

MINUTES
HISTORIC PRESERVATION COMMISSION REGULAR MEETING,
Thursday, January 28, 2016 @ 4:30 p.m.
Training Room, City Hall, 101 First Street SE

Members Present: Amanda McKnight-Grafton Chair
Todd McNall
Bob Grafton
Ron Mussman
Tim Oberbroeckling
Mark Stoffer Hunter
Barb Westercamp
Pat Cargin
BJ Hobart

Members Absent: Sam Bergus
Caitlin Hartman

City Staff: Jeff Hintz, Planner
Anne Russett, Planner
Jennifer Pratt, Community Development Director
Kevin Ciabatti, Building Services Director

Call Meeting to Order

- Amanda McKnight Grafton called the meeting to order at 4:34 p.m.
- Nine (9) Commissioners were present with two (2) absent.

1. Public Comment

- No public comment

2. Approve Meeting Minutes

- Tim Oberbroeckling made a motion to approve the minutes from January 14, 2016. BJ Hobart seconded the motion. The motion passed unanimously.

3. Action Items

a) Certificates of Appropriateness

i. 1744 2nd Avenue SE – replacement of three windows on house

- Jeff Hintz stated that this project is for the replacement of three windows on the west side of the first floor. The applicant is proposing vinyl windows that are 6-7 inches shorter for a kitchen remodel. Existing trim will be cut then reused and the gap below the windows will be filled with wood lap siding to match the existing walls. Mr. Hintz shared a picture of the windows as well as the guidelines for windows. Staff recommends approval as submitted because it is consistent with past approvals of the Commission, this change is to the side elevation towards the rear which is not readily noticeable to passersby, three

windows would all be installed at the same height, the replacement wall material matches the existing, the original window trim is being cut and reused, no character defining features are being modified, and it keeps the property maintained and in use. The Commission has the following alternative actions: approve with modifications agreeable to the applicant, deny the application, or defer to a future meeting.

Mark Stoffer Hunter arrived at the meeting at 4:40 p.m.

- Tim Oberbroeckling stated that he would like to defer discussion until the applicant is in attendance because the windows can be seen from the street and they should be wood.
- Bob Grafton stated that he has a concern because there was an applicant who stated that he would use existing trim for windows, but the contractor who installed the windows did not use that existing trim and used brick molding trim. Mr. Grafton wanted to note to the applicant that the siding infill should be staggered on the lap joints. If there is a motion to defer then Mr. Grafton would volunteer to be the liaison to work with the applicant.
- Anne Russett stated that it would be helpful for the Commission to express their concerns now so that staff can relay those to the applicant before the next meeting.
- Jennifer Pratt shared concerns that having a liaison may get the applicant's hopes up that their project will be approved if they agree to the recommendations by the liaison. Bob Grafton stated that it would be fact finding only and he would not be making any recommendations.
- Tim Oberbroeckling made a motion to defer this item for discussion at the next meeting when the applicant is in attendance and have Bob Grafton meet with the applicant for fact finding purposes. Ron Mussman seconded the motion. The motion passed with BJ Hobart opposing. (Todd McNall and Barb Westercamp were not in attendance for voting.)
- BJ Hobart stated that fact finding should not be necessary when a request has been put in and the applicant should be at the meeting to discuss or defend. Ms. Hobart believes that the windows should be wood.

Todd McNall arrived at the meeting at 4:46 p.m.

4. New Business

a) Presentation and Discussion on Demolition Review Process and Procedures

- Jeff Hintz stated that at the January 4, 2016 HPC Chapter 18 update sub-committee meeting demolitions and photo documentation was discussed. The sub-committee requested a presentation of the process and procedures currently in place. Mr. Hintz shared the current demolition review process flowchart. The following is the current role of the Commission:

Step 1: Determine if building is historically significant:

- Confirmed by HPC-reviewed historic surveys
- If HPC-reviewed survey finds the building not historic, Commission must justify historic determination using definition of "historically significant building"
- If not surveyed, use definition of "historically significant building" to make determination

Defined by 18.02 (1) – "**Historically significant building:** A principal building determined to be fifty (50) years old or older, and;

- The building is associated with any significant historic events;
- The building is associated with any significant lives of persons;
- The building signifies distinctive architectural character/era;
- The building is associated with the lives of persons significant in our past;

- The building is archeologically significant.”

