



AGENDA

HISTORIC PRESERVATION/ DESIGN REVIEW COMMISSION

Members

- Chairperson Tim Siebert
- Alderperson Tori Jennings
- Mary McComb
- Sarah Scripps
- Joseph Debauche
- Eric McFarland (Alternate 1)
- Ginger Keymer (Alternate 2)

Date and Time: January 6, 2021
2:00 PM

Location: Via Zoom Teleconferencing:

By Computer:

<https://us02web.zoom.us/j/89355633185?pwd=dndGZGt2dkwrekFsQVhuMmt6c1RZQT09>

Meeting ID: 893 5563 3185

Passcode: 713277

By Phone:

+1 312 626 6799 US (Chicago)

Meeting ID: 893 5563 3185

Passcode: 713277

1. Roll Call

Discussion and Possible Action on the Following:

2. Introduction of Ginger Keymer as Commissioner of the Historic Preservation / Design Review Commission
3. Report of the November 11, 2020 meeting of the Historic Preservation / Design Review Commission
4. Request from Judah Haas, representing Alchemy Concrete, Inc., for a demolition and design review to demolish an existing deck and construct a new patio at 1009 First Street (Parcel ID 281240832200505).

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.

5. Roles and responsibilities of the Historic Preservation / Design Review Commission
6. 2021 strategic goals of the Historic Preservation / Design Review Commission
7. Staff Update
8. Adjourn

REPORT OF THE HISTORIC PRESERVATION / DESIGN REVIEW COMMISSION

November 11, 2020 – 2:00 PM
Zoom Conference Call Meeting

PRESENT: Commissioner Siebert, Alderperson Jennings, Commissioner Debauche, Commissioner McFarland, Commissioner McComb, and Commissioner Scripps.

ALSO PRESENT: Associate Planner/Zoning Administrator Kuhn, Secretary Mohr, Jenna Becker, and unidentified audience members via Virtual Zoom Meeting.

INDEX:

1. Roll Call

Discussion and Possible Action on the Following:

2. Report of the October 7, 2020 meeting of the Historic Preservation / Design Review Commission
3. Request from Jenna Becker for a facade grant and design review to replace existing second story windows, repair an existing chimney, repair loose brick and other general improvements at 1201 Main Street (Parcel ID 281240832202706)
4. Staff Update
5. Adjourn

1. Roll Call

Present: Siebert, Jennings, Debauche, McFarland

Absent: McComb, Scripps

Motion by Alderperson Jennings to assign Alderperson Jennings as temporary Chairperson; seconded by Commissioner McFarland.

Motion carried 4-0.

2. Report of the October 7, 2020 meeting of the Historic Preservation / Design Review Commission

Motion by Alderperson Jennings to approve the report of the October 7, 2020 meeting of the Historic Preservation / Design Review Commission; seconded by Commissioner McFarland.

Motion carried 4-0.

3. Request from Jenna Becker for a facade grant and design review to replace existing second story windows, repair an existing chimney, repair loose brick and other general improvements at 1201 Main Street (Parcel ID 281240832202706)

Associate Planner/Zoning Administrator Kuhn provided a summary of the request:

1. Applicant seeking for design review and façade improvement grant approval for exterior improvements:

- a. Replacement of second story windows.
 - b. Repair of deteriorated/cracked mortar, and loose bricks on building.
 - c. Repair of deteriorating chimney.
2. Reviewed material specifics and aerial of property.
3. Review of improvement costs and total reimbursement amount.
4. Applicant was available to answer questions if willing.
5. Reimbursement funds wouldn't be dispersed unless the project was completed which provided an extra safeguard that the work would be done in accordance to the requirements and design guidelines.

Commissioner McComb arrived at 2:04 PM

Commissioner Scripps arrived at 2:06 PM.

Commissioners had the following comments:

1. Landlords/property owner had failed to maintain building and was using façade grant to perform maintenance work that should have been done for a long time. However, building was significantly impacting the downtown area, so while there was frustration due to maintenance neglect, saw that City assistance could be a motivator to fix up property.
2. Inquiry as to why the chimney was being included as it was not part of the façade, nor visible from the street. Staff noted that the chimney was a structural component to the building, and provided to the overall aesthetic and feel, adding that the applicant would need to submit a detailed plan to state overall intent of repairs.
3. Inquiry if the boarded windows on the south façade would be replaced, as well as the first level main doors.
4. Heard horror stories of previous owner, neglect, and condition. Glad to hear new owner seemed to be caring for the property and repairing it.
5. Inquiry if remaining (3) chimneys would also be repaired.
6. Asked the applicant to elaborate on the interior repair work that had been performed.
7. Inquiry as to whether the upper level was occupied, and if not, if there were plans to occupy the space.
8. Statement regarding the clarification of new ownership, noting that they looked forward to the work the applicant was proposing.
9. Comment of the overall proposal being a good candidate for the façade grant.

Jenna Becker, applicant, provided the following details regarding comments and inquiries:

1. Everything on second floor that was boarded would be replaced.
2. Several doors and windows on the first floor had already been replaced on the first floor.
3. Had not been owner of the building for very long, however they had already remodeled several of the spaces, as well as had done some plumbing and electrical work.

4. Applicant had not tackled exterior work due to the sheer cost, noting the exterior had at least 60 windows.
5. Committed to the downtown and wanted to return building condition to a good state.
6. Had not personally been on the roof, but contractor had quoted for any deteriorated items or brick needing repair. Did not believe chimney was used aside as maybe a chase.
7. Noted that they had performed interior remodel of 3 tenant spaces, as well as plumbing, electrical, window and door replacements.
8. Upper level was not heated and did not believe area could be converted to apartment use. Currently rented space as art studio/storage for (3) UW-SP professors.

Motion by Commissioner Debauche to approve the request from Jenna Becker for a facade grant and design review to replace existing second story windows, repair an existing chimney, repair loose brick and other general improvements at 1201 Main Street (Parcel ID 281240832202706) with the following:

1. Gentle means shall be used when cleaning masonry prior to tuckpointing and other general maintenance; only organic non-toxic chemicals shall be used to clean.
2. Powerwashing or sandblasting shall be prohibited on any building components.
3. Type N mortar shall be used between masonry.
4. Window openings shall not be expanded beyond their original size.
5. The applicant shall submit final details regarding chimney repair, to be reviewed and approved by staff and the chairperson.
6. Staff shall have the authority to review and/or approve minor amendments to the project.
7. Applicable building permits shall be obtained.
8. All work shall be completed within one year.
9. The project shall adhere to Façade Improvement Grant Program guidelines.
10. No funds shall be disbursed until the project is fully completed.
11. The maximum City participation shall not exceed 40% of the total project cost of the bids and work approved.

	Improvements	Contractor			
		Melum Masonry	Whelihan Glass LLC	A & I Exteriors and Home Improvements LLC	Don Dulak & Son Masonry Inc.
1.	Repair chimney, repair damaged bricks, repair mortar joints	\$15,200.00			\$28,500.00
2.	Replace second story windows		\$54,648.47	\$50,433.46	
	TOTAL	\$15,200.00	\$54,648.47	\$50,433.46	\$28,500.00
	Lowest Bid(s)	\$15,200.00		\$50,433.46	
	TOTAL Project Cost			\$65,633.46	
	40% of Total Project Cost			\$26,253.38	

seconded by Commissioner McComb

Motion carried 5-0.

