



AGENDA
**HISTORIC PRESERVATION/
DESIGN REVIEW COMMISSION**

Members

- Chairperson Tim Siebert
- Vice Chair Peter Munck
- Alderperson Marc Christianson
- Erik McFarland
- Sarah Scripps
- Carol Molepske (Alternate 1)
- Jordan Hornung (Alternate 2)

Date and Time: October 19, 2022
5:00 PM

Location: Community Room
933 Michigan Avenue, Stevens
Point, WI

OR

Zoom Teleconferencing

Meeting ID: 817 9260 4430

Passcode: 777683

By

Computer: <https://us02web.zoom.us/j/81792604430?pwd=azJBRjM4NWl2SHRBVXdWSFdLVFNhUT09>

By Phone: +1-312-626-6799 (US
Chicago)

Opening Section:

1. Roll Call

Discussion and Possible Action on the Following:

2. Minutes of the September 28, 2022 meeting of the Historic Preservation / Design Review Commission.
3. Discussion on a draft demolition by neglect ordinance.

Closing Section:

4. Adjourn

PLEASE TAKE NOTICE that any person who has special needs while attending these meetings or needs agenda materials for these meetings should contact the City Clerk as soon as possible to ensure that a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569 or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Maps further defining the above area(s) may be obtained from the City of Stevens Point Department of Community Development, 1515 Strongs Avenue, Stevens Point, WI 54481, or by calling (715) 346-1567, during normal business hours.

PLEASE TAKE FURTHER NOTICE that a quorum of the Common Council may be in attendance at this meeting.

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REPORT OF THE HISTORIC PRESERVATION / DESIGN REVIEW COMMISSION

September 28, 2022 – 3:30 PM
933 Michigan Ave, Stevens Point, WI 54481

PRESENT: Alderperson Christianson, Commissioner McFarland, Commissioner Hornung.

ALSO PRESENT: Associate Planner/Zoning Administrator Kuhn, Technician Mohr, Dale Warner and unidentified audience members via Virtual Zoom Meeting.

INDEX:

Opening Section:

1. Roll Call

Discussion and Possible Action on the Following:

2. Selection of a temporary chairperson for the September 28, 2022 meeting of the Historic Preservation / Design Review Commission.
3. Report of the August 10, 2022 meeting of the Historic Preservation / Design Review Commission.
4. A request from Dale Warner for a design review to install a new window on the building located at 2101 Clark Street (Parcel ID 281240833200604).

5. Staff Updates:

- Design Guidelines of the Historic Preservation / Design Review Commission.

Closing Section:

6. Adjourn
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Opening Section:

1. Roll Call

Present: Christianson, McFarland, Hornung

Excused: Siebert, Munck

Absent: Molepske, Scripps

Discussion and Possible Action on the Following:

2. Selection of a temporary chairperson for the September 28, 2022 meeting of the Historic Preservation / Design Review Commission.

Motion by Commissioner McFarland to nominate Marc Christianson as Temporary Chairperson; seconded by Commissioner Hornung.

Motion carried 3-0.

3. Report of the August 10, 2022 meeting of the Historic Preservation / Design Review Commission.

Motion by Commissioner Hornung to approve the report of the August 10, 2022 meeting of the Historic Preservation / Design Review Commission; seconded by Commissioner McFarland.

Motion carried 3-0.

4. A request from Dale Warner for a design review to install a new window on the building located at 2101 Clark Street (Parcel ID 281240833200604).

Associate Planner/Zoning Administrator Kuhn summarized the request for design review to install a new window on the building located at 2101 Clark Street. Staff saw no major concerns with the request.

Dale Warner, applicant, provided testimony reiterating the efforts over his multi-phase home project through the years. The window would provide additional natural light.

Commissioners had the following comments:

- Consensus that the proposed work would compliment the residence, as well as enhance the façade, especially considering that the window would not be installed on a principal elevation.

Motion by Commissioner McFarland to approve the request from Dale Warner for a design review to install a new window on the building located at 2101 Clark Street (Parcel ID 281240833200604) with the following:

1. The new window shall contain a maximum of three window panes. An updated window design shall be submitted to the Designated Agent for review and approval.
2. Caulking and weather stripping shall be installed to ensure that the new window is weather tight.
3. Staff shall have the ability to approve minor amendments to the approved project plan.

seconded by Commissioner Hornung.

