



Approved

**MINUTES**  
**HISTORIC PRESERVATION COMMISSION**  
**REGULAR SESSION**  
5:30 p.m.  
Thursday, April 18, 2013  
City Council Chamber, Historic Federal Building

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

**Commissioners Excused:** Commissioner Julie Schlarman.

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

**CALL TO ORDER:** The meeting was called to order by Chairperson Klavitter at 5:30 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:** Commissioner Olson clarified the word, “razed” should be replaced with the intended use and spelling of the word “raised” on line 10, under Items from the Public.

Motion by McDonell, seconded by Olson, to approve the minutes of the March 21, 2013 meeting as corrected. Motion carried by the following vote: Aye – Klavitter, McDonell, Rapp, Olson, Bichell, Monk and Kruger; Nay – None.

**DESIGN REVIEW:** Application of Jonathan Dwight for a Certificate of Appropriateness to remove a chimney at the property located at 121 Bluff Street in the Cathedral Historic Preservation District.

Staff Member Johnson reviewed the staff report, noting the building's significance, and the property owner's concerns with the condition of the chimney.

Commissioner Whalen arrived 5:35 p.m.

Staff Member Johnson reviewed the project, noting the dimensions and materials of the existing chimney. He noted bids provided with the application indicate the cost to remove the chimney is \$450, and the cost to rebuild the chimney is a minimum of \$3,200, depending on the condition of the brick once the project begins.

Jonathan Dwight, 123 Bluff Street, part owner and renter of the property, explained the roof is leaking and the chimney is leaning dangerously toward the interior of the home. He noted the chimney is currently used to vent the furnace and water heater only. He noted the chimney is a danger to the building and its occupants.

The Commission discussed the options for removing versus restoring and repairing the chimney. The Commission noted only one bid was available and other bids from contractors experienced in historic masonry should be sought out by the owner.

Ryan Larson, MEP Engineers, reviewed the condition of the chimney. He noted the loss of mortar and stated the chimney leans approximately 1.5 to 2 feet toward the center of the building. He noted the slope of the roof is very steep and therefore the chimney would be very difficult to repair. The Commission asked for clarity on the extent the chimney is leaning. Mr. Larson stated the top of the chimney is at least 12 inches from the base of the chimney.

Staff Member Johnson noted building permit records indicate dormers, and what was likely the twin chimney on this building, was removed in 1988. Mr. Larson noted that the building will receive a new high efficiency HVAC system and the chimney will no longer be used. He noted the system will be direct vented through the outside wall of the home.

The Commission noted that prior repairs and removal of a chimney do not set a precedent. Commissioners also reiterated the need for additional bids from contractors experienced in historic masonry and chimneys. The Commission explained chimneys are important character-defining features and the City of Dubuque Architectural Guidelines and federal standards recommend they be preserved.

The Commission and Mr. Larson discussed how the chimney could be repaired. The Commission reviewed personal experiences and similar chimney repairs, noting it is common maintenance for historic buildings.

The Commission and staff discussed possible financial incentives for preserving the chimney, including the Historic Preservation Homeowner Grant and the Historic Preservation Revolving Loan Fund. Mr. Larson asked if a temporary support can be placed on the chimney. Staff indicated a temporary brace can be installed. Mr. Dwight noted they would get additional bids and asked for names of experienced contractors. The Commission noted staff can provide the names of masons who have worked on award-winning and tax credit projects, although the City cannot recommend contractors.

Commissioners discussed with Mr. Dwight and Mr. Larson the options for repair. Staff Member Johnson noted if the chimney is repaired in kind, there would be no need for additional design review. Mr. Larson asked what the process would be if the chimney

were shortened or its dimensions slightly changed. Staff Member Johnson noted if the dimensions of the chimney were to change, the Historic Preservation Commission would need to approve that change. Mr. Larson questioned whether design review is needed should the chimney become non-functional. The Commission noted the function of the chimney does not matter as it is a character-defining feature to the exterior appearance of the building and should be maintained. The Commission explained a non-functioning chimney can be capped. Mr. Dwight requested to table the application.

Mr. Dwight and Mr. Larson discussed concerns about the condition of surrounding properties in their neighborhood. Commissioners and staff reviewed the benefits of using the City website and citizen support center and inquiring and submitting concerns about properties. Mr. Dwight asked whether there were any neighborhood organizations to discuss issues and improvements to the area. Staff Member Carstens suggested contacting Neighborhood Development Specialist Jerelyn O'Connor for additional information on the Bluff Street Neighborhood Association.

Motion by Bichell, seconded by Olson, to table the application at the request of the applicant. Motion carried by the following vote: Aye – Klavitter, McDonnell, Whalen, Rapp, Olson, Bichell, Monk and Kruger; Nay – None.

### **EDUCATION TASK FORCE**

Minutes from Previous Meeting(s): April 4, 2013: There was no discussion.

Update on Public Outreach and Education Program: Chairperson Klavitter invited questions and comments. There was no discussion.