4. Staff Update

Associate Planner/Zoning Administrator Kuhn provided the following updates:

1. Commended former Chairperson Beveridge's many years of service to the City and Historic Preservation/Design Review Commission. With Mr. Beveridge's departure, staff was looking forward to working closely with newly appointed Chairperson Siebert.
2. Staff anticipated having a first draft of the Neglect Ordinance ready for review in December or early 2021.

5. Adjourn.

Meeting adjourned at 2:25 PM.

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

Administrative Staff Report



Demolition & Design Review

1009 First Street

January 6, 2021

Department of Community
Development

1515 Strongs Avenue, Stevens Point,
WI 54481

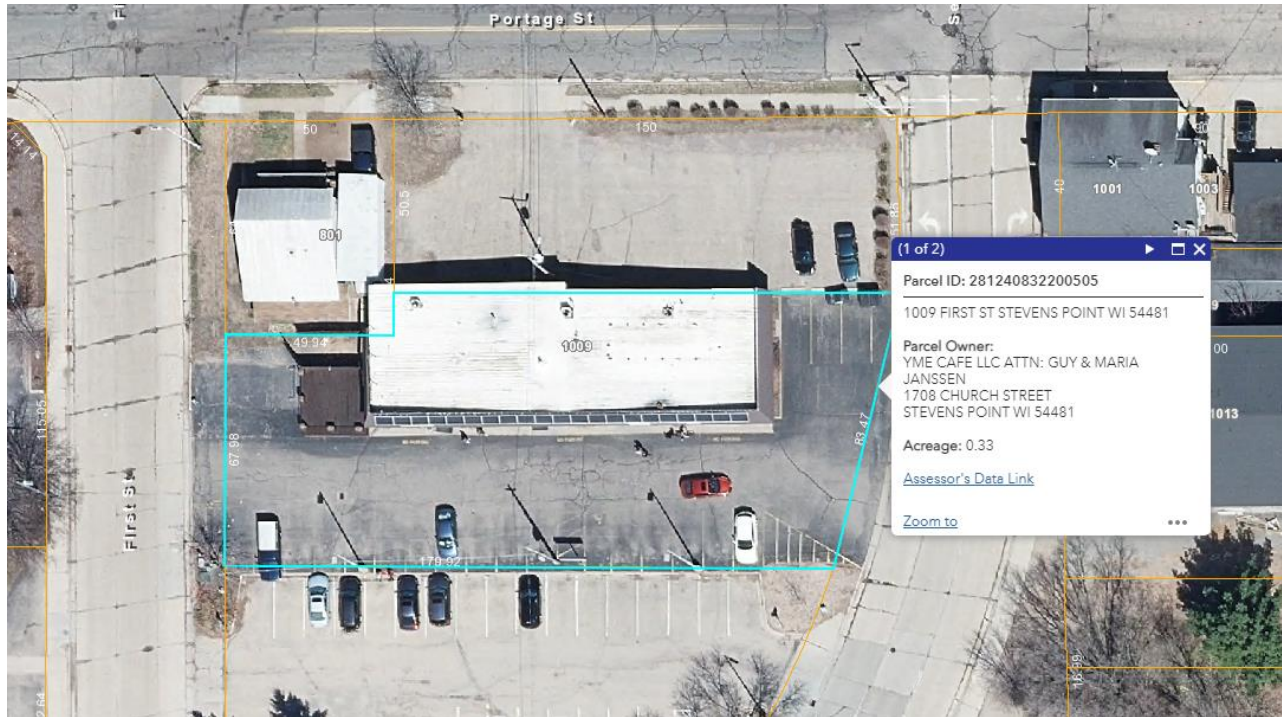
Ph: (715) 346-1568 - Fax: (715) 346-
1498

Applicant(s): - Judah Haas, representing Alchemy Concrete, Inc. Staff: - Adam Kuhn, Associate Planner akuhn@stevenspoint.com Parcel Number(s): 281240832200505 Zone(s): "B-2" Central Business Transition District Council District: - District 4 – Ald. Zarazua Lot Information: - Actual Frontage: 151 feet - Effective Depth: 180 feet - Square Footage: 14,212 - Acreage: 0.326 Structure Information: - Year Built: 1981 (40 years) - Number of Stories: 1 Current Use: - Commercial Applicable Regulations: - Chapter 22	Request Request from Judah Haas, representing Alchemy Concrete, Inc., for a demolition and design review to demolish an existing deck and construct a new patio at 1009 First Street (Parcel ID 281240832200505). Attachment(s) - Application - Renderings / Photo's City Official Design Review / Historic District - Downtown Historic Design Review District Staff Recommendation Approve the demolition and design review for the property at 1009 First Street to demolish an existing deck and construct patio space, subject to the following conditions: - All applicable Building and Zoning Code requirements shall be met prior to demolition of the deck and prior to the construction of patio space. - All required permits shall be obtained for both the deck demolition and construction of the patio space. - The existing bicycle rack shall be relocated as to not interfere with traffic flow. - Future fencing design shall be subject to the review and approval of staff meeting applicable Commission Design Guidelines and Zoning Code requirements. - The applicant shall obtain design review approval from the Historic Preservation / Design Review Commission prior to the construction of a future shade structure.
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- Downtown Design Guidelines

6. Staff shall have the authority to review and/or approve minor amendments to the project.

Vicinity Map



Scope of Work

Existing Conditions:

The building situated on the subject property is a commercial tenant building that houses multiple tenant spaces of different uses. Built in 1981, the principal building is serviced by a parking lot directly to the south, with additional City parking stalls located farther south. Prior to 1981, the property was utilized as a retail establishment selling glass and paint products. Historic photos of the building are shown below and scattered throughout this staff report.

Please note that the scope of the proposal enclosed relates solely to Emy J's—other tenants of the building are not impacted by this request. As shown above, the existing deck is situated on the western side of the building, attached to Emy J's, and is approximately 342 square feet in size. The deck was constructed in 2002 and meets applicable Zoning Code requirements. In addition to the deck, other features currently exist. First, as the deck is being utilized for outdoor seating, planters and fencing surrounds the deck to act as an enclosure. Second, approximately 6' high wooden privacy fencing abuts the rear of the deck and extends to the side yard property line. Lastly, a bicycle rack, whose purpose is to meet minimum bicycle parking requirements, is found directly west of deck.

Proposed Improvements:

The applicant is requesting a demolition and design review to remove an existing deck and construct patio space at 1009 First Street. While a timeline is not established for when the applicant will begin work, the first action to be taken is to remove the existing deck. Accessory details on the deck (i.e., planters, decorative fencing, etc.) and the surrounding fencing will be removed along with the deck. Once completed, the applicant is requesting to construct two patio spaces—an upper patio located where the deck is now and a lower patio located directly west of the existing deck. The upper patio is approximately 500 square feet in size, while the lower patio is approximately 400 square feet in size.