Motion carried 3-0.

5. Staff Updates

- Design Guidelines of the Historic Preservation / Design Review Commission.

Associate Planner/Zoning Administrator Kuhn provided updates on the following:

- Summary of future projects the commission should expect to review and take on, as indicated in the staff memo within the agenda packet.
- Details of a Historic Conference in Rothschild, noting that attendance would need to be noted to properly post for a quorum of needed.

Closing Section:

6. Adjourn.

Meeting adjourned at 3:48 PM.

A recording of this meeting can be viewed/heard at: <https://stevenspoint.com/365/AgendasMinutesVideos>



MEMORANDUM

To: Historic Preservation / Design Review Commission

From: Adam Kuhn, Associate Planner / Zoning Administrator

Date: October 19, 2022

RE: Discussion on Proposed Demolition by Neglect Ordinance

Commissioners –

As you may recall, the Commission has had ongoing discussions over several months regarding the concept of demolition by neglect and how the enforcement of neglect can be codified into an ordinance. For the last few weeks, Attorney Beveridge and I have been working on the attached ordinance that is presented to you for your initial thoughts this evening. The following provides greater detail as to what demolition by neglect entails, why there has been an interest in establishing a demolition by neglect ordinance and specifics about the draft ordinance.

Defining Demolition by Neglect: Demolition by neglect is the process of allowing buildings, streetscape or site improvements in historic and design review districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair. As eluded earlier, this proposed ordinance would apply solely to properties that are located within the City's historic districts, design review district and landmarks that have been locally recognized by the Common Council. A visual representation of these properties where a demolition by neglect ordinance would apply are included within this agenda packet for reference.

The concept of demolition by neglect is to address structural and site deficiencies that do not meet State mandated requirements for a raze or repair order to be issued by the City's Building Inspector. In turn, demolition by neglect include situations that are generally deemed 'minor' in the interim but has a high likelihood to compound into major health and safety issues if left unaddressed. Some examples of demolition by neglect include the following:

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- Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling or deterioration of flooring or floor supports, roofs, or other horizontal members that causes leaning, sagging, splitting, listing or buckling;
- Deterioration or crumbling of exterior plasters or mortars or ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
- Rotting, holes, and other forms of decay; and
- Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective coverings.

An illustrative example of demolition by neglect is when mortar begins to crack and crumble. Deteriorating mortar does not pose an immediate threat to the building, but if left unaddressed, is likely to impugn the structural integrity of the building. Cracked mortar would allow for water to penetrate the inner layers of a brick façade. This, coupled with Wisconsin's freeze and thaw cycles during the Spring months, would allow for retained water to expand, contract and ultimately harm the integrity of the brick façade.

Interest in a Demolition by Neglect Ordinance: The City's Historic Preservation Ordinance ([Chapter 22 of the City's Revised Municipal Code](#)) has gaps with respect to enforcing its purpose and intent – to protect and enhance sites of architectural and historic value. Although reactive enforcement provisions exist as to persons in violation with the ordinance (e.g., fines for work done without a permit), Chapter 22 lacks ordinance language relative to the proactive enforcement of historic buildings and sites. This reality held true over the last few decades with the razing of several historic buildings, most notably the partial razing of the Fox Theater in 2019. Provided that appropriate City officials enforces a demolition by neglect ordinance, it is my belief that situations where historic buildings are required to be razed should be eliminated in the future.

In early 2021, the Historic Preservation / Design Review Commission worked on establishing strategic goals that they would like to prioritize over the next five years. The adoption of a demolition by neglect ordinance was the first listed goal in the 2021-2026 Strategic Goals of the Historic Preservation / Design Review Commission.

The Proposed Ordinance: The draft ordinance included for your review highlights the procedures for determining whether or not demolition by neglect is occurring. Subsection four of the draft ordinance highlights the review standards that the City's Building Inspector and the Designated Agent of the Commission must observe in analyzing if demolition by neglect is occurring. If both City officials determine that demolition by neglect is occurring, a written notice of that determination is mailed to the property owner of the structure or improvement experiencing neglect. Such correspondence would outline the corrective actions that are required.

