

HISTORIC PRESERVATION COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, JUNE 13, 2023; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

I. Call to Order

II. Secretary's Report

A. Consideration of the May 9, 2023 meeting minutes.

III. Communications

A. Party in the Park

B. Downtown Davenport Architectural Walking Tour

IV. Old Business

V. New Business

A. Case COA23-21: Request to install a new flat roof at 1208 Main Street. The J. Monroe Parker-Ficke House is a locally designated historic landmark and located within the College Square Historic District. R3 Roofing and Exteriors, petitioner, on behalf of Delt 100 Alumni Counsel LLC. [Ward 3]

VI. Other Business

A. Review of Commission Bylaws

VII. Open Forum for Comment

VIII. Adjourn

IX. Next Commission Meeting: July 11, 2023

City of Davenport
Historic Preservation Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
6/13/2023

Subject:
Consideration of the May 9, 2023 meeting minutes.

Recommendation:
Staff recommend approval of the May 9, 2023 meeting minutes.

Background:
The May 9, 2023 meeting minutes are attached.

ATTACHMENTS:

Type	Description
▢ Backup Material	Meeting Minutes 5-9-23

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	6/5/2023 - 8:18 AM

HISTORIC PRESERVATION COMMISSION MEETING MINUTES

CITY OF DAVENPORT, IOWA

TUESDAY, MAY 9, 2023; 5:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

I. Call to Order

Chairperson McGivern called the meeting to order.

Present: McGivern, Franken, Miranda, Hustedde, Powers, Kretz

Staff Present: Werderitch, Koops, Warner, Ralfs

II. Secretary's Report

A. Consideration of the April 11, 2023 meeting minutes.

Motion by Hustedde, second by Miranda, to approve the April 11, 2023 meeting minutes. Minutes were unanimously approved by voice vote (6-0).

III. Communications

IV. Old Business

V. New Business

A. Case COA23-17: Request for exterior alteration at 321 West 6th Street. The Henry and Julia (Tritchler) Frahm House is a contributing building in the Hamburg Local Landmark Historic District. Terry Genz, petitioner. [Ward 3]

Werderitch summarized the request to repair the front limestone steps, restore the yankee gutters, replace basement windows, and rehabilitate the balcony posts and ceiling.

The applicant, Terry Genz, was in attendance to answer questions. Carver Custom Millwork will replicate the windows and balcony posts using wood materials to match the historic characteristics of the home.

Staff recommended approval of the Certificate of Appropriateness for exterior alteration at 321 West 6th Street in accordance with the submitted material.

The project was reviewed for conformance with the Standards for Review, Chapter 14.01.060 C of the Davenport Municipal Code. The project meets the following standards:

1. Every reasonable effort shall be made to make the minimal number of changes necessary to maintain a designated property in a good state of repair, thereby minimizing the impact of the proposed alteration.

2. Deteriorated architectural features should, where possible, be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

Motion by Franken, second by Kretz, to approve Case COA23-17. Motion to approve passed by a roll call vote (5-0).

- B. Case COA23-18: Request to install new windows at 1208 Main Street. The J. Monroe Parker-Ficke House is a locally designated historic landmark and located within the College Square Historic District. CJ Haas Home Construction, petitioner, on behalf of Delt 100 Alumni Counsel LLC. [Ward 3]

Werderitch presented the history of the property and previous Certificate of Appropriateness Applications. Staff summarized the request to replace all historic windows with new white vinyl replacements. The applicant decided not to pursue preservation or fully document the need for replacement. Therefore, the vinyl windows were compared with the historic wood windows to determine whether the design, material, color, texture, and other visual qualities. Staff concluded that the vinyl windows were an inappropriate substitute material as it does not convey the same appearance as wood windows.

Casey Haas, CJ Haas Home Construction, spoke on behalf of the property owner and addressed questions relating the replacement window product. Sarah Oberg Ramirez, Lane & Waterman LLP, read a prepared statement citing economic hardship as rationale for the vinyl replacement windows. Dr. Hennen of Delt 100 Alumni Council LLC, spoke about the aesthetics of the replacement windows and the state of deterioration.

Commissioners questioned whether efforts were made to pursue historic grants or tax credits to mitigate the costs of rehabilitation. Commissioners also inquired about deferred maintenance which led to the deteriorated condition of the windows.

Warner advised the Commission how to appropriately make a motion.

Staff recommended denial of the Certificate of Appropriateness to install new windows at 1208 Main Street.

The project was reviewed for conformance with the Standards for Review, Chapter 14.01.060 C of the Davenport Municipal Code. The project does not comply with the following standard:

1. Deteriorated architectural features should, where possible, be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

Motion by Hustedde, second by Franken, to approve Case COA23-18. Motion to approve failed by a roll call vote (0-6). Case COA23-18 was thereby denied.