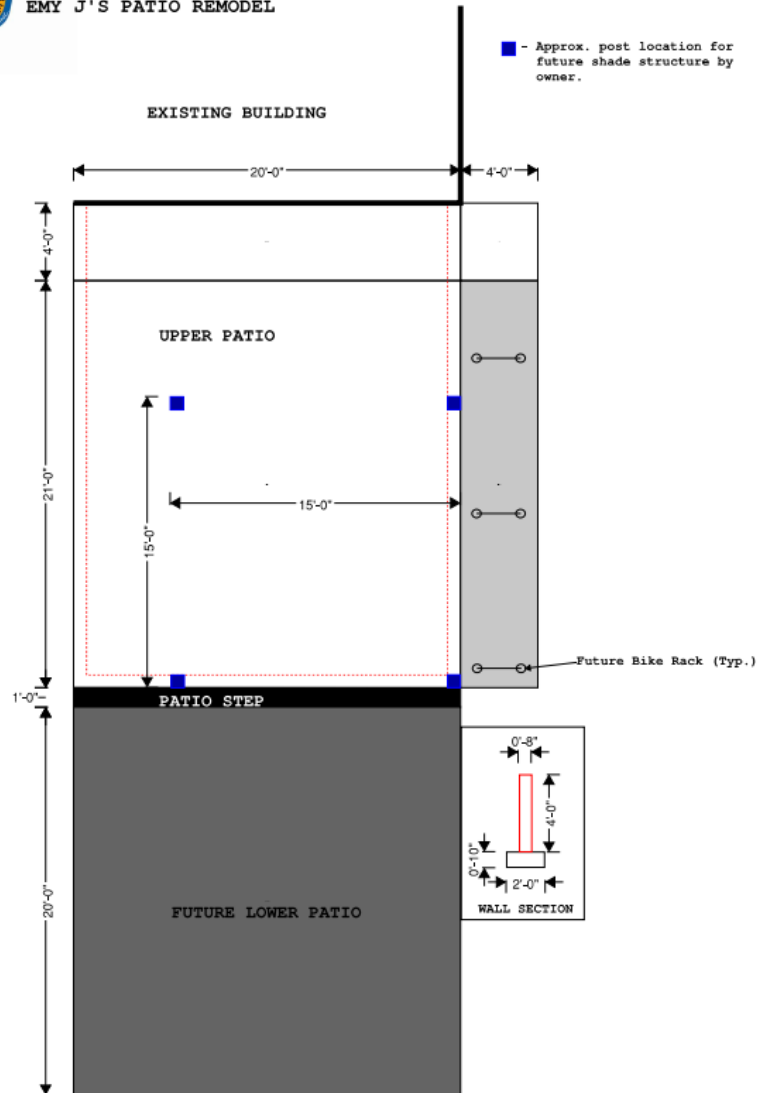
While both patios will have a similar appearance, the main difference is its elevation. Similar to the existing deck, the upper patio will be raised at least two feet from the grade of the parking lot. In contrast, the lower patio is proposed to be slightly lower in height versus the upper patio. Within the City's Zoning Code, patios that have a 2' or greater grade differential from the adjoining ground must meet applicable setback requirements of the underlying zoning district. In construct, patios that have a less than 2' grade differential from the adjoining ground can be located within the required setbacks. As such, the upper patio is located so as to meet

applicable setback requirements. Additionally, a wall section is proposed to be located directly south of the lower patio. Due to the elevation differences occurring on the lot, a wall section is requested to ensure the safety of patrons using the lower patio. Please see the plan submittal for further details.

As shown in the plan submittal, notations are made for a future shade structure to be mounted on the upper patio. While review of the shade structure is not included in this request, the applicant is aware that this Commission will need to review and approve any shade structures proposed. Lastly, while existing fencing is proposed to be removed along with the deck, any future fence construction is

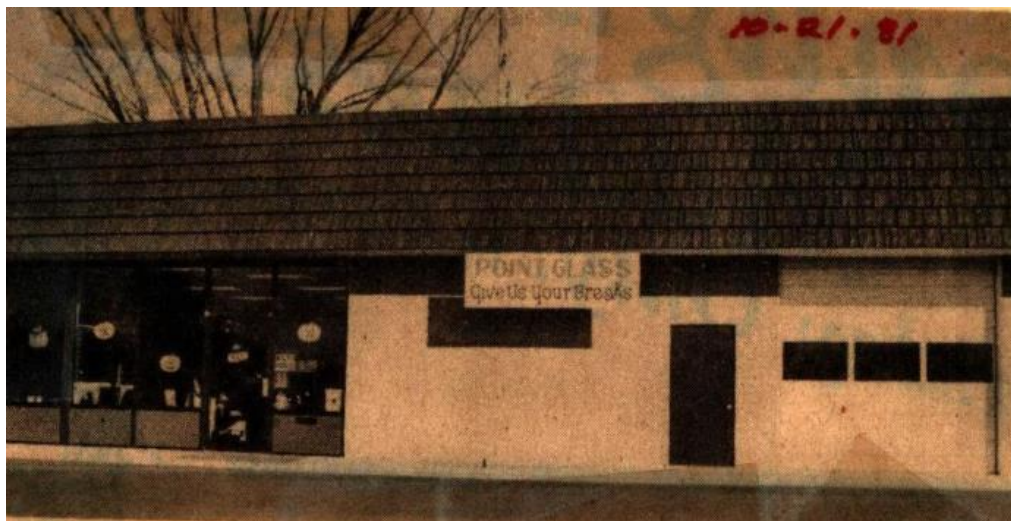


EMY J'S PATIO REMODEL



considered a 'minor work' within the Commission's Historic Design Guidelines and thus can be reviewed on the staff level meeting applicable design and zoning guidelines.

Historic Photos:



CHAPTER 22: HISTORIC PRESERVATION

Division 5.02 Regulation of Construction, Reconstruction, Alteration, and Demolition

No owner or person in charge of a historic structure or historic site, or property located within a historic district shall reconstruct, alter, or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property or demolish such property unless approval has been granted by the commission. Upon the filing of any request for a design review certificate with the commission, the commission shall review the request in accordance with the design guidelines. If the commission

determines that the application for a design review certificate and the proposed changes are consistent with the design guidelines, it shall issue the design review certificate. Upon the issuance of such certificate, any other required permits shall be obtained.

Guidelines of Review (numbers below pertain to the pertinent guideline standards)

*****Other standards within the design guidelines not specifically mentioned below have been reviewed and are met or not applicable pertaining to the proposed building improvement activities.**

Sec. 6.1.2 – Demolition Guidelines

Demolishing a historic structure within a district has the potential to irreversibly change the character of the district and can compromise the quality and sense of place of the entire district. Historic structures represent a tangible link to a community's past. They are physical expressions of architectural style, building technology, and personal taste. Demolition of a historic structure is strongly discouraged, and any time a demolition is proposed, alternatives should be carefully explored. Design Review guidelines and procedures are further described in Chapter 22 of the City of Stevens Point revised municipal code.

- 1. Whether the building or structure is of such architectural or historic significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the city or state.**

Analysis: As stated earlier, the existing wood deck was constructed in 2002. The deck is currently used solely for patrons of Emy J's.

Findings: The deck's demolition is unlikely to be detrimental to the public interest and contrary to the general welfare of the City or State in large part due to a patio proposed to replace the deck. For example, the proposed upper patio is to have a similar use and function as the existing deck by seating customers of Emy J's. While the architectural composition of the deck (i.e., wood) is different than that of the proposed patio (i.e., concrete), the public interest for the patio will remain unchanged.

