



MINUTES
HISTORIC PRESERVATION COMMISSION

REGULAR SESSION

Thursday, August 21, 2008

5:30 p.m.

City Council Chamber, Historic Federal Building
350 W. 6th Street, Dubuque, Iowa

PRESENT: Chairperson Christine Olson; Commission Members John Whalen, Pamela Cleek, Michael Knight, Joseph Rapp, Chris Wand, Matthew Lundh and Bob McDonell; Staff Members Wally Wernimont, Laura Carstens and Rich Russell.

ABSENT: Commissioner Mary Loney Bichell.

CALL TO ORDER: The meeting was called to order by Chairperson Olson 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.

Chairperson Olson introduced and welcomed new Commissioners Pamela Cleek and Michael Knight.

MINUTES: Motion by Wand, seconded by Lundh, to approve the minutes of the July 17, 2008 meeting as presented. Motion carried by the following vote: Aye – Olson, Wand, Rapp, Lundh, Cleek and Knight; Nay – None.

DESIGN REVIEW: Application of the Richard and Kathy Neuses to demolish the existing building at 1672 Central Avenue in the Washington Street Neighborhood Conservation District.

NOTE: Commissioner McDonell arrived at 5:37 p.m.

Commissioner Wand excused himself because his employer, Durrant Group, provided the building assessment.

Commissioner Rapp noted he has visited the property and spoke with the owner today. Staff Member Carstens clarified that Commissioner Rapp should state the observation made and information discussed with the applicant during the site visit, so that all Commissioners would have this information prior to making a decision.

NOTE: Commissioner Whalen arrived at 5:40 p.m.

Staff Member Wernimont presented the staff report. He reviewed the staff analysis, noting the applicant has submitted all the required information. He then reviewed that the role of the Commission is advisory.

He explained that the applicant is seeking a recommendation for approval to demolish the building at 1672 Central Avenue. He said that the application notes that the brick is decomposing and the roof structure and chimney are coming apart. He noted that the applicant has explained that the building is “falling in” from the roof down and the back porch has fallen off. He added that the application states the building is leaking everywhere, and the building has not been connected to utilities for approximately eight years.

Staff Member Wernimont stated that on June 19, 2000, City Council approved a demolition permit to remove the building at 1672 Central Avenue. He noted that Mr. Lenz never acted on the permit, and the City of Dubuque Legal Services Department has determined that it is no longer valid. He explained that at the time when the permit was originally approved, the City Council reviewed demolition requests in Conservation Districts. He added that since that time, City Code has changed and the HPC now serves in an advisory role for demolition requests in conservation districts.

Staff Member Wernimont explained that the Phase III Architectural and Historical Survey Report identified the building as being contributing to the potential North Central Avenue Historic District. He said the applicant has submitted the required supporting documentation for the demolition review process. He said the applicant has also provided photographs for the Commission’s consideration. He added that the staff report provided a summary of the supporting documentation submitted with the application.

Staff Member Wernimont stated that the City Code provides for the Historic Preservation Commission to review the demolition request, and then to make a determination as to:

- (1) Whether the building has historic or architectural significance to the community, and
- (2) Whether denial of the proposed demolition would prevent the property owner from earning a reasonable economic return on the property.

He noted that if the Commission finds that denial of the application would prevent the property owner from earning a reasonable economic return on the property, or that the building does not have any historical or architectural significance to the community, the Commission shall recommend approval of the application. He added that if the Commission finds that denial of the application would not prevent the property owner from earning a reasonable economic return on the property, and that the building has

historical or architectural significance to the community, the commission shall recommend denial of the permit application. He said the Commission's recommendation goes on to the City Council for a hearing and final action.