- C. Case COA23-19: Exterior alteration at 705 Gaines Street. The Lois P. Best Apartments is listed as a contributing structure in the Hamburg Local Landmark Historic District. Marion Meginnis, petitioner. [Ward 3]

Werderitch explained the structural repairs planned for 705 Gaines Street. The project received historic tax credits to address issues with the foundation. Staff believe the proposed work will keep the property in a good state of repair and will have minimal impact to the historic character of the structure.

Marion Meginnis, petitioner, was in attendance to answer questions.

Staff recommended approval of the Certificate of Appropriateness for exterior alteration at 705 Gaines Street in accordance with the submitted material.

The project was reviewed for conformance with the Standards for Review, Chapter 14.01.060 C of the Davenport Municipal Code. The project meets the following standard:

1. Every reasonable effort shall be made to make the minimal number of changes necessary to maintain a designated property in a good state of repair, thereby minimizing the impact of the proposed alteration.

Motion by Powers, second by Miranda, to approve Case COA23-19. Motion to approve passed by a roll call vote (6-0).

- D. Case COA23-20: Request for exterior alteration at 713 West 7th Street. The John and Louise Boldt House is a contributing building in the Hamburg Local Landmark Historic District. Joseph Erenberger, petitioner. [Ward 3]

Werderitch outlined the scope of the DREAM Plus project, which is to replace eight windows on the front façade. The replacement Pella Reserve windows are wood with a clad exterior. The proposed wood windows are similar in design, dimension, and texture to the original windows being replaced.

Joseph Erenberger, petitioner, was in attendance to answer questions.

A recommendation is made to approve the Certificate of Appropriateness for exterior alteration at 713 West 7th Street in accordance with the submitted material.

The project was reviewed for conformance with the Standards for Review, Chapter 14.01.060 C of the Davenport Municipal Code. The project meets the following standards:

1. Deteriorated architectural features should, where possible, be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature shall match the old in design, color, texture and other visual

qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

2. The proportions (width versus height relationship) between windows should be compatible, if not replicated, with the architectural design and character of the designated property.

Motion by Powers, second by Franken, to approve Case COA23-20. Motion to approve passed by a roll call vote (6-0).

VI. Other Business

A. 2023 Preserve Iowa Summit

B. Party in the Park

The Commission decided to participate at the June 15th event in Lafayette Park and the August 10th event at Garfield Park.

VII. Open Forum for Comment

VIII. Adjourn

Motion by Hustedde, second by Kretz, to adjourn the meeting. Motion passed by a voice vote (6-0). The meeting adjourned at 5:53 pm.

IX. Next Commission Meeting: June 13, 2023

City of Davenport
Historic Preservation Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
6/13/2023

Subject:
Party in the Park

Recommendation:
Hold Discussion.

Background:
Party in the Park:

Join the City of Davenport this summer for Party in the Park. The two-hour events are anticipated to run 5:30 p.m. - 7:30 p.m. on select Thursdays June 15 through August 17.

Party in the Park attendees can enjoy food, entertainment, and a variety of activities for the kids! These events are a great opportunity to meet fellow residents, learn more about surrounding neighborhoods, and engage with local elected officials. Members from city staff will be in attendance to discuss concerns and opportunities facing the community and how to can get involved in your neighborhood.

Historic Preservation Commission Dates & Locations:

1. June 15th: Lafayette Park, 700 W 4th Street (Adjacent to Hamburg Historic District)
2. August 10th: Garfield Park, 1224 E 29th Street (Miles Collins House)

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	6/5/2023 - 8:22 AM

City of Davenport
Historic Preservation Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
6/13/2023

Subject:
Downtown Davenport Architectural Walking Tour

Recommendation:
Hold Discussion.

Background:
The Heart of Downtown Davenport: Architectural Styles and Stories

Join architectural historian and guide, Ellen Shapley, for this informative and fun tour. Meet and greet the old, the new, and the rehabbed on a walkabout through this outdoor gallery of architectural designs. Learn about the two centuries of artistic and historical trends that influenced the local and world-renowned architects who shaped our cities and our sense of place. And, finally, be amazed at all the creative details you've probably never noticed. This event will start at The Library | Main. Please meet inside the building near the hold shelf. The walking tour will run for about 1 hour and 30 minutes. Please wear appropriate attire: comfortable shoes and clothing. Tours are free to the public. Register online at: <https://davenportlibrary.libcal.com>.