- 4. Whether the building or structure is of such old, unusual or uncommon design, texture, and/or material, that it could be reproduced only with great difficulty and/or expense.**

Analysis: The deck is made out of wood with planters and steel fencing surrounding the southern and western sides of the deck.

Findings: Given the architectural composition of the deck and that it was built relatively recently, staff believes that the deck could be reproduced relatively easily.

- 7. Whether demolition of the building or structure would promote conformance with other criteria as designated in the City of Stevens Point Historic Design guidelines.**

Analysis: The location and composition of the deck meets current Zoning Code and HPDRC Design Guidelines.

Findings: The applicant has been working with staff to ensure that the proposed patio meets applicable design requirements. Staff believes that the introduction of patio space will be

compatible with the existing stucco composition of the building's exterior. Please note that should the applicant seek further design improvements not included in this request, such as fencing and a shade structure, steps will occur to ensure it meets applicable design guidelines and is compatible with the principal building.

Sec. 5.4 – Decks/Patios

- 1. A deck should be designed and constructed so that the historic structure and its character-defining features and details are not damaged or obscured. Install decks so they can be removed in the future without damage to the structure.**

Analysis: No alterations to the principal building is proposed as part of the applicant's proposal. The applicant is requesting to construct two patio spaces—an upper patio located where the deck is now and a lower patio located directly west of the existing deck. The upper patio is approximately 500 square feet in size, while the lower patio is approximately 400 square feet in size.

Findings: Additional character-defining features are expected to be placed on the patio, such as step(s) connecting the upper and lower patio spaces, fencing surrounding the patio space, seating furniture for restaurant use, etc. Staff believes that the patio and planned accessory pieces are expected to be complementary to and not impair any architectural appeals to the principal building.

- 2. Decks should not, when feasible, be visible from the public right-of-way. New decks should be constructed in inconspicuous locations, usually on the building's rear elevation.**

Analysis: The patio space is proposed to be located directly west of the principal building.

Findings: While the proposed patios are not located in the rear of the building, staff believes the proposed location is sufficient for two reasons. First, the subject property is unique in that it directly abuts two different street frontages (First Street and Second Street). Due to this unique feature, it is difficult to place the patio in an area that is shielded from public view. Second, it should be noted that the aforementioned guideline relates more closely to decks and patios for residential use. As the subject property is zoned for commercial use, it is arguably better for a deck/patio to be seen from the street to promote business operations within the property. Nevertheless, the applicant is working with staff to determine potential fencing designs that can partly shield the view of these proposed patios.

- 3. Design and detail decks and associated railings and steps to reflect materials, scale, and proportions of the building.**

Analysis: The southernmost extent of the two patios are to be parallel with the front face of the principal building. One or more steps are proposed to be located where the lower patio meets the upper patio. Such steps are expected to reflect the scale and proportion of the principal building. Please note that any steps constructed shall meet applicable building code standards.

Findings: This standard is met.

Site Images







HISTORIC PRESERVATION/ DESIGN REVIEW COMMISSION

City of Stevens Point
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481
P: (715) 346-1567 F: (715) 346-1498
communitydevelopment@stevenspoint.com
<http://stevenspoint.com>

APPLICATION FOR DESIGN REVIEW

ADMINISTRATIVE SUMMARY (Staff Use Only)

Application #		Date Submitted		Assigned Case Manager	
Associated Permits or Applications (if any)				Pre-Application Conference Date	
Decision		Date Reviewed		Staff Signature	
Notes:					

APPLICANT/CONTACT INFORMATION

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? ☒)	
Applicant Name	Alchemy Concrete, Inc.	Contact Name	Judah Haas
Address	PO Box 161	Address	
City, State, Zip	Nelsonville, WI, 54458	City, State, Zip	
Telephone	715-340-0665	Telephone	
Fax	N/A	Fax	
Email	judah@alchemyconcrete.com	Email	

OWNERSHIP INFORMATION

PROPERTY OWNER OF RECORD 1 INFORMATION (Same as Applicant? ☐)		PROPERTY OWNER OF RECORD 2 INFORMATION (If Needed)	
Owner's Name	Guy Janssen	Owner's Name	
Address	1708 CHURCH ST.	Address	
City, State, Zip	STEVENS POINT WI 54481	City, State, Zip	
Telephone	715-498-9476	Telephone	
Fax	N/A	Fax	
Email	janssenguy65@yahoo.com	Email	

PROJECT SUMMARY

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
1009 1st Street, Stevens Point, WI		
Legal Description of Subject Property		
Emmy J's		
Area of Subject Property (Acres/Sq Ft)		Area of Building or Structure (Sq Ft)
N/A		

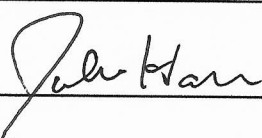
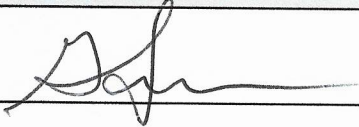
Current Zoning District(s)		Current Historic District(s) - Local, State, National	
Downtown Historic Design Review District		Stevens Point, WI	
Designated Future Land Use Category	Current Use of Property	Proposed Use of Property	
	Cafe	Cafe	
Briefly describe the proposed building, structure construction, reconstruction or exterior alteration. Please also provide rationale for the design review request, along with the time schedule (if any) for the project. (Use additional pages if necessary)			
Removal of existing outdoor wood deck area. Replace with concrete patio areas. Possible future free standing wood shade structure by owner on upper patio.			
Will the proposed work detrimentally change, destroy or adversely affect any exterior architectural features of the improvement upon which said work is to be done? Explain your answer.			
No.			
Does the proposed work match and harmonize with the external appearance of adjacent neighboring improvements. Explain your answer.			
Yes. Concrete will be the material used for the entire area. It will be presented in an architectural pleasing way.			
Does the proposed work conform to the objectives of the historic preservation plan for said district (if any)? Explain your answer.			
Yes, the space is being used as gathering space for the cafe.			
Does the proposed work conform with the architectural design guidelines with emphasis on contextual issues including compatibility of size, volume proportions, rhythm, materials, detailing, colors, and expressiveness? (Historic Design Guidelines can be found at www.stevenspoint.com) Explain your answer.			
Yes, the plan conforms.			

