

Historic Preservation Commission
Regular Meeting
January 21, 2016

- 1) The meeting was called to order at 6:00 p.m.
- 2) Roll Call.
Present: Kathy Bruxvoort, Jim Mansueto, Rhonda Kermode, Kent Oppenhuizen.
Absent: Julie Heerema Mueller.
Others Present: George Wesselhoft.
- 3) Elections for 2016 Officers
 - a) Chair. The Commission voted to elect Jim Mansueto again as Chair.
 - b) Vice Chair. The Commission voted to elect Kathy Bruxvoort again as Vice Chair.
- 4) Approval of Minutes – January 7, 2016 Meeting. The minutes were approved.
- 5) Recommendation on Draft Historic Overlay District Ordinance.

George Wesselhoft reviewed the changes made as follow up to the last meeting. Page 1 the signatures for the 60% petition was deleted with the statement added to follow existing City Code for rezoning process. In particular, he noted the significant provisions where if protest be presented by the owners of twenty percent (20%) or more of the area of the land area included in such proposed change, then it would take at least three-fourths (3/4) of all the members of the City Council or 5 out of 6 Council votes to pass.

Kathy Bruxvoort asked whether the changes proposed are the same as the Planning and Zoning Commission follow now.

Mr. Wesselhoft responded in the affirmative, that basically we would be defaulting to current procedure. He added that he conferred with the City Attorney and that can you have a rezoning request submitted by another entity other than the City or property owner but it would take a City initiated rezoning. So they would petition City Council and ask to consider the area for overlay district and it would be a City initiated process following the existing rezoning procedures.

Jim Mansueto asked whether the 20% is based on lots or land area.

Mr. Wesselhoft responded land area.

There was discussion about the 20% protest rule under existing rezoning procedures.

Ms. Bruxvoort stated she was not at the meetings where it was discussed to go from the 60% petition to the 20% protest rule but putting this in the ordinance now is for ease of going through City Council now by falling back on Planning and Zoning rules.

Mr. Manseuto mentioned he can see why you would want it standardized versus different.

Rhonda Kermode added that if you get 20% objection it does not necessarily mean it is done, you just need the supermajority. So they petition City Council and then it goes to?

Mr. Wesselhoft responded if City Council would agree to City initiated rezoning then it would start with the Historic Preservation Commission at a hearing and you would have to evaluate whether it meets all the criteria of the ordinance with supporting documentation. There would also be public hearings at Planning and Zoning Commission and City Council.

Mr. Mansueto asked about the timing in so far as Will Page's effort.

Ms. Kermode stated they would need the site inventories for every property.

There was further discussion about how to propose a district.

Mr. Wesselhoft mentioned the next change was adding demolition permit to alterations requiring historic review. Alterations which do not require a permit currently only having voluntary historic review as this was a concern of City Council.

The Commission consensus was in agreement with the changes.

Ms. Kermode asked about the demolition permit language and would that be defined as having historic review.

Mr. Wesselhoft respond it would be treated the same as a building permit if it is alteration it would need a certificate of appropriateness.

Mr. Mansueto asked if demolition permit review is voluntary or would require historic review.

Mr. Wesselhoft responded it would require.

Ms. Kermode asked whether change should be made to the Design Handbook for demolitions.

Mr. Wesselhoft mentioned Dubuque as one example has very stringent requirements and did not think the Commission based on prior meeting review would want to go to that level. He mentioned the economic hardship provisions of the draft ordinance and that someone could appeal including appeal to City Council.

Ms. Kermode mentioned that actually tearing a historic structure down changes the character of the neighborhood unless the house is irreparable.

The Commission discussed what could be added to the Design Handbook respective of demolitions.

Jim Mansueto stated he likes the significance term as in Chicago they just buy old houses and tear them down. If it is a contributing property then.

Rhonda Kermode asked for economic hardship would the applicant have to prove they do not have the means or would they have means but would not make a return.

George Wesselhoft suggested that it would probably be case by case basis and they might even have to have the City Attorney weigh in depending.

The Commission voted to recommend approval of the ordinance as long as the Design Handbook was amended to add language for demolitions. Mr. Wesselhoft mentioned this would be requested for February 2 Policy & Planning discussion of City Council and it would be highly recommended that Commission members attend this meeting or as many as possible. He would send out an email reminder.

6) The meeting was adjourned at 6:52 p.m.

Respectfully submitted,
George Wesselhoft
Planning and Zoning Director