This program is offered in partnership with the Richardson-Sloane Special Collections Center of the Davenport Public Library and the City of Davenport's Historic Preservation Commission.

- Date & Time:
1. Saturday, July 15th: 10am-11:30am
 2. Friday, August 7th: 6pm-7:30pm
 3. Monday, September 11th: 6pm-7:30pm
 4. Saturday, October 21st: 10am-11:30am

ATTACHMENTS:

Type	Description
 Backup Material	Walking Tour Flyer

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	6/5/2023 - 8:27 AM



WALKING TOUR

THE HEART OF DOWNTOWN DAVENPORT: ARCHITECTURAL STYLES & STORIES

Saturday, July 15th | 10am

Friday, August 7th | 6pm

Monday, September 11th | 6pm

Saturday, October 21st | 10am

Join architectural historian and guide, Ellen Shapley, for this informative and fun tour. Meet and greet the old, the new, and the rehabbed on a walkabout through this outdoor gallery of architectural designs. Learn about the two centuries of artistic and historical trends that influenced the local and world-renowned architects who shaped our cities and our sense of place. And, finally, be amazed at all the creative details you've probably never noticed.

This event will start at The Library | Main. The walking tour will run for about 1.5 hours. Please wear appropriate attire: comfortable shoes and clothing. Tours are **FREE** to the public. All are welcome!

Register online at: <https://davenportlibrary.libcal.com>

Presented By:



City of Davenport
Historic Preservation Commission

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch 563.888.2221

Date
6/13/2023

Subject:

Case COA23-21: Request to install a new flat roof at 1208 Main Street. The J. Monroe Parker-Ficke House is a locally designated historic landmark and located within the College Square Historic District. R3 Roofing and Exteriors, petitioner, on behalf of Delt 100 Alumni Counsel LLC. [Ward 3]

Recommendation:

A recommendation is made to approve the Certificate of Appropriateness for the installation of a new flat roof at 1208 Main Street in accordance with the submitted material.

The project was reviewed for conformance with the Standards for Review, Chapter 14.01.060 C of the Davenport Municipal Code. The project meets the following standards:

1. Every reasonable effort shall be made to make the minimal number of changes necessary to maintain a designated property in a good state of repair, thereby minimizing the impact of the proposed alteration.
2. Deteriorated architectural features should, where possible, be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

Background:

Property Significance:

The City of Davenport listed the J. Monroe Parker-Ficke House as a local landmark on June 4, 2003. The J. Monroe Parker-Ficke House is owned by an alumni association of Palmer College of Chiropractic. The DELT 100 Alumni Counsel LLC owned the property in 2003 and were supportive of the nomination.

The residence is located within the College Square National Historic District. The home is recognized by state preservation officials as one of the finest French Second Empire residences in the state of Iowa, second only to the Governor's mansion at Terrace Hill. The landmark nomination states, "It is the most widely photographed and publicized landmark in Davenport."

Request:

Installation of a new flat roofing system. The slate mansard roof is outside the scope of this project and will remain in its current condition.

The existing flat portion of the roof, including the porch and tower roofs, will be removed and replaced. The deteriorated roof will be brought to code with a thermoplastic polyolefin (TPO) roofing system with polyisocyanurate thermal insulation (ISO) boards. TPO is a roofing membrane composed of three layers. A properly installed and maintained TPO roof may last 20-30 years. ISO is a popular low slope building roof insulation.

The project also includes the installation of R&R chimney flashing, detaching and resetting the ornamental fencing, and repairing the wood work where the ornamental fencing has been damaged. The contractor will also install drains and inspect damaged downspouts that pass through the roofing system.

Staff believe the replacement roof materials are appropriate and will have minimal, if any, visual impact on the historic character of the property. A new roof will also prevent further leaking and damage to the interior of the structure.

Previous Certificate of Appropriateness Applications:

1. June 8, 2021: The Historic Preservation Commission granted a Certificate of Appropriateness to tuckpoint and replace brick, subject to the following conditions:
 - To the greatest extent possible, the existing brick shall be preserved, cleaned, and reused.
 - The mortar joint shall be concave.
2. August 10, 2021: The Historic Preservation Commission granted a Certificate of Appropriateness to reconstruct the east porch subject to the following condition:
 - The dimensions of the PVC tongue and groove porch flooring shall be submitted to City Staff for review and approval. Floor board dimensions shall be consistent with the Second Empire architectural style and those used during its original construction in 1881.
3. May 9, 2023: The Historic Preservation Commission denied the request to install new windows at 1208 Main Street because the replacement windows did not meet the review standards identified in Chapter 14.01.060.C of the Historic Preservation Ordinance.