Richard Neuses, 505 Primrose Court, explained his business is located at 1672 Central Avenue. He is requesting demolition of 1672 ½ Central Avenue adjacent to Lenz Monument's display yard. He felt the building is structurally unsound. He explained there are braces in the basement. He noted that Commissioner Rapp toured the building today. Mr. Neuses noted the structural defects of the brick, which are obscured by the vegetation in the photos. He noted additional structural issues that Commissioner Rapp pointed out during his tour. He explained demolition will allow him to open up the exhibit space for the business. He noted the front façade will have to be taken down piece by piece. He will obtain a permit with adequate time for salvaging the façade. He noted a common wall with an adjacent building. He felt the work could be done in 60 days by his crew, who would be bonded. He offered to salvage the historic elements of the façade and reconstruct at 90 degrees. He added that they plan to recycle about 90% of the materials. He noted which elements were of no value, and which elements were of value. He noted his estimate is \$200,000 to repair. He noted his new monument sign.

Chairperson Olson asked Commissioner Rapp to share the observations of his tour today. Commissioner Rapp noted the cracks are more visible in person and there is a staircase leading upstairs that is sagging. He noted the floor on the third floor is uneven and rolling near the weight bearing wall. He noted additional structural problems with the building. He explained he shared the history of the area with the applicant. He stated he did not see the basement.

Commissioner Knight asked about the length of ownership. Mr. Neuses said he has been associated with the building and business for 28 years. He purchased the building in May 2008 after the owner passed away in 2007. Commissioner Knight asked if there was any repair after the original demolition application in 2000. Mr. Neuses explained that the utilities were cut off in 2000 in anticipation of demolition, and there has not been any maintenance. Commissioner Knight asked what has been the use in the past year. Mr. Neuses said the building has been used for minimal storage. Commissioner Knight asked about maintenance of the roof. Mr. Neuses said the costs for rehabilitation of the structure would be quite large.

Commissioner Rapp noted the main floor is largely open. Mr. Neuses agreed. He noted that there are problems with the chimney and walls.

Chairperson Olson noted the purchase price was \$11,000. She noted one option to improve the building is to sell it. She noted that Mr. Neuses had wanted to demolish the building to improve visibility for the Lenz Monument business. She noted ordinarily this is not a valid reason to demolish a historic building. She was not in favor of

salvaging the façade and rotating it 90 degrees because it creates a false sense of history. She said the Historic Preservation Commission and City encourage the salvaging of the materials. She noted that Mr. Neuses did not have ownership until recently, so the maintenance was not his responsibility over the past eight years. She added that it is his burden as a property owner to know that the building is in a conservation district with demolition review. She felt this is an unusual circumstance with past demolition permit approval and Mr. Neuses' working relationship with Mr. Lenz.

Mr. Neuses said selling the building is not an option because it cuts down on the visibility, and the business needs to survive. He reiterated his desire to salvage the façade. Mr. Neuses stated he has no interest in selling the property.

Commissioner Knight noted he conducted a site visit. He noted there is no sagging evident in the foundation. He said the cost estimate for \$125/square foot is the cost of new construction. He noted several local, state and federal grants and tax credits would cover nearly 50% of the construction cost. He felt that with the incentives we can preserve the building which is the only surviving one of this style. He said routine maintenance has been deferred for so long the wood elements are deteriorating. He felt the engineer's report indicates the foundation is sound, and the brick and tuck pointing have been protected somewhat by the paint. He stated in his opinion, there are incentives that would make this a good rehab project. He felt that the reasonable return is different when it's an owner-occupied building with the business supporting the building. He noted keeping this storefront is important to the streetscape.

Commissioner Whalen asked Mr. Neuses if the building could be used, noting it could be very attractive. Mr. Neuses said it could be very attractive. He noted the missing buildings on Central Avenue. Commissioner Whalen asked if Mr. Neuses could use this space. Mr. Neuses felt the estimate of \$125/square foot is low, and that \$175-\$200/square foot is more likely. Commissioner Whalen noted this is a small building, and the cost would be lower. Mr. Neuses reiterated the problems the building has.

Chairperson Olson noted the importance of maintaining a streetscape of buildings, and the significance of the building in a historic district. Mr. Neuses noted the façade of the existing Lenz Monument building. He said he would like to reuse the façade in a newly constructed building.