Step 2a: Determination – not historically significant:

- Property must be released
- Options outlined in 18.10 (g) (e.g. photo documentation) are not applicable due to non-historic status of property

Step 2b: Determination - historically significant:

- 18.10 (g) outlines options which could be pursued with the consent of owner
- If the Commission wishes to explore any of these options a 60-day demolition hold may be placed
- If the Commission does not wish to explore any of these options a 60-day demolition hold is not appropriate

The following are options to explore under 18.10 (g):

- The building can be considered for landmark designation.
 - Rehabilitation the building with the assistance of State or Federal tax incentives or other private financial assistance
 - Adapting the building to a new use.
 - Finding a new owner who is interested in preserving/rehabilitation the building.
 - Incorporating the building into the owner/applicant's redevelopment plans.
 - Assisting in finding a different location for the owner's redevelopment.
 - Moving the building to an alternative location.
 - Salvaging building materials if the structure is to be demolished.
 - Documenting the building prior to the issuance of a demolition permit.
- Jeff Hintz stated that staff documents any property on the agenda from the right-of-way prior to the Commission meeting. Additional documentation may be requested when a building is determined historically significant, but it is not mandatory and it requires consent of the property owner.
 - Bob Grafton asked staff to email the slides from this presentation to the Commission.
 - Pat Cargin asked if this covers historic landscaping. Jeff Hintz stated that this is only for buildings since changes to a building may require a building permit and thus a historic review, but the Commission has expressed the desire to add carriage houses and some other accessory structures which are not currently subject to review.

b) Presentation and Discussion on Certificate of No Material Effect Process and Procedures

- Jeff Hintz stated that on January 7, 2016 staff received questions from Commissioners about an administrative approval (CNME) at 1711 Blake Blvd SE from summer 2015. Staff wanted to take this opportunity to provide information on the Certificate of Appropriateness (COA) and Certificate of No Material Effect (CNME) processes. Mr. Hinz reviewed the initial process:
 - Application submitted to the Community Development Department (CD) for processing and review.
 - CD Staff reviews the application and evaluates the proposed project in order to:
 - Determine consistency with Guidelines
 - Identify building’s significant features per the SHPO approved site inventory form, done by preservation professional
 - Based on the staff analysis, the proposed project moves on one of two tracks, the COA or the CNME.

Mr. Hintz reviewed the CNME process:

- Staff level administrative approval
 - Certifies no defining architectural features are being changed in material or general appearance
 - Issued when the contemplated work has no effect on any significant architectural features as indicated on the site Inventory Form
- Examples include re-roofing, replacement of steps, and repairs to siding when utilizing historic materials
- Next Steps
 - Applicant takes CNME and obtains building permit
 - Permit obtained and work commences
 - Final inspection

Mr. Hintz stated that 43 CNME's were issued in 2015: 21 for reroofing (roof element repair or chimney repair), 7 for wall repairs or tuck-pointing, 5 for porch repairs, 3 for fence repairs, 3 for installation of signage, 3 for wood window replacement, and 1 for installation of ADA ramp.

Mr. Hintz reviewed the COA process:

- Reserved for work which could potentially impact defining features of a building.
- Non-administrative and requires Commission review.
- Any uncertainty from staff results in the application being referred to the Commission.
- CD Staff informs applicant the changes contemplated are not eligible for administrative review and require COA from the HPC.
- CD staff prepares a report to the Commission with:
 - Project description
 - Defining features from Site Inventory Form
 - Guidelines recommendations related to project
 - Analysis of proposal to guidelines and past approvals
 - Recommendation to Commission
 - Alternative recommendation to Commission
- If the Commission approves the project, a COA is given to the applicant with the details of the approval. The applicant takes this and is able to obtain a building permit for the work.
- Permit obtained and work commences
- Final inspection

Mr. Hintz stated that 20 COA's were issued in 2015: 8 for window replacement of some kind, 3 for accessory buildings, 3 step replacements, 2 fences, 1 solar panel project, 1 door replacement, 1 chimney removal, and 1 addition. Jeff Hintz stated that a suggested improvement is to provide monthly updates in the HPC agenda packet on any CMNEs issued.

- Bob Grafton stated that some of the projects that have taken place where doors were removed without a permit. Where does that fall? Jeff Hintz stated that knocking the hinges out and putting up a door does not require a permit so there is no way for staff to know that is happening. Bob Grafton asked about taking the door frame out as well. Anne Russett stated that if you just remove door there is no permit needed, but if they

remove the frame then they would need a permit and a historic review. Jeff Hintz stated that if the applicant is not doing something within the guidelines it will not get approved.