ATTACHMENTS:

Type	Description
▢ Backup Material	Application
▢ Backup Material	Background Materials & Photos
▢ Backup Material	Historic Property Inventory Sheet
▢ Backup Material	Local Landmark Nomination Report 6-4-03
▢ Backup Material	Historic Preservation Ordinance-Review Standards

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	6/5/2023 - 8:18 AM



CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 W. 46th St
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
CERTIFICATE OF APPROPRIATENESS
HISTORIC PRESERVATION COMMISSION

Application Name

R3 Roofing And Exteriors

Address

730 E. Kimberly Rd. suite C

City | State | Zip

Davenport, IA 52807

Phone

563-888-1017

Secondary Phone

E-Mail Address

Permits@R3Roofs.com

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for attendance at the meeting as shown on the historic preservation commission calendar. The City reserves the right to require further site studies as necessary.

Meagan Smith
Type Applicant's Name as a signature

5/18/23
Date

Property Owner (Billing)

DELT 100 Alumni Counsel LLC

Address

3510 Galley Rd. Suite 104, Colorado Springs, CO

Phone

508-944-8480

Secondary Phone

E-Mail Address

hennendc@me.com

Project Manager/Other Address

DELT 100 Alumni Counsel

Address

1208 main St. Davenport, IA 52803

Phone

508-944-84

Secondary Phone

E-Mail Address

hennendc@me.com

SITE ADDRESS & PARCEL NUMBER and/or HISTORIC NAME

1208 main St.

BRIEF OVERVIEW OF THE PROJECT (not a scope of work)

Re-roof

APPLICABILITY PRIOR to any work on applicable Historic Resources:

A Certificate of Appropriateness must be submitted & approved PRIOR to the commencement of the following:

- Any Building or Sign Permit changing the exterior (except demo)
- New construction/Addition or exterior alteration of a structure
- Sign installation or alteration

Demolition of any local or national historic resources shall require a Historic Demolition Request Application

ALL SUBMITTALS SHALL INCLUDE:

SUBMITTED

Full Scope of Work (SOW) attached as a .PDF

all work & materials shall be described & itemized/listed in detail

Photos or renderings of all existing building/sign façades

Proposed color building/sign elevations to scale

rendered showing existing and/or proposed building materials

Material specs: type, dimensions, color & manufacturer

MINOR & MAJOR ADDITIONS, SITE IMPROVEMENTS, & NEW BUILDINGS SHALL INCLUDE ADDITIONAL ITEMS*:

Dimensioned Site Plan (proposed & existing buildings/site items)

Grading Plan with 2 foot intervals (if needed)

Mechanical Screening shall be shown

Materials Board of sample building materials proposed

* Major Additions & New Buildings may require more extensive information

Formal Procedure

Application Fee: **NONE**

(1) Application:

- Prior to submission of the application, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of applicant's scheduled meetings.

(2) Scope of Commission's Consideration:

- Only work described in the application may be approved.
- If insufficient information exists to make a proper judgment on the application, the Commission may continue the consideration a maximum of 60 days, excluding applicant's continuances.

(3) Post Commission Ruling:

- An approved Cert. of Appropriateness does not constitute a City permit or license and does vest against any other land development regulation or regulatory approval. Applicant must contact necessary development authorities.
- COA approval expires one year from the date of approval unless a building permit is obtained within such period. An applicant may apply in writing for an extension of time at any time prior to the date of expiration.
- Appeals to determinations are \$75 made to City Council and shall be in writing submitted to the Zoning Administrator within 30 calendar days of Commission's decision.

Submit this form with attachments to: planning@davenportiowa.com



Quad City
112 W 3rd St.
Davenport, Iowa 52801
563-888-1017
contact@r3roofs.com
r3roofs.com