EXHIBITS

Letter to District Alderperson (www.stevenspoint.com/Directory)	☐	Additional Exhibits If Any (List):
Photographs of Building or Structure	☐	
Renderings or Elevations	☐	
Site Plan (for additions, and new construction)	☐	

CERTIFICATION AND SIGNATURE

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Signature of Applicant	Date	Signature of Property Owner(s)	Date
			12-16-2020

From: noreply@civicplus.com
Sent: Wednesday, December 16, 2020 1:10 PM
To: Makenzi Peyton
Subject: Online Form Submittal: Contact Alderperson - District 4

Contact Alderperson - District 4

First and Last Name:	Makenzi Peyton
Street Address:	PO Box 161
City	Nelsonville
State:	WI
Zip:	54458
Phone Number:	8158212737
Email Address:	makenzi@alchemyconcrete.com

Please enter your questions or comments below:

Hello Mykeerah,

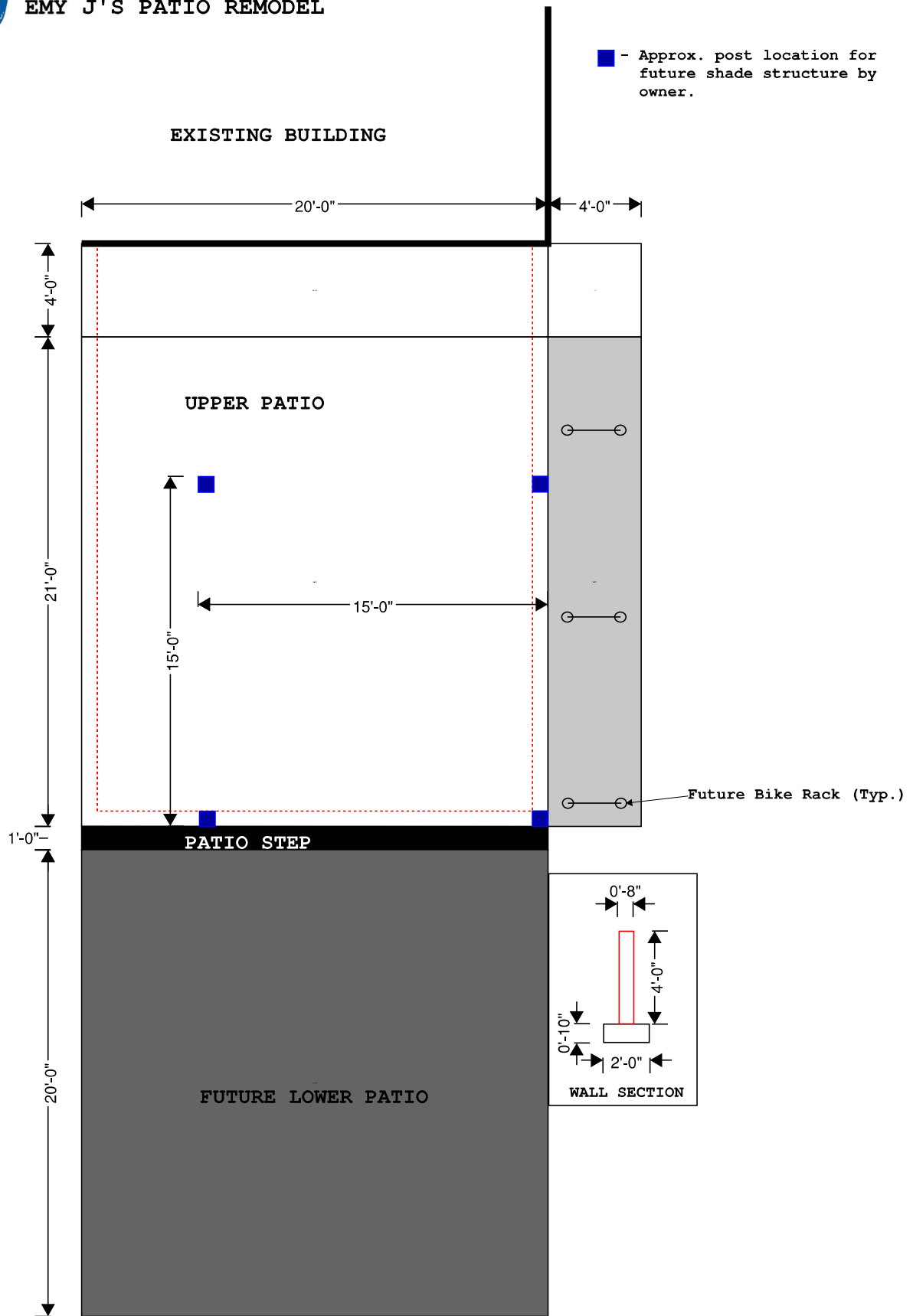
I am emailing you in regards to a proposed patio project at Emmy J's cafe. We would like to remove the existing wood deck area and replace it with new concrete patios. The existing building is not being modified during this renovation. The patio will attract more people and create a space that people can use while enjoying beverages at the cafe.

Please feel free to call or email me with any questions.

Kind regards,
Alchemy Concrete, Inc.



EMY J'S PATIO REMODEL



Administrative Staff Report

Solar Panel Installation 1009 First Street November 3, 2010



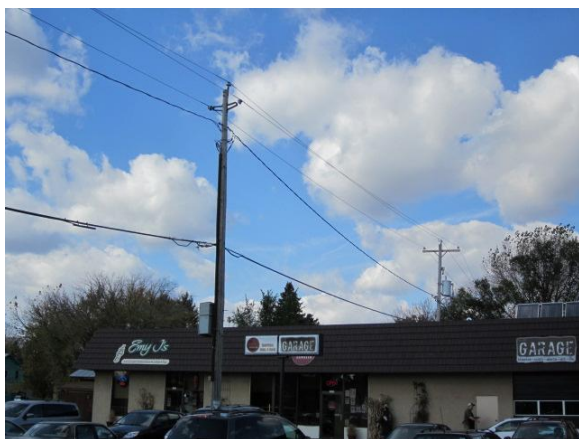
Department of Community Development

Applicant(s): - Northwind Renewable Energy Staff: - Michael Ostrowski, Director Community Development Ph: (715) 346-1567 Fax: (715) 346-1498 mostrowski@stevenspoint.com Parcel Number(s): 2408-32-2005-05 Zone(s): "B-4" Commercial Master Plan: - Downtown District Council District: - District 1 – Tom Mallison Lot Information: - Actual Frontage: 68 feet - Effective Frontage: 68 feet - Effective Depth: 209 feet - Square Footage: 14,212 - Acreage: 0.326 Structure Information: - Year Built: 1981 (29 years) - Number of Stories: 1 Current Use: - Restaurant/retail Applicable Regulations: Chapter 22	Request Exterior review of solar panel installation. Attachment(s) - Parcel data sheet - Elevation - Product specification sheet City Official Design Review / Historic District - Design Review District Register of Historic Places - Staff Introduction Mr. Craig Buttke of Northwind Renewable Energy, representing the property owner, is requesting review of a proposed solar panel installation across the awning of the entire front of the building. There will be approximately 21 panels, which are approximately 5.18 (L) x 2.65 (W). Staff Recommendation The installation of solar panels within the design review district is not addressed in the City's design standards. However, when considering the installation of solar panels on an historic property, steps are typically taken to minimize the impacts. Solar panels are typically located on either the back elevation of a building or on an outbuilding, rather than an elevation that is visible from the street. However, due to the optimal placement of the panels to capture the most light, it may not be practical to install them on the rear elevation. With this request, staff does not feel that the installation of the solar panels will adversely contrast with significant horizontal or vertical patterns or rhythms on this building or surrounding structures. Therefore, staff would recommend approval of the plan, with the condition that the panels do not overlap the signage on the building.
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Vicinity Map



Existing Images



South Side of Building



South Side of Building







Chapter 22

Historic Preservation/Design Review

Section

- 22.01 Purpose and Intent
- 22.02 Definitions
- 22.03 Historic Preservation/Design Review Commission
- 22.04 Local Historic Structure, Historic Site, and Historic District Designation Criteria
- 22.05 Powers and Duties
- 22.06 Procedures
- 22.07 Interim Control
- 22.08 Conformance with Regulations
- 22.09 Emergency Conditions
- 22.10 Conflict of Interest
- 22.11 Staffing, Funding, and Operation
- 22.12 Penalties for Violations
- 22.13 Severability

Part 1. Purpose and Intent

It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural or historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purpose of this section is to:

- 1) Effect and accomplish the protection, enhancement, and perpetuation of such improvements, sites and districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history.
- 2) Safeguard the city's historic and cultural heritage, as embodied and reflected in such historic structures, sites and districts.
- 3) Foster civic pride in the notable accomplishments of the past.
- 4) Stabilize and improve property values.
- 5) Protect and enhance the city's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- 6) Improve and enhance the visual and aesthetic character of the city.
- 7) Educate the public regarding the need and desirability of a city historic preservation program and its enhancement of the quality of life.

