reminded the Commission that the issues of occupancy were within the purview of the Housing Department and reviewed the inspection cycle.

The Commission asked the applicant about how the lots would be paved to accommodate parking. The applicant said that he would like have greenspace, but there could be changes based on slope and other site considerations.

The Commission stated that there was no precedent for this densely populated lot and that challenges of building on this lot have prevented it from being developed. The Commission stated the proposed buildings would negatively impact the historic neighborhood character, rhythm, and uses. The Commission also noted that the duplexes were not in character in the neighborhood. The Commission stated the site is being used to its maximum potential, and that the result was a building that does not fit. The Commissioners felt doubling the existing conditions with an additional duplex will compound those issues and negatively impact the neighborhood.

The applicant pointed out that this lot is not as challenging to build on as the previous lots. The Commission asked whether parking could be located in the rear of the building. Staff Member Johnson indicated that he was unsure about the site being able to accommodate parking in the rear.

The Commission asked if the amount of required parking could be reduced to mitigate the impact, and noted other rehabilitation projects in the neighborhood that have utilized rear parking. Planning Staff noted that the required setbacks were twenty feet for each duplex and that the project complies with the zoning requirements regarding off street parking. Planning Staff noted that the Commission does not have a say in parking, paving or site design because a site plan is not required for duplexes. The Commission stated that paving is within their purview because of its impact on the historic district.

The Commission discussed at length the design details that went into developing the initial duplexes, and identified features that were not built to the standards developed by the Commission during the approval process. The Commission stated that allowing a density of unrelated college student housing impacts the neighborhood and expressed concern over the history of the previous application. The applicant discussed the exterior details mentioned by the Commission.

Motion by Loney-Bichell, seconded by Klavitter, to approve the application as presented. The Commission noted that their decision should be based on how the design fits within the context of the district, not just the design of the building.

Planning Staff stated the Commission is not the Zoning Advisory Commission, Zoning Board of Adjustment or the Housing Commission. Staff Member Johnson stated that the majority of the Commission's discussion had been regarding density which is not within the purview of their authority. He reminded the Commission that the property is zoned and complies with those zoning requirements. He stated that if there are issues regarding the number of unrelated people living in the buildings that needs to be remedied with the Housing Department.

The Commission discussed the issues of the building mass as one ascends Arlington Street. The Commission stated that because the lots where the new buildings are proposed were not developed and left as open space, the existing duplexes had less of an impact on the building mass of the neighborhood and fit within the neighborhood context. The Commission noted that matching the character of other duplexes within the neighborhood, rather than duplicating the design of the duplex at 624 and 636 Arlington Street, would be a better design option. The Commission stated there has been no discussion in regard to whether the project should be a duplex rather than a single-family home.

The Commission discussed potential modifications to the project including parking in the rear of the building, placing restrictions on paving, and moving the building closer to the property line. The applicant asked about the rules if the Commission requires him to be closer to the lot line. Staff Member Johnson outlined the process through the Zoning Board of Adjustment to allow setback

variances. The applicant and Commission discussed possible accommodations and design modifications to the structure. The Commission suggested that a work session would be possible to accommodate design revisions. Planning Staff offered to coordinate the meeting, but the Commission would need to table the application at the applicant's request. The applicant was amenable to tabling the application.

Commissioner Loney Bichell, seconded by Klavitter, withdrew her previous motion.

Motion by Klavitter, seconded by Olson, to table the application. Motion carried by the following vote: Aye – Klavitter, Loney-Bichell, McDonell, Monk, Olson, Rapp, Whalen; Nay – none; Abstain – none.

CERTIFICATE OF APROPRIATENESS: Application of Tony Kemp & Bill Barack / Adam Johnson for a Certificate of Appropriateness to rehabilitate the building at 101 Main Street, located in the Old Main Historic District.

Staff Member Johnson outlined the staff report, noting that the applicant is seeking to rehabilitate the upper stories of the buildings into six apartments, build garages off the alley of the building, and provide rooftop access with balconies.

Adam Johnson, 411 West Fourth Street, Galena IL, was present at the meeting to represent the application. Mr. Johnson provided additional details about the renderings and project.