- Anne Russett stated that there was discussion in the sub-committee meeting about projects that do not currently require permits that the Commission would like to see. Todd McNall stated that would be specific to the Historic District so that would take education on the Commissioner's part to the home owner to let them know. Jennifer Pratt stated that it is still unclear if that would need a building permit or just a review from the Commission.
- Amanda McKnight Grafton stated that the other item for the Chapter 18 sub-committee is that currently, there is a situation where a CMNE was issued because someone was going to put up a fence and because there were existing fence posts it was assumed that there was a fence there at one time; therefore, it would be a CMNE. Jeff Hintz stated that Building Services investigated and a building permit was not required because the posts were already there, and therefore, it was not applicable for a historic review. Ms. McKnight Grafton would like that to be discussed in the Chapter 18 sub-committee meetings.
- Mark Stoffer Hunter asked what the Commission thinks about the suggested improvement to have staff provide a monthly update in the HPC agenda packet on any CMNEs issued. The Commission would like to get an email from staff when there is a CMNE instead of an update in the packet.
- Pat Cargin stated that if a door and door frame is damaged by robbery or fire and the homeowner needs something temporary to lock their house the Commission needs to consider that what the homeowner puts up may not meet the criteria for the historic district.

Barb Westercamp arrived at the meeting at 5:16 p.m.

5. Knutson Building

a) Responses to Questions Regarding the National Historic Preservation Act

- Jennifer Pratt stated that at the January 14, 2016 meeting an HPC member asked if Section 106 applies to the Knutson Building and does it constitute a federal undertaking. The following is a response from HR Green:
 - Section 106 *does not apply* to the Knutson building because there is not an associated federal undertaking (e.g. funds, permits) associated with this project
 - Any future federal undertaking is specific to the Flood Control System (FCS)
 - The FCS can be constructed regardless of Knutson building activities

It was also asked at the same meeting if Section 110 (k) is applicable to the Knutson building. The following is a response from HR Green:

- Section 110 (k) *does not apply* to the Knutson building because there is not an associated federal undertaking (e.g. funds, permits) associated with this project
- Any future federal undertaking is specific to the Flood Control System
- The FCS can be constructed regardless of Knutson building activities

An HPC member asked additional questions on January 25, 2016. The following is the response from HR Green:

- Section 110 (k) does not apply:
 - Knutson building is owned by the City and not a Federal agency
 - City is not circumventing the Section 106 process because that process has not been triggered
- USACE Permits for FCS:
 - Joint application for permits were submitted to the USACE in May 2015

- Joint application starts the process for USACE concurrence with the overall concept of the FCS
- Ms. Pratt stated that the FCS Master Plan is a long-term plan:
 - This section of the alignment is anticipated to commence 5-10 years from Plan adoption (June 2015)
- The following are additional responses from HR Green:
 - City initiative to stabilize and mothball the Knutson building is a separate action from the Flood Control System project
 - “Under evaluation” was used to indicate that the site and design were underway, but not complete for a scheduled open house
 - During the planning process for the FCS it was determined that impact to the Knutson building could be avoided
- Ms. Pratt shared a map of the Flood Control System Master Plan showing the retaining wall around the Knutson Building. The Knutson effort and the Flood Control System are two separate projects:
 - Knutson project is not contingent upon Flood Control System
 - It has been determined that it is not necessary to demolish the Knutson building to construct the FCS
 - Adopted Flood Control System Master Plan identifies infrastructure that will avoid any impacts to the building
- Ron Mussman stated that he asked about specific permits. Anne Russett stated that the joint applications are the only applications for permits that have been submitted to date. Each segment will eventually need to go through an additional permitting process. Some of the segments will not start construction for 5-10 years. Mr. Mussman stated that one of the things that Section 106 looks at is early planning, so now is when these conversations need to happen. It is a requirement of the federal agencies to initiate things with SHPO. Jennifer Pratt stated that is a different issue than the Knutson Building. Mr. Mussman stated that his only goal is to try to save the Knutson Building. For some reason, a lot of people do not want to save that building, but he will use every effort to try and save it. Ms. Pratt stated that the City can build their Flood Control System without demolishing the Knutson Building, so the regulations are not applicable.
- Todd McNall asked if staff has talked to SHPO about this. Anne Russett stated that she has talked to SHPO and it is the federal agency that makes the determination when Section 106 applies. Staff has been working with the Army Corp for several months and with the consultants and they are identifying ways for the Flood Control System in anticipation that Section 106 may kick in at some point to identify potential impacts.
- Ron Mussman asked if the house on 20th Ave SW deserves the same consideration. Anne Russett stated that staff can look at that. Jennifer Pratt stated that staff has identified those properties. Mr. Mussman stated that there are a lot of conversations going on that the Commission is not privy to and they should be. Mr. Mussman would like the presentation emailed to the Commission.
- Tim Oberbroeckling stated that at the last meeting staff mentioned that someone was interested in purchasing the Knutson Building and asked if anything has materialized from that. Jennifer Pratt stated that there is walkthrough scheduled on February 2, 2016.

