

Approved

**MINUTES  
HISTORIC PRESERVATION COMMISSION  
REGULAR SESSION**

5:30 p.m.

Thursday, April 16, 2009

City Council Chamber, Historic Federal Building  
350 W. 6<sup>th</sup> St., Dubuque IA 52001

**Commissioners Present:** Chairperson Michael Knight; Commissioners John Whalen, Chris Olson, Eli Licht, Mary Loney Bichell, Chris Wand and Bob McDonell.

**Commissioners Excused:** Commissioners Joseph Rapp and Matthew Lundh.

**Staff Members Present:** David Johnson.

**AFFIDAVIT OF COMPLIANCE:** Staff presented an Affidavit of Compliance verifying the meeting was being held in compliance with the Iowa Open Meetings Law.

**CALL TO ORDER:** The meeting was called to order by Chairperson Knight at 5:34 p.m.

**MINUTES:** Commissioner Bichell noted the word “weather” was misspelled using the word “whether.” Motion by Olson, seconded by Wand, to approve the minutes of the March 19, 2009 meeting as corrected. Motion carried by the following vote: Aye – Whalen, Olson, Licht, Knight, Bichell, and Wand; Nay – None.

**DESIGN REVIEW:** Application of Carolyn Toth for a Certificate of Appropriateness to relocate a garage service door at 595 Jefferson located in the West 11<sup>th</sup> Street Historic District.

Staff Member Johnson reviewed the staff report. He noted the home at 595 Jefferson Street was identified as being a non-contributing structure to the West 11<sup>th</sup> Street Historic Preservation District. He explained that was likely due to the degree of modifications made to the home which included raising the roof and rebuilding it with two full-length shed roof dormers.

Staff stated the applicant is applying for a Certificate of Appropriateness to relocate the garage service door. He stated the application explains the property owner would like to make landscaping improvements to her property. The improvements will allow for her to use and enjoy the outdoor space of her property more. The application states the steps needed to access the existing service door location interfere with the planned patio space between the house and garage, and therefore the property owner would like to relocate the door so the space can be used for the patio. He explained the application states the existing stairs accessing the current service door location have no historical significance.

He stated the service door is metal and visible from Jefferson Street, and the new location will be at the northwest corner of the garage close to the alley. Staff Member Johnson stated the applicant is correct, and the stairs accessing the garage are not historical, nor do they have any architectural interest.

Carolyn Toth introduced herself as the property owner, and stated she would like to use the old materials from the new door location to fill in the opening created by the old service door location.

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

Commissioner McDonell entered the meeting at 5:45 p.m.

**DESIGN REVIEW:** Application of Advanta Sign Company for a Certificate of Appropriateness to change a rooftop sign at 200 Main Street in the Old Main Historic District. (Tabled from March 19, 2009).

Commissioner Olson excused herself from the meeting due to a potential conflict of interest.

Motion by Wand, seconded by Bichell, to bring the application back to the table for discussion. Motion carried by the following vote: Aye – Whalen, Licht, Knight, Bichell, McDonell and Wand; Nay – None; Abstain – Olson.

Staff Member Johnson reviewed the staff report. He noted that the applicant is seeking a Certificate of Appropriateness to change the roof sign and the application was tabled at the March 19, 2009 meeting at the applicant's request.

He reviewed that the existing vinyl sign letters will be removed, and the new letters will be painted on. He stated the original neon tubing that bordered the vinyl lettering was broken, removed and needs to be replaced. He stated the new sign will be located on top of the existing steel support structure and will be approximately the same size as the existing sign. He stated the Plexiglas substrate will be replaced with Alumilite which will have a similar appearance. He stated that little historical evidence exists regarding the past forms and functions of the Hotel Julien sign. He stated there is no building permit information available for this sign. He explained staff has provided some available photographic documentation on the sign, which includes a postcard photograph depicting two large signs that existed on top of the building circa 1940. Also included is a circa 1950 photo that shows the same signs and configurations. He stated although difficult to see, the final aerial photograph appears to depict the rooftop cabinets and sign forms as seen today. That photograph was taken from the August 4, 1973 Dubuque Floodwall Dedication Program. He stated that based on historical documentation available, the sign appears to have taken its current form and function sometime between 1950 and 1973. Historical

documentation does establish that large rooftop signs were historically on the building. He explained since the March 19<sup>th</sup> Historic Preservation Commission meeting, the applicant has explained the neon tubing bordering the lettering was removed solely for the purpose of the restoration project and it has always been the owner's intent to have new clear red neon tubing once again border the lettering. He stated the applicant believes the Hotel Julien sign is an iconic sign to Dubuque, and has become historic in its own right. The applicant believes the new sign is essentially the same as what has existed for many years atop the hotel.