Upon a demolition by neglect determination, a meeting of the Historic Preservation / Design Review Commission is held to confirm, partially confirm or deny the ruling. If the Commission determines that demolition by neglect is occurring, details are provided to

the impacted property owner as to performing corrective actions that adhere to the Commission's Design Guidelines and a timeline to complete the work.

Similar to other enforcement actions, impacted property owners have the ability to appeal a demolition by neglect determination. An appeal of findings made by the Historic Preservation / Design Review Commission may be taken to the Common Council for their consideration. Lastly, the proposed ordinance provides safeguards to ensure that required remedies are, in fact, completed. If a property owner fails to remedy the situation within the timeline approved by the Commission, abatement by the City is a possibility.

Next Steps: The purpose of this meeting is to solicit feedback from the Commission on the proposed ordinance. If you have any questions, please do not hesitate to contact me.

Division 5.07: Demolition by Neglect

- (1) Intent. To promote the purposes of historic preservation, this section requires that owners of historic properties maintain their properties and not allow them to fall into disrepair.
- (2) Definition. Demolition by neglect is the process of allowing buildings, streetscape or site improvements in historic and design review districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair.
- (3) Applicability. This section shall apply only to buildings and sites located within historic districts, design review districts and local landmarks that are recognized by the Common Council.
- (4) Conditions of Neglect. The owner of properties as outlined in Section 5.07(3) shall comply with applicable codes, laws and regulations that govern the maintenance of their property. Demolition by neglect shall include any one or more of the following situations of action or inaction:
 - (a) The deterioration of the exterior of the building or surrounding environment to the extent that it allows for a hazardous or unsafe condition, or, if left unaddressed, will result in a hazardous or unsafe condition in the near-term.
 - (b) The deterioration of the exterior of the building or surrounding environment to the extent that it adversely affects the character of the historic district, design review district or recognized landmark.
- (5) Procedure. The following are the procedures for determining whether or not demolition by neglect is occurring:
 - (a) Notice of Demolition by Neglect. If the Building Inspection Superintendent and Designated Agent, or designee, determines that a structure or improvement is undergoing demolition by neglect, the Building Superintendent shall give written notice of that determination to the owner of said structure or improvement. The Building Inspection Superintendent shall give a copy of the notice to the Designated Agent and the Chairperson of the Historic Preservation / Design Review Commission.
 - (b) Public Hearing. Within 30 days of receiving a notice from the Building Inspection Superintendent under subsection (5)(a), the Designated Agent shall issue a Class II Public Hearing Notice for the Historic Preservation / Design Review Commission to hold a public hearing to determine whether the structure or improvement is undergoing demolition by neglect. Such hearing shall occur no later than 45 days after the date of the notice of the

hearing. In reviewing the potential demolition by neglect, the Commission shall consider the following:

- 1) The historic or architectural value and significance of the structure or improvement and its relationship to the historic value of the surrounding area;
- 2) The relationship of the exterior architectural features of such structure or improvement to the remainder of the structure/improvement and to the surrounding area;
- 3) The general compatibility of the exterior design, arrangement, texture and materials under consideration;
- 4) Design guidelines as created by the Historic Preservation / Design Review Commission; and
- 5) Any other factor upon which the Historic Preservation / Design Review Commission deems pertinent.

(c) Findings. Within 14 days of the completion of the hearing under (5)(b), the Historic Preservation / Design Review Commission shall issue written findings to the Designated Agent. Such findings shall state whether demolition by neglect is occurring at the subject property and state the reasons therefore.

(d) Appeal of Findings. An appeal of findings made by the Historic Preservation / Design Review Commission may be taken to the Common Council by the owner of the affected structure or improvement and the Designated Agent. The Common Council shall hold a Class II public hearing regarding any appeal it receives. Documents presented to the Historic Preservation / Design Review Commission during their meeting shall be forwarded to the Common Council for their review. Following the public hearing, the Common Council may, by two-thirds vote, reverse or modify the findings made by the Historic Preservation / Design Review Commission, with or without conditions, or may refer the matter back to the Commission with or without instructions.

