

MINUTES
HISTORIC PRESERVATION COMMISSION
REGULAR SESSION
5:30 p.m.
Thursday, October 18, 2012
City Council Chamber, Historic Federal Building

Commissioners Present: Chairperson David Klavitter and Commissioners Bob McDonell, John Whalen, Joseph Rapp, Otto Krueger, Mary Loney Bichell, Christina Monk and Julie Schlarman.

Commissioners Excused: Commissioner Chris Olson.

Staff Members Present: Laura Carstens and David Johnson.

CALL TO ORDER: Chairperson Klavitter called the meeting to order 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 Krueger, seconded by McDonell, to approve the minutes of the September 20, 2012 as submitted. Motion carried by the following vote: Aye – Schlarman, Bichell, Monk and Krueger; Nay – None; Abstain – Klavitter, McDonell, and Rapp.

DESIGN REVIEW: Application of Peter and Cynthia Alt, 632 Chestnut Street, for a Certificate of Appropriateness to construct a detached garage in the West 11th Street Historic Preservation District.

Staff Member Johnson reviewed the staff report, noting the garage dimensions and materials. He referenced a site plan provided by the applicant which depicts the proposed garage location. He explained the side of the garage will only be visible from Prairie Street. He explained the site plan shows the southwest lot line being moved to accommodate the property owners' preferred location for the garage. He explained the property owner is in the process of replatting the property as well as applying for a Special Exception to allow the garage to exceed the maximum area allowed for accessory structures. He noted that should the Commission approve the Certificate of Appropriateness, it should be contingent on the applicant receiving a Special Exception to exceed the maximum square footage allowed for accessory structures.

Joe Mulgrew, 16543 Herrod Lane, presented the application. He explained he is the contractor and representative for Dr. Peter and Cynthia Alt. He described the location of the garage. He clarified the garage will be very similar in appearance to the existing garage at 1206 Prairie Street. He explained some trees will be removed to allow for

construction of the garage, however, very little of the garage will be visible from Prairie Street. The Commission noted the garage will not be visible from Chestnut Street, where the house fronts. Mr. Mulgrew asked for approval on one of the garage door alternatives presented to the Commission. He explained the property owner would prefer the Thermacor Premium insulated garage door since it comes in a 20-foot width and better suits the property owners' needs.

Motion by Whalen, seconded by McDonell, to approve the application as submitted with the Thermacor Premium insulated garage door, and subject to approval of a Special Exception to exceed the maximum square footage allowed for accessory structures. Motion carried by the following vote: Aye – Klavitter, McDonell, Whalen, Rapp, Bichell, Monk, Schlarman and Krueger; Nay – None.

EDUCATION TASK FORCE

Update on the Public Education and Outreach Program: Chairperson Klavitter noted since Mitzi Krey's resignation from the Commission and Task Force, little has been discussed.

Appoint New Task Force Member(s): Chairperson Klavitter noted that Benjamin Beard contacted him and expressed interest in serving on the Historic Preservation Education Task Force. Commissioner Klavitter clarified that Mr. Beard was an applicant for a vacant Commission position and was not appointed due to a limited number of vacancies. Staff requested the Commission appoint one or more Commissioners to serve on the Education Task Force. Commissioners Schlarman and Bichell volunteered but noted conflicts with the regularly scheduled time. The Commission suggested considering a new time that would also work with Mr. Beard's schedule. Planning Services staff volunteered to coordinate the scheduling.

ITEMS FROM THE PUBLIC: None.

ITEMS FROM COMMISSION:

Continue discussion of Historic Preservation Program: Staff Member Carstens reviewed the discussion from the September 20, 2012 meeting, and noted the Commission requested the discussion be continued to allow input from more Commissioners.

The Commission reviewed the benefits of changing the predominantly regulatory function of the Commission into an advocacy and outreach role. The Commission noted Dubuque has expended a great deal of time and effort in leveraging historic preservation as an asset within the community. The Commission stated more can be done to educate and promote historic preservation in Dubuque.