Keith Grimstad, Advanta Signs, and Tony Pfohl, of HJD Landlord, LLC, and owner of the Hotel Julien, presented the request. The applicants presented additional information which supports allowing neon signs on top of historical buildings. Mr. Grimstad clarified that the existing vinyl lettering will not be removed from the sign; rather, Alumilite panels will be placed on top of the vinyl of the existing sign.

The applicant submitted additional documentation which supports the use of neon on historic hotel signs. That documentation included two photographs from the Center for Dubuque History archives depicting the Hotel Julien with a sign apparatus that hung neon circa 1920 to 1930. Commissioner Bichell verified that the photograph was indeed showing the use of neon. Mr. Grimstad explained that at that time, neon was hung from the apparatus and the neon move or danced. He explained back in the day, they called it "dancing fire." Also included in the supporting information were street-level photographs of the Hotel Julien sign with the new sign superimposed, photographs of local historic buildings and hotels with neon signs, and neighbors' signatures supporting the neon sign, a 1915 U.S. Patent for Neon, and the general history of neon. Mr. Grimstad explained neon first appeared at the Chicago World's Fair.

Tony Pfohl distributed a list of historic hotels with neon signs from the same time period as the Hotel Julien. Commissioner Wand stated he had a previous conversation with the applicant, Tony Pfohl, regarding his concerns about the neon sign. He explained the circa 1940 photograph depicting the hotel with the neon sign alleviated his concerns whether neon was appropriate for the hotel.

The Commission thanked Mr. Pfohl for all his efforts and investment in the Hotel Julien. Chairperson Knight thanked the applicants for coming to the meeting.

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

**DESIGN REVIEW:** Application of Greg and Peggy Stover for a Certificate of Appropriateness to enclose the third floor porch at 1145 Locust Street in the Jackson Park Historic District.

The applicant and property owner, Greg Stover, presented the request. He explained the bed and breakfast will be opening this year, and the south side has little room and could be used better. He explained the third floor porch is currently a sun room and could serve the bed and breakfast as a much needed bathroom. He explained the porch has a set of steps accessing the sun room. He stated he thought about enlarging it at one time, and his investigations indicated the porch was originally designed to be enclosed, but during its construction, there must have been a last minute change. He explained that to restore the porch to 1892, the floor would have to be raised. He stated they are trying to get a bathroom on the third floor, and enclosing the porch creates that opportunity. He explained that after submitting his initial application, Dubuque Sash and Door came to the property to begin the initial design of the windows. Dubuque Sash and Door noted that the openings are designed to have windows and most likely had a sash in some form at one time. Mr. Stover explained the newly submitted Option B is an alternative idea which allows him to create an indented window that could not be seen. He explained having the custom made arch windows are extremely expensive, and Option B would help with the costs of the work to the bed and breakfast. Mr. Stover explained that the indented windows are completely reversible with no impact to features on the porch.

Mr. Stover discussed the options for siding the porch. He stated he would like to entirely side the newly enclosed porch with slate because it would look best with the rest of the house. Mr. Stove explained most of the changes to the house happened between 1932 and 1968.

Commissioner Wand questioned whether the east and west side of the enclosed porch windows will have mullions. Mr. Stover explained the windows would most likely not have mullions so they would better match the one-over-one windows predominantly found on the house. Commissioner Wand stated he would prefer the operable window on the west side.

Commissioner Whalen asked whether the eyebrow window will have mullions. Mr. Stover explained the mullions would be more obtrusive, and it will look less like a porch with Option B. Commissioner Bichell agreed, stating the windows without mullions would look more like a porch.

Commissioner Olson noted the home's eclectic style based on Queen Anne. She explained that because there are so many different features and surfaces, slate lends itself to the project as well as the option of mullions or clear span window. She explained the importance color plays in the effect of mullions so they do not dominant the appearance.

Mr. Stover clarified that the window panes are indented and recessed back into the porch, and will not be visible. He reiterated that all the work would be reversible.

The applicant and Commission discussed using the recessed windows as double hung windows. Mr. Stover requested aluminum windows be allowed on the recessed windows. Commissioner Wand stated wood windows would be most appropriate. Mr. Stover explained the inside windows will be framed in a manner where space would be allowed for a storm or sash to fit behind the arched openings. He explained when the sills are remade, it would hide the lower sash frame.