(6) Enforcement.

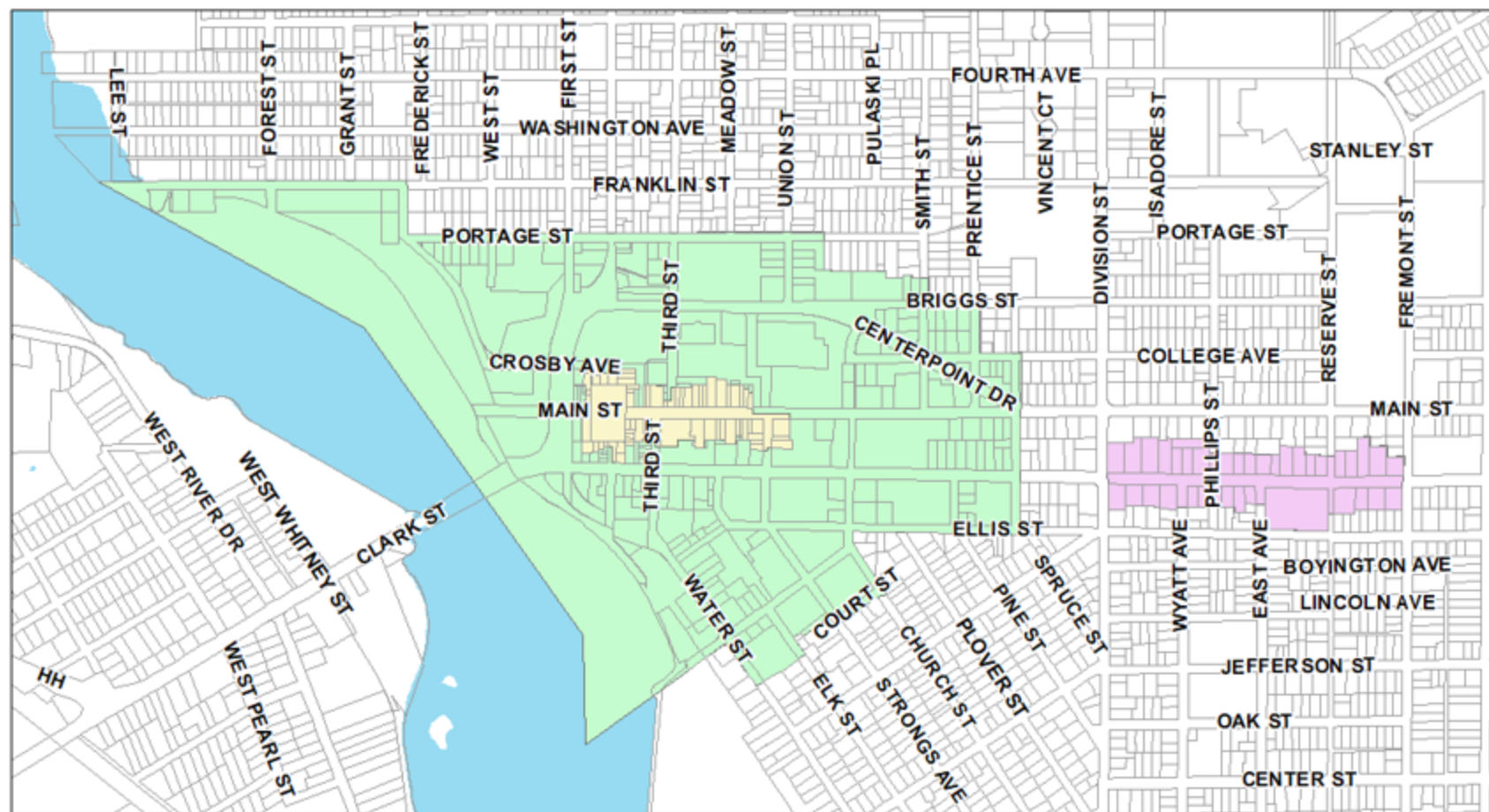
(a) Order to Abate. If the Historic Preservation / Design Review Commission finds that demolition by neglect is occurring, the Building Inspection Superintendent and Designated Agent shall issue an order incorporating such findings and requiring the property owner to remedy or abate the condition described in the order within a reasonable time period specified within such order.