The Commission discussed examples of the work the Commission would undertake in their new role. They noted connecting sustainability to historic preservation as a priority

as well as identifying training and promoting artisans and highly skilled tradesmen to improve the quality of rehabilitation in the city of Dubuque. The Commission noted the importance of providing additional support and education to the public as more properties come under historic regulations. The Commission supported coordinating and consolidating the Historic Preservation Ordinance and Design Guidelines. The Commission noted the need to codify how properties are evaluated for demolition. The Commission explained staff would predominantly review design review applications, which would allow more time to be spent on education and outreach.

The Commission discussed re-evaluating how enforcement is approached, noting the need for more efficient enforcement. Staff Member Carstens reiterated that enforcement is done on a complaint basis. She explained concerns can be forwarded to the appropriate department through the Citizens Support Center, by email or by phone. She explained the City Manager's Office is promoting the Citizen Support Center as a resource for Commissions and citizens to report concerns and ask questions. She explained the Citizen Support Center ensures accountability and that concerns are forwarded to the appropriate department. She stressed that the Planning Services Department does not have authority under the Historic Preservation Ordinance to enforce on properties. She explained the authority and expertise to do so is in the Building Services Department.

The Commission discussed programs that would encourage property owners to be better stewards of their property. The Commission and staff noted a need to reach more people than what design review allows. The Commission noted the importance of education as well as enforcement with the Historic Preservation Program.

The Commission discussed preservation leadership training through the National Trust for Historic Preservation. The Commission suggested inviting regional representatives to Dubuque. Commissioner Schlarman stated she has received the training and noted it was very positive experience. She stated she would reach out to the National Trust for Historic Preservation and initiate coordinating the effort.

The Commission discussed working through neighborhood organizations to address building issues. Planning Services staff recommended Commissions become more involved with neighborhood groups and organizations to not only address building issues but also promote preservation.

By consensus, the Commission agreed to continue the discussion on enhancing the historic preservation program at future meetings.

ITEMS FROM STAFF

Using the Citizen Support Center to Report Violations: Staff Member Carstens noted Commissioners have expressed concerns with enforcement in historic and conservation districts. She reiterated that the Planning Services Department has no authority or role under the City Code for Historic Preservation with respect to violations

and enforcement. She stated communicating building concerns should be done directly with the Building Services Department or Housing Department. She explained a tool that the City Manager's Office is promoting to accomplish more effective and efficient communication and resolution of these concerns is the Citizen Support Center.

Staff reviewed a PowerPoint presentation on submitting on-line service requests using the Citizen Support Center. Staff Member Carstens explained the Citizen Support Center allows a person to file a complaint anonymously or through an account set-up by the citizen. She explained if an account is created, you can make numerous requests for service and a record of your requests is maintained. Staff Member Johnson explained the system allows the citizens instant access to the status of the request as well as access to the dialogue between City Departments in resolving the issue. He explained the Citizen Support Center has accountability built into it. Staff Member Carstens explained each request type is assigned a default for expected time to close. She noted that time allowed varies based on the nature of the request and the time required to respond. She explained if the assigned staff person has not completed or followed up on the request in an appropriate number of business days, notice is automatically sent to a supervisor and the request is expedited. She explained the Citizen Support Center allows a citizen to submit a request anytime of the day or night, and insures that it is routed to the appropriate person. She noted that the time and date of the request is documented.

Staff Member Johnson explained the system is very intuitive and once you have an account set-up, you can quickly refer concerns or check the status of concerns at a time convenient for you. Chairperson Klavitter noted he has used the Citizen Support Center to communicate concerns to City officials in the past. He stated he was impressed with the system as well as the response of City staff. He did note it would be helpful if the Citizen Support Center had a mobile platform.

The Commission asked whether neighborhood organizations would be able to use the system. Staff Member Johnson clarified a neighborhood organization could create an account and use the Citizen Support Center to communicate neighborhood concerns.

The Commission was impressed with the Citizen Support Center, but noted the ability to attach more than one file to a service request would be helpful, such as multiple photos. The Commission recommended the Citizen Support Center be promoted through the Telegraph Herald, monthly utility bills and a press release. The Commission reiterated a mobile platform would be a nice enhancement to allow citizens to quickly photograph and refer concerns.