Chairperson Olson asked for any other comments. Commissioner Lundh asked if Mr. Neuses plans to come back with something similar to the existing façade. Mr. Neuses said he would re-use the façade above the windows. He also reviewed the concept of turning the wall 90 degrees. Commissioner Lundh said he was looking at the compromise of re-using the façade, including the storefront.

Chairperson Olson reiterated having the consistency of storefronts. Mr. Neuses said what's behind the façade is not good. Chairperson Olson said she was in favor of retaining the storefront. Commissioner Lundh agreed. Chairperson Olson noted the storefront could be retained with the building reconstructed behind it.

Commissioner Knight stated that based on the construction budget, it is less expensive to fix it than to build new because it comes out to \$132/square foot. Mr. Neuses said American Trust will not lend money for the rehab. Commissioner Knight said the incentives take time. Commissioner Lundh noted timing is very important when phasing tax credit projects.

Commissioner McDonell reviewed the \$10-\$12/square foot lease rate for commercial space at this location. He questioned if this was sufficient for a reasonable return.

The Commission and Mr. Neuses discussed the purchase price, the assessed value and the appraised value.

Motion by Whalen, seconded by McDonell, to recommend City Council approval of the request as submitted. Motion failed by the following vote: Aye – McDonell and Cleek; Nay - Knight, Whalen, Olson, Lundh; Abstain – Rapp and Wand.

DESIGN REVIEW: Application of the City of Dubuque for a Certificate of Appropriateness to install a new roof on the City Hall building, a landmark located at 50 W. 13th Street.

Staff Member Wernimont presented the staff report, noting the types of roof materials being considered are Sunslates, solar electric roofing tiles and EcoStar slate replicas. He noted the original roof materials have not been determined.

Building Services Manager Rich Russell explained the process used for selecting the proposed alternatives. He provided samples of the two roof tiles.

Commissioner Wand asked whether EcoStar would be installed on the north side in either case and the Sunslates would be installed only the south side. Staff Member Russell stated this was the proposal

The Commission reviewed the samples. Chairperson Olson said nationally, preservationists have turned down the Sunslates tile. She felt however, that it is a sustainable measure, and in the lifetime of the building, roof tile is short term and replaced periodically. She noted the asphalt roof is not historic, and Sunslates is a sustainable option.

Commissioner Whalen asked about the product history. Staff Member Russell said the company is fairly new, and the technology continues to evolve.

Commissioner Wand noted that the three-story height of the building makes the roof difficult to see. He agreed with Chairperson Olson that this non-historic roof would replace another non-historic roof. He also agreed with Chairperson Olson that this is a sustainable option.

Commissioner Lundh asked about the economic return. Staff Member Russell reported he has not calculated the economic return based on Planning staff's direction that this information was not needed. He noted the EcoStar tile will be used if the Sunslates tile is not cost-effective. Commissioner Lundh was concerned about setting a precedent.

Commissioner Knight discussed that the Secretary of Interior's Standards are more relevant for views from pedestrian-level than the bluffs. Staff Member Carstens clarified that the Commission's decisions are not precedent-setting per the Ordinance. Commissioner Wand noted the Commission has approved pilot projects. Chairperson Olson suggested an educational campaign. Staff Member Russell noted that several views in the packet show it is difficult to see the roof from the street level.

Commissioner Lundh asked how visibility from the public way is determined. Staff Member Wernimont explained this was determined from any public right-of-way, including disregarding fences and vegetation.

Commissioner Lundh asked about the schedule for roof replacement. Staff Member Russell explained it is pretty immediate, but because of budget concerns, it has been pushed back to October 2009.

The Commission discussed with Staff Member Russell the cost benefit analysis of the Sunslates product. Staff Member Russell noted the Sunslates Company deals with residential, and has not been able to provide answers for this commercial building. Commissioner Cleek asked if there are other companies and can they be contacted. Staff Member Russell said there are and they can be.