The Commission discussed the garage additions and felt that they were appropriate for the project and met the Architectural Guidelines. The Commission discussed other details of the project, noting that they would like the original fire escape brackets to remain, and were concerned about the rooftop access being visible from the street and out of character with the massing of the building. The Commission noted that the roof access would be visible from the Julien Dubuque Bridge. The Commission noted that similar balconies have been approved in the district. The Commission provided some design options to the applicant, and the applicant agreed to accommodate the design suggestions if possible. The Commission felt that the application should be approved for the garages and balconies, but that they would like to see some changes made to the rooftop and rear access.

Motion by Whalen, seconded by Klavitter, to approve the application as submitted with the condition that the applicant return with a revised design of the roof and rear access. Motion carried by the following vote: Aye – Klavitter, Loney-Bichell, McDonell, Monk, Olson, Rapp, Whalen; Nay – none; Abstain – none.

APPLICATION FOR ADVISORY DEMOLITION REVIEW: Application of The City of Dubuque for Advisory Demolition Review to demolish the building at 610 Wilbur Street, located in the West Eleventh Street Historic District.

Staff Member Johnson outlined the staff report for the project, noting that the architectural features, site design features, and the building's contribution to the West 11th Street District. Additionally, Staff Member Johnson provided an overview of criteria for advisory demolition review for a public works project. He explained that, unlike private entities, it is not the standard of a public entity to show that a reasonable economic return can be earned; rather, it must weigh the greater public good and necessity in its decision making. He noted that, consequently, the criteria for evaluating demotion requests from public entities must consider how the needs of the community at large are being served. He provided information regarding the cost associated with the project. He noted the appraised value of the

property was \$60,000 and that the improvements to the property would be \$243,100. He also noted the building was not the only architectural example in the city.

Gus Psihoyos, City Engineer, was present to represent the application. He provided additional information regarding the cost of the project and the scope of work that would be completed. He expressed regret that the home needed to be demolished, but that it was the best option with regard to liability and costs. He also indicated that completing the project would reopen Wilbur Street to traffic, which has been a major concern for neighborhood residents.

The Commission discussed the application, noting the cost differences between the various options and the value of the structure to the historic district. They raised concerns that the cost estimates provided by the City seem high for the scope of work, citing examples of retaining wall projects. Staff Member Psihoyos discussed the independent bidding process and reasons why the cost of the public project would be higher.

Bob Wild, 1025 Grove Terrace, was present to represent the Historic Bluffs Neighborhood Association. He spoke in support of the demolition, citing the following reasons: Wilbur Street closure limiting access of emergency vehicles to the neighborhood, the limited residential access due to the street closure, additional traffic and parking restrictions within the neighborhood, and difficulty in the winter months because of snow removal and needing to find alternate routes. He added that while he and his association are proud of the neighborhood's history, the demolition is a necessary sacrifice for the street project.

Lewis Robinson, 570 Wilbur Street, stated that he lives next door to the proposed demolition and retaining wall project and that his home utilizes the same wall supporting 610 Wilbur Street. He asked for clarification as to why his home did not need to be purchased and demolished and what measures the City was taking to make sure his home is not damaged during the project. Staff Member Psihoyos provided information to Mr. Robinson about the engineering study done for the project and reassured him that they did not feel that his home would be impacted by the proposed demolition.

The Commission addressed the comments raised by the public at the meeting. Some Commissioners noted that parking and vehicle access should not be used to make a determination on the merits of the application. Other Commissioners sympathized with the issues of access, yet were concerned about other potential demolitions that could take place in the neighborhood as result of crumbling retaining walls. The Commission discussed the impact of the demolition on the neighborhood, and the criteria for Advisory Demolition Review.

Motion by Monk, seconded by Olson, to recommend deconstruction of the building. Motion carried by the following vote: Aye – Klavitter, Monk, Olson, Rapp; Nay – Loney-Bichell, McDonell, Whalen; Abstain – none.

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

ITEMS FROM THE COMMISSION

Work Plan Update: Staff Member Johnson reviewed progress on the survey and registration projects. Staff Member Van Buskirk reviewed progress on the comparative analysis of historic districts.

Building Enforcement Report: There were no updates to the Building Enforcement Report.

ADJOURNMENT: The meeting was adjourned at 7:14 pm.

Respectfully Submitted,

David Johnson, Assistant Planner

Adopted