Part 2. Definitions

The definitions shall be as follows:

- **Commission:** Means the Historic Preservation / Design Review Commission created under this section.
- **Design Guidelines:** Is the document entitled "City of Stevens Point Historic Design Guidelines" adopted initially by the city council and, if necessary, subsequently modified, refined, or expanded by the commission with common council approval.
- **Designated Agent:** Is a person or persons responsible to the commission and shall have only those powers and functions as specifically authorized by the commission.
- **Historic District:** Is an area designated by the city council on recommendation of the commission, that contains two or more historic improvements or sites, as well as those abutting improvement parcels which the commission determines should

fall under the provisions of this section to assure that their appearance and development is harmonious with such historic structures or historic sites.

- **Historic Site:** Means any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which a historic event has occurred, and which has been designated as a historic site under this section, or an improvement parcel, or part thereof, on which is situated a historic structure and any abutting improvement parcel, or part thereof, used as and constituting pan of the premises on which the historic structure is situated.
- **Historic Structure:** Means any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the city, state or nation and which has been designated as a historic structure pursuant to the provisions of this chapter.
- **Improvement:** Means any building, structure, place, work of art or other object constituting a physical betterment of real property, or any pan of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs and the like.
- **Improvement Parcel:** Is the unit of property which includes a physical betterment constituting an improvement and the land embracing the site thereof, and is treated as a single entity for the purpose of levying real estate taxes. Provided, however, that the term "improvement parcel" shall also include any unimproved area of land which is treated as a single entity for such tax purposes.

Part 3. Historic Preservation / Design Review Commission

Division 3.01 Composition

A historic preservation/design review commission is hereby created, consisting of five members and two alternates. Each member should have, to the extent practicable, a known interest in landmarks preservation, architectural and urban design. If possible, the commission should include an architect, landscape architect, architectural historian, archeologist, historian, and alderperson. The mayor shall appoint the commissioners subject to confirmation by the common council. Members shall serve a term of three years with the alderperson serving the length of the aldermanic term. Vacancies shall be filled for the unexpired term in the same manner as appointment.

Division 3.02 Commission Rules

- 1) Unless the chairperson is appointed by the mayor, the chairperson shall be elected by the commission. The chairperson, or its designee, shall preside at all meetings.

- 2) Action shall be by majority vote of the body of the whole.
- 3) A quorum shall be three or more members.
- 4) The chairperson and members present shall vote unless disqualified by conflict of interest.
- 5) Regular meetings shall be held at least once a month if requests warrant a meeting at a date and time set by the commission. Special meetings shall be at the call of the Chairperson or request of three members. Executive sessions may be held in accordance with State law.
 - a) Meetings shall be open to the press and the public except executive sessions. No official action will be taken at closed executive sessions in accordance with State law.
 - b) The Designated Agent, in consultation with the chairperson, shall prepare an agenda for all meetings. Adequate notice of all meetings shall be provided per state statutes.
- 6) Minutes in writing shall be kept by a member of the city Staff who is approved by the chairperson. Minutes shall be approved at the next meeting of the commission.
- 7) The "Designated Agent" of the commission, appointed pursuant to section 5.05, is the community development director, or designee. Duties are as follows:
 - a) Perform the first review of an application for a design review request, demolition request and building permit.
 - b) Agent(s) is (are) not authorized to deny a design review request. Where judgment indicates a design review request should be denied, the agent(s) shall refer the application with recommendations to the commission for its action.
 - c) Agent(s) may refer to the commission with recommendations for any application or proposal which is judged to warrant commission review and action.
 - d) Agent(s) shall have a minimum of one week to investigate and act on an application. This time may be extended by the commission.
 - e) Agent(s) shall attend and give a staff report to the commission at each regular meeting.
- 8) Minutes, files, and records of the commission and its agent(s) shall be kept in the department of community development. Destruction of these items shall

take place by commission order only, and in accordance with state and federal laws. Forms needed to perform the work of the commission or its agent(s) shall be designed under the direction of the designated agent. The chairperson shall control the procedure at meetings. Generally, the order of presentation shall be as follows:

- a) Designated agent(s),
- b) Applicant or proponent,
- c) Commission,
- d) Public,
- e) Commissioners, and
- f) Others.

Upon first obtaining recognition and permission of the chairperson, any commissioner may question any speaker at any time. The chairperson reserves the right to vary the order of presentation and shall keep them to a reasonable length of time and to the point. After the presentations are closed by the chairperson, the commission shall deliberate without interruption by others present. Action may be taken at the current session or held over for further consideration and action at an adjourned or subsequent meeting of the commission.

- 9) All questions not covered by these rules shall be controlled by the latest edition of Roberts Rules of Order, and/or state and federal law.

Part 4. Local Historic Structure, Historic Site, and Historic District Designation Criteria

- 1) For purposes of this ordinance, a historic structure, historic site, or historic district designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic, architectural, archeological or cultural significance to the city such as historic structures, sites, or districts which:
 - a) Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community; or
 - b) Are identified with historic personages or with important events in national, state or local history; or
 - c) Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style,

method of construction, or of indigenous materials or craftsmanship; or

- d) Are representative of the notable work: of a master builder, designer or architect who influenced his age; or
 - e) Have yielded, or may be likely to yield, information important to prehistory or history.
- 2) The commission shall adopt specific operating guidelines for historic structure, historic site, and historic district designation providing such are in conformance with the provisions of this ordinance.

Part 5. Powers and Duties

Division 5.01 Designation of Historic Structures and Historic Sites

The commission shall have the power subject to Part 6, to designate historic structures and historic sites and to recommend designation of historic districts within the city limits. Such designations shall be made based on Part 4. Historic structures, sites, and districts shall be approved by the common council. Once designated, such historic structures, sites, and districts shall be subject to all the provisions of this ordinance.

Division 5.02 Regulation of Construction, Reconstruction, Alteration, and Demolition

No owner or person in charge of a historic structure or historic site, or property located within a historic district shall reconstruct, alter, or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property or demolish such property unless approval has been granted by the commission.

Upon the filing of any request for a design review certificate with the commission, the commission shall review the request in accordance with the design guidelines. If the commission determines that the application for a design review certificate and the proposed changes are consistent with the design guidelines, it shall issue the design review certificate. Upon the issuance of such certificate, any other required permits shall be obtained.

Section 5.02.01 Expiration of Design Review Certificate

Compliance with design review certificates shall be completed within 12 months after the issuance of the certificate, and the work shall conform to the provisions of the certificate. The city may inspect the work during and after construction in order to assure compliance. Failure to comply with a design review certificate or failure to obtain a design review certificate shall be a violation of this section. In addition to other penalties and remedies, the city shall issue a stop work order, and all work shall cease on the designated property. No additional work shall be undertaken as long as such stop work order shall continue in effect.