Mr. Stover stated he believed the Locust Street side or the porch is the most prominently viewed window. He stated the least viewable window is the larger window on the south side facing the neighbor's property. He explained a potential option 3 that would have the two side windows and upper windows using a fixed pane clear span window, and make the large window on the south side operable. Commissioner Wand stated the applicant might want to consider filling the large opening on the south side of the porch with three double-hung windows. Mr. Stover felt this was a good idea. Commissioner Olson felt that appearance would look better than having one operable window with two fixed pane windows on both sides. The Commission felt the consistency of three double-hung windows would look better recessed behind the arch.

Mr. Stover requested the option of using wood or aluminum windows on the east and west and upper eyebrow fixed pane windows. The Commission stated their preference is wood windows. Chairperson Knight noted the cost of the newly proposed windows under Option B are significantly less than the cost of wood custom-made arched windows and therefore that is a compromise. Commissioner Wand again reiterated the importance of color on the muttoms, so as to not be too obtrusive.

The Commission and applicant discussed the decorative spindles located on the corners of the porch. The Commission discussed maintaining that appearance and recommended placing screening behind it to keep birds and animals out. Mr. Stover stated the framing or recessed windows will be flush on the inside of the porch.

Motion by Wand, seconded by Whalen, to approve Option B of the application as submitted with the following provisions:

- 1) That the frames for the windows be wood.
- 2) That the south window be three, double-hung, wood, side-by-side windows.
- 3) That the ceiling on the interior of the newly created room maintain the openness of the upper arched window into the space.
- 4) That the vertical siding on the rail be slate.
- 5) The outward appearance of the corner spindle features be maintained and any effort to keep bugs, birds or animals out be done from the inside or backside of the room.

Motion carried by the following vote: Aye – Whalen, Olson, Licht, Knight, Bichell, McDonell and Wand; Nay – None.

### **ITEMS FROM THE PUBLIC**

Greg Stover, 1145 Locust Street: Mr. Stover discussed with the Commission parking alternatives for the rear of his property facing Bluff Street to accommodate three cars. Mr. Stover explained he has truckloads of stone, which matches the stone on his house. He discussed an option that would allow him to build a north/south wall separating his parking from the neighbor's house. Mr. Stover also discussed the option of building a garage. Mr. Stover indicated he needs to provide adequate space to park three cars; however, he acknowledged that a three car garage would most likely be too large. The Commission agreed.

Commissioner Wand noted that the recent work to the bed and breakfast which opened up the rear of the home to Bluff Street was a great improvement. Maintaining that open appearance by simply constructing a short stone wall to identify and separate the off-street parking would be the preferred alternative. He stated most people visiting a bed and breakfast do not have an expectation of parking in a garage. Commissioner Wand and Mr. Stover agreed that the rear space could be best used to provide an opportunity for bed and breakfast visitors to be outside and enjoy that space. Commissioner Olson stated that historically speaking, maintaining the openness of the back of the house is not important. She stated that a well sited and designed two-car garage could be considered, but a three car garage would be too large.

Mr. Stover stated he has stone matching the house that could be used for landscaping purposes and constructing the wall. He indicated that he also purchased Indiana limestone and other types of stone. He asked the Commission their thoughts of mixing and matching the types and stone and construction of the wall. The Commission and Mr. Stover agreed that a nice option would be if the low stone wall separating the parking were to match and be an extension of the stone used in the building's foundation.

Mr. Stover next discussed the Ryan House. He asked the Commission their thoughts on removing the later addition and constructing a new carriage house which replicates the historic carriage house. Mr. Stover noted that he has obtained historical documentation from the Dubuque County Historical Society showing the carriage house. The Commission stated they would be in favor of replicating the original carriage house.

### **ITEMS FROM COMMISSION**

Implementation of Downtown Design Guidelines: Staff Member Johnson reviewed past history and suggested implementation strategies for the Downtown Design Guidelines. He explained at the December 18, 2008 Historic Preservation Commission meeting, the Commission recommended to City Council that all projects that receive City funds or City-administered funds be subject to review and compliance with the Downtown Design Guidelines, and all new construction or additions with a footprint of 500 square feet or greater, and all new or expanded parking areas in the project area, regardless of funding be subject to review and compliance with the Downtown Design Guidelines, and all projects in the downtown core as defined by the Downtown Design Guidelines

character district map be subject to advisory design review, with the exception of projects subject to State Historic Preservation Office review. He explained that the Commission recommended this strategy could be reviewed annually, and modified if needed.