Commissioners discussed sustainability and appearance of the roof tile options,

Motion by Wand, seconded by Whalen, to approve roof replacement with the following conditions:

- 1) The EcoStar imitation slate roof tile be used for the north side and Sunslates solar roof tile be used for the entire south side (without patchwork appearance).
- 2) If the City determines the Sunslates is not cost effective, approve the EcoStar tiles for the entire roof.
- 3) If there is new technology available before the Sunslates product is used, that the City bring back this new technology for HPC review unless the Planning Services

Department staff determines the new technology is better looking, then staff can sign off.

Motion was approved by the following vote: Aye – Cleek, Whalen, Knight, Wand, Olson, Rapp and McDonell; Nay – Lundh.

ITEMS FROM PUBLIC: Staff Member Wernimont stated that Julie Loft has asked the Commission for direction on changing the improvements from the previous Certificate of Appropriateness for 609-617 Arlington. The Commission directed staff to inform Ms. Lott to submit the necessary application materials for a design review.

ITEMS FROM COMMISSION:

Final Revisions to the Historic Preservation Ordinance: Staff Member Carstens reviewed the final draft of the Historic Preservation Ordinance includes additional definitions, reorganization of the ordinance, streamlining of the nomination process by bringing Chapter 11 into Chapter 25 regarding conservation districts, streamline the demolition process, and adding conservation planning areas.

Motion by Whalen, seconded by Wand to approve the final revisions to the Historic Preservation Ordinance and recommend approval to the City Council as submitted. Motion carried by the following vote: Aye – Whalen, Cleek, Knight, Wand, Olson, Rapp, Lundh and McDonell; Nay – None.

Approved Work Order Notice: The Commission reviewed the proposed Approved Work Order Notice draft submitted by staff. Discussion followed on size of the Notice, and whether to use a yard sign or a window sign.

Motion by Wand, seconded by Whalen, to approve the Notice of Approved Work Order Notice with the following changes:

- 1) Change font size and center the text,
- 2) Add the Certificate of Appropriateness number to the Work Order Notice, and
- 3) Change the paper color of the Notice each year.

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

HPC Design Review Drawings: The Commission discussed the options presented and the benefits of establishing a design grant program of up to \$500 per grant, using \$5,000 from the Historic Preservation Housing Grant Program for income-eligible applicants.

Motion by Wand, seconded by Cleek, to approve the HPC drawing design proposed as submitted, using \$5,000 from the existing Historic Preservation Housing Grant Program to

fund up to \$500 per grant for grant applicants, and ask for \$5,000 additional in FY10 CDBG budget. Motion by, seconded by, to approve the request as submitted. Motion carried by the following vote: Aye – Whalen, Cleek, Knight, Wand, Olson, Rapp, Lundh and McDonell; Nay – None.

ITEMS FROM STAFF:

Building Services Dept. – Status Report on Historic Preservation Enforcement:

- 1017 Bluff: Chairperson Olson updated the Commission on the August 12, 2008 work session for 1017 Bluff. She noted the Commission approved the design at the work session. Discussion followed.
- 1163 Highland: Discussion was held concerning the status of the sale of the home.

Historic Preservation Commission Bylaws: The Commission reviewed the updated bylaws submitted by staff.

Motion by Wand, seconded by Whalen to approve the Historic Preservation Commission Bylaws as presented. Motion carried by the following vote: Aye – Cleek, Knight, Whalen, Wand, Olson, Rapp, Lundh and McDonell; Nay – None.

Four Mounds Archeological Survey (final): The Commission reviewed the report.

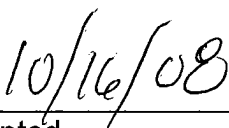
Motion by Wand, seconded by Whalen, to approve the Four Mounds Archeological Survey as submitted and forward it to City Council. Motion carried by the following vote: Aye – Cleek, Knight, Whalen, Wand, Olson, Rapp, Lundh and McDonell; Nay – None.

ADJOURNMENT: Motion by, seconded by, to adjourn the meeting. Motion carried by the following vote: Aye – Whalen, Olson, Wand, Knight, Cleek, Rapp, Lundh and McDonell; Nay – None. The meeting adjourned at 7:45 p.m.

Respectfully submitted,



Laura Carstens, Planning Services Manager



Adopted