Section 5.02.02 Appeals

Should the commission fail to issue a design review certificate due to the failure of the proposal to conform to the design guidelines, the applicant may appeal such decision to the common council within 30 days. Appeals shall be filed in writing to the city clerk and shall specify the grounds of the appeal. The common council may, by a vote of two-thirds of the body of the whole, reverse or modify the decision of the commission. In addition, if the commission fails to issue a design review certificate, the commission shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a design review certificate within the guidelines of this ordinance. Demolition denials are subject to the same appeal process by the applicant.

Division 5.03 Rescission of Designation

Any party who is listed as the owner of record of a historic structure or historic site, who can demonstrate to the commission that by virtue of such designation he/she is unable to find a buyer willing to preserve such landmark, or landmark site, even though he/she has made reasonable attempts, in good faith, to find and attract such a buyer, may petition the commission for a rescission of its designation following the filing of such petition with the commission:

- 1) The owner and the appropriate city department shall work together in good faith with the commission to locate a buyer for the subject property who is willing to abide by its designation status as a landmark, or landmark site.
- 2) If, at the end of a period not exceeding 1 year from the date of such petition, no such buyer can be found, and if the owner still desires to obtain such rescission, the commission shall recommend to the common council the designation of the subject property be rescinded. The common council may accept, modify, or reject the commission recommendation. A vote to reject the commission's recommendation requires a majority vote plus one of the body of the whole.

Division 5.04 Recognition of Historic Structures, Sites, and Districts

At such time as a historic structure, site, or district has been properly designated, the commission may cause to be prepared and erected on such property at city expense, a suitable plaque declaring that such property is a historic structure, site, or district. Such plaque shall be so placed as to be easily visible to passing pedestrians. The plaque shall state the accepted name of the historic property, the date of its construction of significance, and other information deemed proper by the commission.

Division 5.05 Designation of Agent

The commission shall have the authority to designate an agent(s), which in this ordinance is referred to as its designated agent. Such agent shall be responsible to the commission and shall have only those powers and functions as specifically authorized by the commission.

Division 5.06 Other Duties

In addition to those duties already specified in this part, the commission shall:

- 1) Work for the continuing education of the citizens about the historical heritage of this city and the historic properties designated under the provision of this section.
- 2) Cooperate with the State of Wisconsin historic preservation officer and the state historic preservation review board in attempting to include such properties hereunder designated as landmarks or landmark sites, or historic districts in the National Register of Historic Places and the State Register of Historic Places.
- 3) As it deems advisable, receive and solicit funds for the purpose of historic preservation in the city. Such funds shall be placed in a special city account for such purpose.

Part 6. Procedures

Division 6.01 Designation of Historic Structures, Historic Sites, and Historic Districts

- 1) The commission may, after notice and public hearing, designate historic structures, historic sites, and recommend historic districts, or rescind such designation or recommendation, after application of the criteria in Part 4. At least ten (10) days prior to such hearing, the commission shall notify the owners of record, as listed in the office of the city assessor, who are owners of property in whole or in part situated within two hundred (200) feet of the boundaries of the property affected or within the boundaries of the historic district. These owners shall have the right to confer with the commission prior to final action by the commission on the designation. Notice of such hearing shall also be published as Class 1 Notice, under the Wisconsin Statutes.
- 2) The commission shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses and shall have the power to subpoena such witnesses and records as it deems necessary. The commission may conduct an independent investigation into the proposed designation or rescission. Within ten (10) days after the close of the public hearing, the commission may designate the property as either a local historic structure, historic site, or recommend its inclusion in a local historic district, or rescind the designation. After the designation or rescission has been made, notification shall be sent to the property owner or owners. Notification shall also be given to the city clerk, community development department, plan commission,

and the city assessor. The commission shall cause the designation or rescission to be recorded, at city expense, in the county register of deeds office, or the recommendation to be submitted to the common council as provided by Division 6.02 and Division 6.03.

- 3) State or national designation nominations of historic structures, historic sites and historic districts shall meet the requirements of the applicable state and national departments for which oversee historic preservation.

Division 6.02 **Creation of Historic District**

- 1) For preservation purposes, the Historic Preservation / Design Review Commission shall select geographically defined areas within the city to be designated as local historic districts and may, with the assistance of the Community Development Department, prepare a historic preservation plan in ordinance form for each area. A historic district may be designated for any geographic area of particular historic, architectural, or cultural significance to which:
 - a) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, or community; or
 - b) Is identified with historic personages or with important events in national, state, or local history; or
 - c) Embodies the distinguishing characteristics of architectural types or specimens inherently valuable for the study of a period or periods, styles, methods of construction, or of indigenous materials or craftsmanship; or
 - d) Is representative of the notable works of master builders, designers, or architects who influenced their age; or
 - e) Has yielded, or may be likely to yield, information important to history or prehistory.

Division 6.03 **Creation of Preservation Plan**

Each historic preservation plan prepared for or by the commission may include a cultural and architectural analysis supporting the historic significance of the area, the specific guidelines for development and a statement of preservation objectives.

- 1) Guideline criteria to be considered in the development of historic district plans are as follows:
 - a) All new structures shall be constructed to a height visually compatible with the building and environment with which they are visually related.

- b) The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related.
 - c) In the street elevation of a building, the proportion between the width and height in the facade should be visually compatible with the building and environment with which it is visually related.
 - d) The proportions and relationships between doors and windows in the street façade should be visually compatible with the buildings and environment with which it is visually related.
 - e) The rhythm of solids to voids, created by openings in the façade, should be visually compatible with the buildings and environment with which it is visually related.
 - f) The existing rhythm created by existing building masses and spaces between them should be preserved.
 - g) The materials used in the final facade should be visually compatible with the buildings and environment with which it is visually related.
 - h) The texture inherent in the facade should be visually compatible with the buildings and environment with which it is visually related.
 - i) Colors and patterns used on the facade (especially trim) should be visually compatible with the buildings and environment with which it is visually related.
 - j) The design of the roof should be visually compatible with the buildings and environment with which it is visually related.
 - k) The landscape plan should be sensitive to the individual building, its occupants, and their needs. Further, the landscape treatment should be visually compatible with the buildings and environment with which it is visually related.
 - l) The street facade should blend with other buildings via directional expression. When adjacent buildings have a dominant horizontal or vertical expression, this expression should be carried over and reflected.
 - m) Architectural elements should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent characteristics of the area.
- 2) Review and Adoption Procedure
- a) Historic Preservation / Design Review Commission. The commission shall hold a public hearing when considering the plan for a historic district.

Notice of the time, place and purpose of such hearing shall be given by publication as a Class 1 Notice under the Wisconsin Statutes in the official city paper. Notice of the time, place and purpose of the public hearing shall also be sent by the city clerk to the alderperson of the aldermanic district or districts in which the historic district is located, and the owners of record, as listed in the office of the city assessor, who are owners of the property within the proposed historic district or are situated in whole or in part within two hundred (200) feet of the boundaries of the proposed historic district. Said notice is to be sent at least ten (10) days prior to the date of the public hearing. Following the public hearing, the commission shall vote to recommend, reject, or withhold action on the plan. This recommendation shall be forwarded to the plan commission and the common council.