b) Project Update

- Jennifer Pratt stated that Ryan Companies identified four (4) national firms for the City to contact regarding both abatement and stabilization. Staff reached out to all four (4) firms. One firm is preparing additional information for City review, another one did not specialize in the type of work needed, and the other two (2) have been unresponsive to

date. If a firm is identified further action would be needed by the City Council, but it will come to the Commission first for a recommendation.

- Todd McNall asked if anyone else can go into the building during the walkthrough on Tuesday. Anne Russett does not recommend additional people going through the building, but that is Building Services' decision. Kevin Ciabatti stated that the walkthroughs are limited only for people who are interested in doing work with the building. Mark Stoffer Hunter stated that he has pictures of the inside of the Knutson Building from two years ago that he could share that capture the historic features of the building.
- Amanda McKnight Grafton asked if the Commission could get an update prior to it going to City Council if one of the firms says they can do the work. Anne Russett stated that this item will stay on the agenda for updates. Staff will request a recommendation from the HPC prior to a Council meeting.

6. Preservation Showcase 2016 Update

- Bob Grafton, Tim Oberbroeckling, and Amanda McKnight Grafton gave an update on the progress for the 2016 Preservation Showcase.
- Anne Russett stated that staff will check on putting an ad for the showcase in Our CR.

7. MOA/LOA Project Updates

- Anne Russett stated that the Central Fire Station MOA has been closed and a letter from FEMA was received stating that the City met all of their obligations under that MOA and FEMA met its Section 106 obligations.
- Anne Russett stated that Ed McMahon will be presenting at the library February 4, 2016 at 6:30 p.m. It is free and will count towards the Commission's training. Ron Mussman asked if there will be a recording available for those who will not make it to the presentation. Anne Russett stated that staff will look into that.

8. Announcements

- There were no announcements.

9. Adjournment

- Barb Westercamp made a motion to adjourn the meeting at 5:52 p.m. Todd McNall seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Anne Kroll, Administrative Assistant II
Community Development

Knutson Building – Responses to Questions Regarding the National Historic Preservation Act

National Historic Preservation Act Questions

- Responses to questions from HPC member at 1/14 HPC meeting
- Does Section 106 apply to the Knutson building? Does this constitute a federal undertaking? Why or why not?
- Response from HR Green:
 - Section 106 *does not apply* to the Knutson building because there is not an associated federal undertaking (e.g. funds, permits) associated with this project
 - Any future federal undertaking is specific to the Flood Control System
 - The FCS can be constructed regardless of Knutson building activities

National Historic Preservation Act Questions

- Is Section 110 (k) applicable to the Knutson building?
- Response from HR Green:
 - Section 110 (k) *does not apply* to the Knutson building because there is not an associated federal undertaking (e.g. funds, permits) associated with this project
 - Any future federal undertaking is specific to the Flood Control System
 - The FCS can be constructed regardless of Knutson building activities

National Historic Preservation Act Questions

- Responses to additional questions from HPC member received on 1/25

Additional Responses from HR Green:

- Section 110 (k) does not apply:
 - Knutson building is owned by the City and not a Federal agency
 - City is not circumventing the Section 106 process because that process has not been triggered

National Historic Preservation Act Questions

Additional Responses from HR Green:

- USACE Permits for FCS:
 - Joint application for permits were submitted to the USACE in May 2015
 - Joint application starts the process for USACE concurrence with the overall concept of the FCS

FCS Master Plan is a long-term plan:

- This section of the alignment is anticipated to commence 5-10 years from Plan adoption (June 2015)

National Historic Preservation Act Questions

Additional Responses from HR Green:

- City initiative to stabilize and mothball the Knutson building is a separate action from the Flood Control System project
- “Under evaluation” was used to indicate that the site and design were underway, but not complete for a scheduled open house
- During the planning process for the FCS it was determined that impact to the Knutson building could be avoided

