

**MINUTES
HISTORIC PRESERVATION COMMISSION
REGULAR SESSION**

5:30 p.m.

Thursday, March 18, 2021

Virtual Meeting

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually.

Commissioners Present: Chairperson Bill Doyle; Commissioners Brandi Clark, Melissa Daykin Cassill, John McAndrews, Joseph Rapp and Craig Reber

Commissioners Excused: David Klavitter, Christina Monk, and Rick Stuter

Commissioners Unexcused: None

Staff Members Present: Wally Wernimont, Chris Happ Olson, and Jason Duba. Housing and Community Development Director, Alexis Steger, was also present.

CALL TO ORDER: The meeting was called to order by Chairperson Doyle at 5:30 p.m.

MINUTES: Motion by Doyle, seconded by Daykin Cassill, to approve the minutes of the January 21, 2021 meeting as submitted. Motion carried by the following vote: Aye – Clark, Daykin Cassill, McAndrews, Rapp, Reber and Doyle; Nay – none; Abstain – Clark.

ACTION ITEMS:

Demolition Request

Applicant: Scott Neuwoehner
Owner: Nottingham Properties
Address: 1620-1628 White Street
Project: Demolish duplex for Dream Center expansion
District: Washington Neighborhood Conservation District

Commissioner Chairperson Bill Doyle recused himself due to his employment at Heritage Works.

Staff Member Happ Olson presented the staff report noting the approximate age of the structure and that the two halves of this duplex were completed at different times in the late-1800s and around the turn of the 20th Century. The application is coming from the property owner and it is motivated by an expansion project that would allow the

neighboring Dream Center to provide outdoor recreation space for the youth who participate in their programs.

Since the structure is part of the Washington Neighborhood Conservation District, the Commission needs to determine if it is architecturally or historically significant to the community. If it is found to be significant, the Commission is compelled to deny the demolition request. Knowing that the structure is listed on the National Register of Historic Places, and that it would likely be determined significant, the owner also submitted paperwork for the Commission to consider an economic non-viability argument, which would be evaluated subsequently.

The applicant, Scott Neuwoehner, 485 Locust Street, spoke on behalf of his application. He explained the history of his approximately 10 years of ownership. Throughout the period, it has been a struggle to maintain the property, keep it rented, and receive a return on it. Some renovation has occurred, including with the City's Lead Program. Currently, the units are not being maintained and are in disrepair, including a leaking roof that is causing interior damage. He stated he discussed donation or selling the property to the True North initiative, but it ultimately wasn't the right fit for the program.

Tim Conlon, Chair of the Dream Center board, and owner of Conlon Construction estimated the demolition and rebuilding cost to be \$600,000. He noted such expense could not be recouped with the rental prices of the area.

Robert Kimble, Director of the Dream Center, spoke and said their preference would not be to demolish the building, that they would have preferred to close the adjacent 16th Street to meet the organization's needs for green space.

Happ Olson referred to a letter from Heritage Works that had been received by staff around 3:00 pm on March 18th, 2021 was shared with the commission and applicants via email. The letter proposed using historic tax credits and other incentives to renovate the building and asked that the owner and City consider that as a viable option. The letter suggested the City to use the Demolition by Neglect section of the code to both prevent this situation and enforce upon the property owner.

Conlon acknowledged that they had considered tax credits, but the project budget would still have a \$200,000 to \$300,000 shortfall. Conlon expressed his value of preserving historic buildings, but claimed it was difficult to make this project viable.

Commissioners stated that they value the Dream Center and the work that they do, but the Commission needs to ensure that every avenue to preserve this building is pursued. Commissioners discussed the motions they needed to make, and staff provided guidance.

Motion by Reber, seconded by Daykin Cassill, to approve the demolition permit application based on the property not having architectural or historic significance to the community. Motion failed by the following vote: Aye – McAndrews; Nay – Clark, Daykin Cassill, Rapp, Reber; Abstain – Doyle.

Motion by Reber, seconded by Daykin Cassill, to approve the demolition permit application as presented due to the property owner not making a reasonable return on the property. Motion failed by the following vote: Aye – Reber; Nay – Clark, Daykin Cassill, McAndrews, and Rapp; Abstain – Doyle.

Commissioner Joseph Rapp departed the meeting at 7:05 pm.

Certificate of Appropriateness

Applicant: Scott Neuwoehner
Owner: Brothers3 LLC
Address: 481 Locust Street
Project: Build deck and garden structure
District: Cathedral Historic District

Staff Member Happ Olson presented the staff report noting that this is a design review because the property is in the Cathedral Historic District. She stated that the structure was largely built in the spring of 2020, following community complaints about the structure, a permit was applied for in July 2020, and the permit was since rescinded. Following that the owner built a roof on the structure and since covered it with black tarps. A March 11, 2021 meeting on-site with the owner and staff from Planning Services Department and Construction and Inspection Division recently resulted in discussion that changes would need to be made to bring the structure into code compliance. It was not believed at the time that the violations would change the design review before the Commission.