He explained while developing options for implementation of the Downtown Design Guidelines, Planning Services staff discovered that there is an existing Historic Preservation Commission review process established in the Greater Downtown Urban Renewal District. He explained the adopted district plan states that, “the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Structures shall be used to guide the exterior modification of historic and architecturally significant properties financed in whole or in part by the City of Dubuque and the improvement and installation construction or reconstruction of public improvements in the district.” He explained those projects should be reviewed by the Historic Preservation Commission for compliance with those standards. He stated that Planning Services Manager Laura Carstens met with the City Manager, and both agreed that the existing Historic Preservation Commission review that is required in the Greater Downtown Urban Renewal District process should not be duplicated by another implementation process for the Downtown Design Guidelines. He reviewed the map of the Greater Downtown Urban Renewal District and Downtown Design Guidelines project area. He asked that in light of the new information, if the Commission would like to reconsider its previous motion.

Commissioner Wand asked staff what the requested action is. Staff Member Johnson asked the Commission whether they would like to go forward with the previous motion, now knowing that the Commission reviews public projects in the Greater Downtown Urban Renewal District. He asked whether the Commission would like to amend the motion to reflect the Greater Downtown Urban Renewal District language. He explained that the Commission does not have to do anything with regard to their previous motion. The Commission’s consensus was to retain their original recommendation.

**ITEMS FROM STAFF:**

Proposed UDC Definition: Staff explained the Planning Services Department is currently developing a Unified Development Code that updates and combines the City’s zoning, subdivision, sign and historic preservation regulations. He explained that in finalizing the UDC Article 10, Planning Staff is recommending a definition for visibility from the public way. The proposed definition is, “Any portion of a building or structure that is visible to a person while standing on an improved public street, alley, sidewalk or step. Temporary structures or vegetation shall not be considered when determining such visibility.” Staff Member Johnson explained this definition is consistent with the Commission’s policy that staff used for determining the visibility from a public way in the past. He explained staff is requesting the Commission’s comments on the proposed definition.

The Commission discussed the definition. Commissioner Olson asked whether the public way is defined by a public street, alley, sidewalk or step. Staff explained he was unsure

where the definition was generated; however, that has been the case in the past. The commission felt this would be limiting. The Commission noted examples such as Eagle Point Park and the Julien Dubuque Bridge.

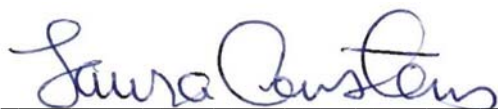
Motion by Whalen, seconded by Wand, to recommend the definition for “visibility from the public way” be “any portion of a building or structure that is visible to a person while standing on an improved public space, street, alley, sidewalk or step. Temporary structures or vegetation shall not be considered as obstructions to the visibility from the public way.” Motion carried by the following vote: Aye – Whalen, Olson, Licht, Knight, Bichell, McDonell and Wand; Nay – None.

CLG Main Street IHP Workshop: Staff Member Johnson explained the CLG Main Street IHPA Workshop will be held on May 13-14, 2009 in Ottumwa. He stated since Dubuque is a Main Street community, Commissioners and staff are eligible to attend the event. He stated if Commissioners are interested in attending, they need to contact Planning Services Department Secretary Melinda Rettenberger by April 30<sup>th</sup>.

Building Services Department Report on Historic Preservation Enforcement: Staff Member Johnson stated at the March 19<sup>th</sup> meeting, the Building Services Department status report on historic preservation enforcement was reviewed and discussed. Staff explained this discussion was the result of the enforcement action at 563 W. 11<sup>th</sup> Street. Staff and Commission reviewed the undesirable situation both Staff and the Commission were put in as a result of discussing and taking formal action on enforcement issues as a Commission. Staff stated at the last meeting, by consensus the Commission agreed that the Historic Preservation Enforcement Report will continue to be provided to the Commission; however, compliance and enforcement referrals will be made by Commissioners, as individuals, directly to the Building Services Department, in person, by phone, by fax, or through the City’s website. Staff noted the new City website has a process which allows a person to file a complaint anonymously and to request a response. Staff stated that the Historic Preservation Enforcement Report will no longer be an item on the Commission’s agenda, but will be included as an informational item with their monthly packets.

**ADJOURNMENT**: The meeting was adjourned at 7:00 p.m.

Respectfully submitted,



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Laura Carstens, Planning Services Manager

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Date—May 21, 2009