Figure III - 28: West Side Project Area, Page 9 of 13

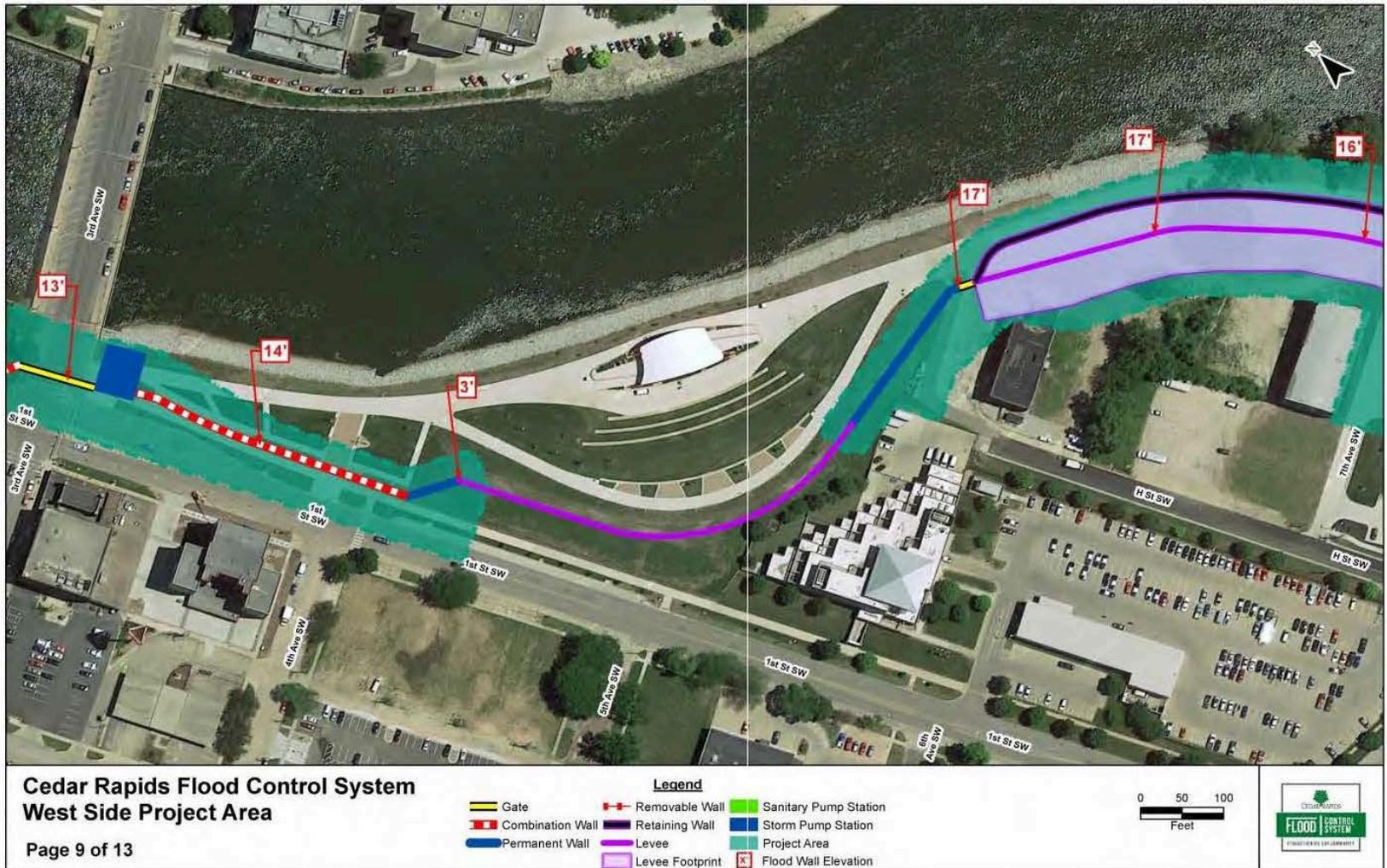


Figure from adopted Flood Control System Master Plan showing retaining wall around the Knutson Building

Point of Clarification

- The Knutson effort and the Flood Control System are two separate projects
 - Knutson project is not contingent upon Flood Control System
 - It has been determined that it is not necessary to demolish the Knutson building to construct the FCS
 - Adopted Flood Control System Master Plan identifies infrastructure that will avoid any impacts to the building

Knutson Building – Project Update



Project Update

- Ryan Co. identified 4 national firms for the City to contact regarding both abatement and stabilization
- Staff reached out to all 4 firms:
 1. Preparing additional information for City review
 2. Does not specialize in the type of work needed
 3. Unresponsive to date
 4. Unresponsive to date
- If a firm(s) is identified:
 - Would need further action by the City Council