Happ Olson described the building and the patio structure (deck, fence, and roof) under consideration, noting that the building is currently wrapped in tarps as a means to make the structure more useful in winter. She stated that although the structure is already built and not exactly as what is proposed in the application, the commission is to consider the application as if the structure was not yet built. She stated that the application proposed to remove the tarps and keep the structure, largely as it is seen in the July 2020 photographs, along with the new roof that is present today.

The structure is visible from the alley, Locust and 5th Street, triggering review by the Commission. Staff reviewed the relationship of the application to the architectural guidelines, reading from the staff report, concluding that it largely did not follow guidelines. It was noted that this casual style structure is not explicitly covered in the guidelines, because of its lack of appropriateness. Happ Olson referenced the photographic supplement included in the staff report.

Scott Neuwoehner, the applicant, stated that the structure was built last year to provide an outdoor space for the Oddfellows bar to reduce the risk of COVID transmission. He stated that he applied for a building permit and believed he had permission after applying and receiving a visit from the Building Department in the summer. He acknowledged that the roof and wall tarp were not approved, and he planned to take them down for spring.

Housing and Community Development Director Alexis Steger clarified that he never had an approved building permit; he submitted one online but it was never completed and approved.

Discussion then followed among the Commissioners regarding the historic appropriateness of the structure, what guidelines to use to determine that, and what could be acceptable within the historic district. Commissioners requested visual clarification of the property as-built and staff showed photographs to help commissioners better understand the application.

Staff Member Wernimont suggested that this structure should be voted on in three component parts, evaluating the request for:

- 1) the 20' x 30' wooden deck of the new patio,
- 2) the pergola above the new patio, and
- 3) the small metal roof structures above the existing concrete patio.

(The existing fencing would not be under review, as it is not higher than seven feet, and allowed in the C4 zoning district)

It was clarified that the Construction and Inspection Services division has required that the roof and pergola structures above the new wooden deck be removed before that space can be approved for occupancy. The commissioners then discussed that they would table their vote on the pergola and let the applicant decide whether to reapply to seek approval for that and work with Planning staff to ensure historic appropriateness.

Motion by Doyle, seconded by Reber, to approve the application as presented for the 20' x 30' wood deck structure. Motion carried by the following vote: Aye – Clark, Daykin Cassill, McAndrews, Reber and Doyle; Nay – none.

Second motion by Doyle, seconded by Daykin Cassill, to table the application as presented for the pergola above the 20' x 30' wood deck structure. Motion carried by the following vote: Aye – Clark, Daykin Cassill, McAndrews, Reber and Doyle; Nay – none.

Third motion by Doyle, seconded by Reber, to approve the application as presented for the roof structures above the existing patio with the condition that they meet building code. Motion carried by the following vote: Aye – Clark, Daykin Cassill, McAndrews, Reber and Doyle; Nay – none.

ITEMS FROM PUBLIC: None.

ITEMS FROM COMMISSION: None.

ITEMS FROM STAFF:

Final copy of Commission 2021 Workplan

Referencing the enclosed copy of the Commission's 2021 Workplan, Staff Member Happ Olson reported that the Telegraph Herald inquired and wrote about the African American Reconnaissance Survey which is listed in the workplan, following sending the Certified Local Government Report to City Council. The Planning Department requested \$5,000 in the draft Fiscal Year 2022 budget to support the project which would allow the City to leverage a potential grant. The budget will go through the approval process on March 24, 2021. Happ Olson stated she is working to establish partnerships to be able to conduct a Black Heritage project effectively.

Ken Kringle Award Nominations

- Happ Olson encouraged commissioners to help with these awards, adopting awardees, and to help with outreach to let awardees know of the plans. She stated that perhaps Commissioners could also help with the ceremony.
- Daykin Cassill offered to contact the owners of the Whitney House at 1175 Langworthy Street.
- Doyle offered to contact Chris Richard and/or Sam Murley.

Open Commission Positions

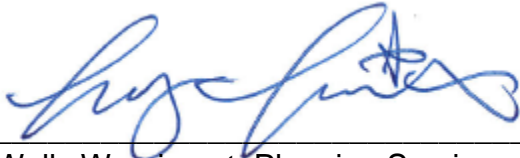
Happ Olson described the three open positions now listed on the City's Boards and Commissions webpage. She stated although the Commission is state mandated to be gender balanced, it is not, with proportionately more males than females. She encouraged Commissioners to get the word out in the community. Happ Olson described the positions:

- At-large (Any Dubuque Citizen) – currently held by Dave Klavitter, who has expressed interest in transitioning off after many years.
- Old Main (Resident of District) – Currently held by Joseph Rapp as an interim member.
- Jackson Park (Resident of District) – Currently held by Craig Reber as an interim member.

ADJOURNMENT: Motion by Doyle, seconded by Daykin Cassill, to adjourn the March 18, 2021 Commission meeting. Motion carried by the following vote: Aye – Clark, Daykin Cassill, Monk, McAndrews, Reber and Doyle; Nay – none.

The meeting adjourned at 7:47 p.m.

Respectfully submitted,



Wally Wernimont, Planning Services Manager

6-17-2021

Adopted