Possible Amendments to Historic Preservation Ordinance: Staff Member Carstens noted the Historic Preservation Commission has discussed amending the Historic Preservation Ordinance at previous meetings. She explained the Ordinance was updated in 2009.

She noted the first amendment was for economic reviews. She explained that as part of the 2009 update, the Commission recommended that economic guidelines and review criteria for demolition permit applications be different for historic and conservation districts. She noted the rationale was that properties in historic districts should have a higher threshold. She explained the second amendment would address appraisals for demolition requests in historic and conservation districts, and is related to the first amendment.

The Commission reviewed the criteria for evaluation of demolition permits in historic districts and conservation districts as outlined in the chart provided by staff. The Commission discussed whether a different threshold should be used for conservation districts and historic districts. The Commission and staff noted there are a number of National Register eligible properties and districts located in conservation districts. The Commission noted the function of conservation districts is to preserve historically significant properties so that someday its fabric may warrant a local historic district.

The Commission and staff discussed Economic Review Criteria C and D. Commissioner McDonell stated there is a difference between the market value provided by a realtor and the appraised value of a property provided by an appraiser. He stated an appraiser has to be licensed. The Commission and staff discussed the challenges of quantifying values. Commissioner McDonell agreed to coordinate with appraisers to gain a better understanding and form stronger language in terms of quantifying conditions of properties. Planning Services staff volunteered to participate in the conversation.

The Commission agreed the thresholds for demolition should be the same for historic and conservation districts, and therefore the criteria for evaluating whether a property can be demolished should also be the same.

The Commission questioned what other communities use for criteria in evaluating economic hardship. Staff Member Johnson explained an attorney presented case law on economic hardship at the previous NAPC CAMP. He noted the criteria used by communities throughout the country are largely the same and hit on the same fundamental issues. Staff and Commissioners agreed the criteria in large part are an excellent tool for evaluating demolition permits. Planning Services staff agreed to coordinate with Legal staff to determine if any new case law has been developed on economic hardship.

The Commission discussed whether demolition can be prevented outside of historic or conservation districts. The Commission noted some communities have conservation districts for neighborhoods that are greater than 50 years old. The Commission discussed how much of the community should be in a historic or conservation district. By consensus, the Commission agreed to update the economic guidelines and review criteria for demolition permits in historic and conservation districts once the criteria are consolidated. Commissioner McDonell and Planning Services staff will meet with

appraisers and the Legal Department to make improvements to the criteria used to evaluate demolition permits.

Update of Design Guidelines: Staff Member Johnson reviewed previous discussions on updating and consolidating the existing design guidelines. He explained there are two design guideline manuals currently used by the community, Commission and Planning Services staff. He explained the Architectural Guidelines apply to properties located in the local historic preservation districts, and the Downtown Design Guidelines apply to projects located in the general downtown area that are not in a local historic district. He reviewed the growing need to add sustainability and improve on accessibility guidelines. He noted the benefits of consolidating the guidelines into a more streamlined and simplified document.

Staff Member Johnson explained a grant application for preservation funding from the National Trust for Historic Preservation has been submitted to leverage a project to update and consolidate the guidelines. He stated the estimated project costs is approximately \$38,000, and the grant request is \$5,000. He explained the City anticipates awards being announced in December and the project should take approximately one year.

The Commission discussed updating and consolidating the guidelines. The Commission agreed incorporating sustainability principles into the design guidelines is a priority.

Staff Member Johnson requested the Commission appoint one or more members to serve on a design guidelines committee to assist in providing input and expertise in developing the updated manual. Staff Member Carstens clarified the design guidelines committee would consist of Planning Services staff, Historic Preservation Commissioners, key City staff as well as community stakeholders. Commissioners Monk and Schlarman volunteered and by consensus were appointed to serve on the Design Guidelines Committee.

2012 Preservation at Its Best Awards: Chairperson Klavitter thanked Commissioners Olson and Bichell for attending the 2012 Awards Ceremony hosted in Dubuque, and congratulated the winners.

ADJOURNMENT: The meeting adjourned at 7:32 p.m.

Respectfully submitted,



Laura Carstens, Planning Services Manager



Adopted