(b) Abatement by the City. If the property owner fails or refuses to comply within the time period described, the Building Superintendent reserves the

right to issue citations to the property owner to remove or abate the issue. If the structure or improvement possesses immediate concerns regarding the health, safety or general welfare of affected parties as determined by the Building Superintendent, the Building Superintendent may enter upon the premises and cause said structure or improvement to be removed or abated and the City shall recover the expenses incurred thereby from the property owner.

- (c) Acquisition by the City. If the Historic Preservation / Design Review Commission finds under Sec. 5.07(5) that a structure or improvement is undergoing demolition by neglect, the Common Council may authorize the City to acquire the property consistent with State Statutes.
- (d) Building Permit Required. Before work commences to comply with an order issued under (6)(a), an application for a building permit shall be submitted and no work shall begin before the issuance of a building permit. Said work shall receive the approval of the Designated Agent prior to permit issuance.
 - 1) Corrective measures that are considered a 'major work' per Historic Preservation / Design Review Commission Design Guidelines shall receive the approval of the Commission as part of a design review.

Historic and Design Review Districts



Legend

- | | |
|---|--|
| Mathias Mitchell Square District | Clark Street District |
| Deisgn Review District | Parcels |



1 inch = 720 feet



Stevens Point Historical Index

Description	Property or Building Name	Address	Year Built	Approval Date	State/Nation/Local
Building	Folding Furniture Works Building	1020 First Street	1920	7/29/1993	State/Nation/Local
Building	Fox Theater	1116-1128 Main Street	1910	7/26/1982	State/Nation
Building	Hardware Mutual Insurance Companies Building	1421 Strongs Avenue	1924	12/1/1994	State/Nation/Local
Building	Hotel Whiting	1408 Strongs Avenue	1923	9/13/1990	State/Nation/Local
Building	Jensen J.L. House	1100 Brawley Street	1915	7/28/1988	State/Nation/Local
Building	Kuhl Christina House	1416 Main Street	1886	1/9/1978	State/Nation/Local
Building	McMillan David House	1924 Pine Street	1950	12/16/1974	State/Nation
Building	Nelson Hall	1209 Freemont Street	1915	6/29/2005	State/Nation/Local
Building	Stevens Point State Normal School	2100 Main Street	1894	12/12/1976	State/Nation/Local
Building	Temple Beth Israel	1475 Water Street	1905	3/1/2007	State/Nation/Local
Building	Frame Memorial Church	1300 Main Street	1865	11/17/1986	Local
Building	Church of the Intercession	1417 Church Street	1971	11/17/1986	Local
Building	Andrae House	1249 Clark Street	1880	11/17/1986	Local
Building	WI Bell Building	1045 Clark Street	-	11/17/1986	Local
Building	J.W. Moxon House	1700 College Avenue	1920	4/18/1988	Local
Building	Carl Hassell House	2317 Jefferson Street	1940	4/18/1988	Local
Building	Dr. Alfred Earl House	1924 Main Street	1910	4/18/1988	Local
Building	Edward McGlachlin House	2017 Main Street	1950	4/18/1988	Local
Building	A.J. Agnew House	1901-03 Pine Street	1915	4/18/1988	Local
Building	W.J. Clifford House	1554 Strongs Avenue	1960	4/18/1988	Local
Building	John Slothower House	1640 Main Street	1920	4/18/1988	Local
Building	Matthew Wadleigh House	2024 Main Street	1910	4/18/1988	Local
Building	Philip Rothman House	1716 Water Street	1938	4/18/1988	Local
Building	A.G. Green House	1501 Main Street	1890	5/16/1988	Local
Building	G.W. Green House	1424 Clark Street	1920	5/15/1989	Local
Building	Fisher house	1808 Clark Street	1935	4/18/1989	Local
District	Mathias, Mitchell Public Square District	-	-	8/13/1986	State/Nation/Local
District	Clark Street Historic District	-	-	-	Local District