- b) Plan Commission. The plan commission shall review the historic district plan and make a recommendation to the common council. The plan commission shall make its recommendation on the historic district plan within thirty (30) days.
- c) Common Council. The common council, upon receipt of the recommendations from the commission and plan commission, shall hold a public hearing, notice to be given as noted in subparagraph a. above and shall following the public hearing either designate or reject the historic district. Designation of the historic district shall constitute adoption of the plan in ordinance form prepared for that district and direct the implementation of said plan.

Part 7. Interim Control

No building permit shall be issued by the building inspector for alteration, construction, demolition, or removal of a nominated historic structure, historic site, or any property or structure within a nominated historic district from the date of the meeting of the Historic Preservation / Design Review Commission at which a nomination form is first presented until the final disposition of the nomination by the commission or the common council unless such alteration, removal or demolition is authorized by formal resolution of the common council as necessary for public health, welfare or safety. In no event shall the delay be for more than 180 days.

Part 8. Conformance with Regulations

- 1) Every person in charge of a historic structure, historic site or improvement in a historic district shall maintain same or cause or permit it to be maintained in a condition consistent with the provisions of this ordinance. The common council may appoint the building inspector or any other individual or group of individuals to enforce this ordinance. The duties of the inspection officer shall include periodic inspection at intervals provided by the common council of designated historic structures, historic sites, and historic districts. These

inspections may include physical entry upon the property and improvement, with permission of the owner, to insure that interior alterations or maintenance will not jeopardize the exterior appearance or structural stability of the improvement. If an owner refuses permission for the enforcement officer to enter for purposes of inspection, the inspection officer may obtain a warrant of entry pursuant to s. 66.0119, Wis. Stats., and take any other reasonable measures to further enforcement of this ordinance.

- 2) Every person in charge of an improvement on a historic site or in a historic district shall keep in good repair all of the exterior portions of such improvement and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such improvement to fall into a state of disrepair, including but not limited to:
 - a) The deterioration of exterior walls or other vertical supports;
 - b) The deterioration of roofs or other horizontal members;
 - c) The deterioration of external chimneys;
 - d) The deterioration or crumbling of exterior plasters or mortar;
 - e) The ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
 - f) The peeling of paint, rotting, holes, and other forms of decay;
 - g) The deterioration of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures, and landscaping;
 - h) The deterioration of any features so as to create or permit the creation of any hazardous or unsafe condition or conditions;
 - i) All interior portions thereof which may cause the exterior to deteriorate or become damaged or otherwise to fall into a state of disrepair.

The purpose of this section is to prevent the demolition of a building or structure by neglecting it and permitting damage to it by weather or vandalism.

- 3) Nothing contained in this section shall prohibit the making of necessary construction, reconstruction, alteration, or demolition of any improvement on premises governed by this ordinance, or in a historic district pursuant to order of any governmental agency or pursuant to any court judgment, for the purpose of remedying emergency conditions determined to be dangerous to life, health, or property. In such cases, no approval from the commission shall be required.

Part 9. Emergency Conditions

In any case where the building inspector determines that there are emergency conditions dangerous to life, health or property affecting a historic structure, site or a property in a historic district, the building inspector may order the remedying of these conditions without the approval of the commission. The building inspector shall promptly notify the commission of the action being taken. When the emergency conditions do not require demolition, the building inspector shall make every effort to carry out the intent of this ordinance and to use the design guidelines of the commission when remedying the emergency conditions.

Part 10. Conflict of Interest

Any member of the commission who has a financial interest in property purchase or sale, construction, reconstruction, or alteration affected by the provisions of this ordinance shall disqualify himself/herself from participating in the review process for that particular project.

Part 11. Staffing, Funding, and Operation

The city, at its expense, shall provide for the operation of the commission and the requirements of this ordinance as follows:

- 1) Clerical functions and staff assistance shall be provided by the community development department.
- 2) Planning assistance shall be provided by the community development department.
- 3) Legal services shall be provided by the city attorney.
- 4) All other requirements not previously specified that may be necessary for the proper operation of this ordinance, shall be provided by the appropriate city officer, office, staff, or function.

Part 12. Penalties for Violations

Any person or persons violating any provision of this section shall be fined two hundred dollars (\$200) for each separate violation. Each and every day during which a violation continues shall be deemed to be a separate offense. Notice of violations shall be issued by the building inspector. If the violations remain uncorrected after the time specified in the notice, the city may, at its election, impose fines and/or have the violations corrected at city expense and have a lien placed against the property equal to the cost of the repairs, plus applicable fines and administrative costs.

Part 13. Severability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of this chapter and the application of such provisions to other persons or circumstances shall not be affected thereby.



MEMORANDUM

To: Historic Preservation / Design Review Commission

From: Ryan Kernosky, Director of Community Development 

Date: January 6, 2021

RE: **Introduction of 2021 Goal Setting Sessions - HPDRC**

Introduction: In general, Community Development staff is looking to begin setting strategic goals for each of the committees or commissions that the Community Development Department staffs. While the City-wide Strategic Plan is very much in the works, this will allow HPDRC to begin working towards implementing goals to achieve your 'charge' as a Commission. City staff's role is more facilitator-based, and the general discussion and goal setting should come from members of the Commission.

During the January meeting, we are going to begin our 2021 Goal Setting as a Commission. Myself and Associate Planner Kuhn will present the general roles and responsibilities of the Commission, provide some direction, and let the Commissioners begin to brainstorm individually what they would like to see achieved in the short-term (2021) and the long-term (2022-2025, for example). Goals can be physical (example: **enact a demolition by neglect ordinance**) or non-physical (example: **Identify ways to increase participation of the Facade Improvement Grant Program**).

Timeline: The goal setting will occur over the next few meetings. I'm hopeful that by the February or March Commission meeting we'll have a final draft put together. Below is a general idea of how this plan will be put together:

January Meeting: **Provide an overview** of the role of the Commission in the larger context of the community. **Introduce** the concept of goal setting. **Individually** reflect on what you, as commissioner would like to see achieved in the next year, and the next 5 years.

February Meeting: **Review and Identify** consistencies with individual Commissioner's goals. **Explore** those consistencies further, how do we achieve commonly-identified goals and who's going to lead that process? **Establish** the collective goals.

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Open Records Rider: The City of Stevens Point is subject to Wisconsin Statutes relating to public records. Communication, such as this document, sent or received by City employees are subject to these laws. Unless otherwise exempted from the public records law, senders and receivers of City communication should presume that the communications are subject to release upon request, and to state record retention requirements.

March Meeting: **Review and Adopt** the goals in document format. Begin **Implementation.**

Homework for Commissioners: Review the materials provided outlining the charge of the Commission. Fill out the attached 'goal setting' sheet and email to rkernosky@stevenspoint.com when done. **Please have this done by January 22nd.**

Staff is very much looking forward to working collaboratively with the Commission on this!

Goal Setting Worksheet

Goal (be specific):

How does this goal fit into the overall charge of the commission:

What steps need to occur to achieve the goal?

Who should work on what steps to achieve the goal?

What timeline do you envision for achieving the goal?

Other notes:

Goal Setting Worksheet

Goal (be specific):

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