**ITEMS FROM PUBLIC:** None.

### **ITEMS FROM COMMISSION:**

Historic Preservation Ordinance Update: Staff Member Carstens updated the Commission on the proposed amendments to the Historic Preservation Ordinance. She reviewed the Commission supported creating a stand-alone section for uniform demolition regulations and criteria in the City's Historic Preservation Ordinance. She reviewed several questions currently under review by staff.

The Commission reiterated their position that the sale of the property does constitute the ability to earn a reasonable economic return regardless of the amount a property is sold for. The Commission explained this has been supported in similar cases throughout the country. Staff Member Carstens noted it is important that Iowa Law support the assertion.

The Commission and staff discussed what constitutes demolition and what triggers a demolition permit. Staff Member Carstens noted Planning Services staff is currently

gathering information on what does and does not require a demolition permit. The Commission stated the demolition of features such as chimneys should be considered partial demolition, and therefore, subject to design review in both historic and conservation districts. Staff Member Carstens stated staff will continue researching the questions and legal determinations will be brought before the Commission for their consideration.

**ITEMS FROM STAFF:**

Architecture Days: Staff Member Johnson reviewed the week-long series of events. He noted the Ken Kringle Historic Preservation Awards will be presented at the evening architecture presentation and tour on Tuesday, April 23<sup>rd</sup>, and requested all Commissioners be present.

Historic Preservation Month: Staff Member Carstens explained that May is National Preservation Month and this year's theme is, "See! Save! Celebrate!" She reviewed the background of National Preservation Month as well as activities developed by the Education Task Force to celebrate Preservation Month. She requested all Commissioners attend the May 6<sup>th</sup> City Council meeting, and Chairperson Klavitter accept the proclamation on behalf of the Preservation community. She requested all Commissioners attend the Washington Neighborhood Green Alley ribbon cutting event and Old House Enthusiasts Tours also in May. She clarified the Old House Enthusiasts tours are on May 18-19<sup>th</sup>.

Commissioner Olson welcomed volunteers for the Old House Enthusiasts events. Staff Member Carstens reviewed Assistant Planners Dave Johnson and Wally Wernimont will be offering a presentation on researching historic properties on Saturday, May 18<sup>th</sup>, and she and Civil Engineer Jon Dienst will present a program on the Millwork District in recognition of Preservation Month also in partnership with the Old House Enthusiasts.

Design Guidelines Update: Staff Member Carstens reviewed the City of Dubuque received a grant from the National Trust to update and consolidate existing design guidelines manuals for historic districts and the downtown. She noted the City has retained the services of Winter & Company for the project. She noted Winter & Company literally wrote the book on incorporating sustainability principles into historic design guidelines for the National Trust for Historic Preservation and they also assisted in developing the downtown design guidelines manual.

She noted the consultant will initially meet with a Steering Committee, which will include community stakeholders, design professionals, developers, business owners, neighborhood organizations, Main Street, and the Historic Preservation Commission. She explained once the framework of the project is established and key issues identified the manual will be developed with a Technical Committee consisting of Planning Services staff, and select members of the Historic Preservation Commission. She noted the consultant has requested input from the Historic Preservation

Commission and Planning Services staff on the pros and cons of the current design guidelines manual. Staff Member Johnson noted the information obtained from the Commission and staff will be used to help develop the format for the stakeholder meeting to be held in May.

Staff Member Carstens reviewed comments from Planning Services staff on the existing guidelines. The Commission discussed where copies of the new guidelines could be obtained. Staff Member Carstens explained in the interest of sustainability, paper copies will not be printed; however, the guidelines will be available to download from the City's website, free on CD, and paper copies will be provided at a cost upon request.

The Commission noted the new guidelines manual needs to appropriately blend old with new. The Commissioner reiterated buildings need to relate. The Commission noted the excellent article published by the National Alliance of Preservation Commissions for in-fill projects. The Commission discussed incorporating a matrix of what projects are reviewed by staff and what projects require review by the Commission. The Commission requested clarification on what triggers Commission design review. The Commission noted the new document should address gutters, downspouts, rain barrels, and cisterns in greater depth as water is a big issue in Dubuque. The Commission suggested additional information on rooftop decks. The Commission noted the manual should address the economic, aesthetic, social, and environmental benefits of preservation.

Building Services Historic Preservation Enforcement Report Update: Staff Member Johnson noted the Committee was not able to meet and therefore an update is not available at this time. The Commission noted the updates on enforcement activities are becoming less frequent. Staff Member Carstens reminded the Commission the Planning Services Department does not have a role other than reporting when it comes to enforcement in historic districts. Consensus of the Commission was for Planning Services staff to convey their desire to receive timely updates, perhaps via an online format, to the other departments.

**ADJOURNMENT:** The meeting adjourned at 6:58 p.m.

Respectfully submitted,

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Laura Carstens, Planning Services Manager

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Adopted