LICENSE #
104.018758
Tax ID 82-1842415



General Contractor/Subcontractor
Licensed and Insured

ROOFING AGREEMENT
Subject to Insurance Company Approval

Date: 03/22/2023

First: Delt Last: 100
Address: 1208 Main St
City: Davenport State: IA Zip: 52803

Email: hennendc@me.com

Phone: 5089448480

Billing Address: _____

Residential Roofing

Roofing Property Type: Multi-Family House Flat Roof Only

Manufacturer: Mule Hide Series: _____ Roof Color: White

Underlayment: Per Code Valley: _____ Valley Color: NA

Ventilation Ridge Vent: NA Quantity: _____ Color: _____

Turtle Vent: NA Quantity: _____ Color: _____

Exhaust Vent: _____ Quantity: _____ Color: _____

Power Vent: NA Quantity: _____ Color: _____

Turbine Vent: NA

Roof Deck Roof Decking: Per Code

Plumbing Stack A Size: 4-6 Quantity: 3 Stack C Size: _____ Quantity: _____

Stack B Size: 1-3 Quantity: 2 Stack D Size: _____ Quantity: _____

Drip Edge/
Gutter Apron Color: WHITE

Flashing Roof to Walls: Per Code Color: WHITE

Low Pitch Type: TPO Color: WHITE

Type: _____ Color: _____

Metal Panel Manufacturer: _____ Style: _____ Color: _____

Structures Antenna: _____ Satellite Dish: _____ Chimney: Per Code

Lightening Rod: _____ Rain Diverter: _____ Snow Melt Cable: _____

Solar Panel: _____ Solar Pool Heater: _____ Skylight: _____

Awnings

Scope: NA Material Type: _____
 Main Color: _____ Accent Color: _____
 Elevation: _____ Quantity: _____ Elevation: _____ Quantity: _____
 Elevation: _____ Quantity: _____ Elevation: _____ Quantity: _____

Gutters

Scope: NA Elevation: _____ Size: _____ Color: _____
 Attachment Method: _____

Downspouts

Scope: NA Elevation: _____ Size: _____ Color: _____
 Kickouts: _____

Guards

Scope: NA Elevation: _____ Size: _____ Color: _____
 Style: _____

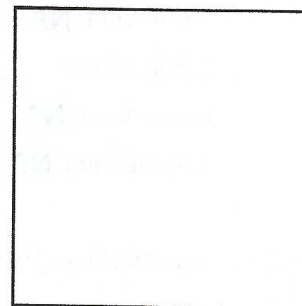
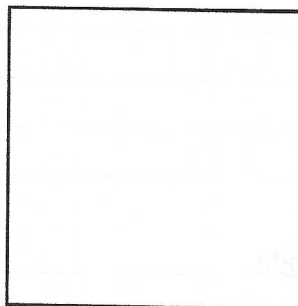
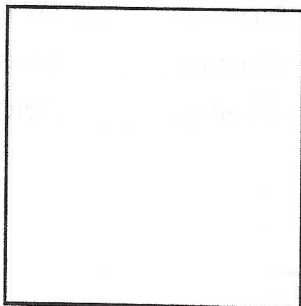
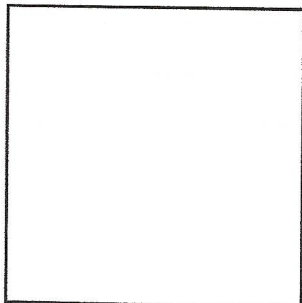
Elevations

Front

Back

Left

Right



Special Instructions

- ☒ Work Per an Insurance Estimate
- ☒ Property Owner is Responsible for their Deductible
- ☐ Work Per Out-of-Pocket Proposal/Estimate

Removing & Replacing the flat portion of the roofing system. Install TPO Roofing System with ISO board to bring the building code. R&R Chimney Flashing, Detach & Reset the ornamental fencing, Install Ice & Water and repair the wood work where the ornaments fencing was damaged. Drywall work to be repaired/completed in the interior per the insurance scope of work. Working per the entire insurance scope plus any additional supplements.

Installing drains where existing gutters are currently. Inspecting damaged downspouts that go through the roofing system.

Terms: This Agreement does not obligate the homeowner(s)/Customer(s) or R3 Roofing and Exteriors in any way, unless the work is approved by the Customer's insurance company and accepted by R3 Roofing and Exteriors. Homeowner(s)/Customer(s) agree to allow R3 Roofing and Exteriors to perform all roofing and siding repairs as described by the insurance company at prices determined by the insurance company with no additional cost to the homeowner(s)/Customer(s), except for the deductible and required code upgrades and site mitigation to the extent not covered by insurance. Customer acknowledges that R3 Roofing and Exteriors will be entitled to ALL overhead and profit, O&P, if allowed by insurance company. The terms on the reverse side of this Agreement are specifically agreed to and incorporated herein. To the extent there is a conflict in the terms of this Agreement, the terms on the reverse side hereof shall control. **You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right.**

Accepted by Homeowner on: Mar 29, 2023

Payment Method: **First payment when finalizing of Contract**

Total Contract Price:

By Bradley R Henner DC

By Maximiliano Rocha

☒ Plus Additional Supplements

Insurance Co.: State Farm

Date of Loss: 09/18/2022

Claim #: 1539Z454C

Field Supervisor: Maximiliano Rocha

Management Approval: Maximiliano Rocha

Both sides of this Agreement, including the terms and conditions on the first page and below, and any agreement executed in writing, pursuant thereto, between R3 Roofing and Exteriors ("Company") and the property owner(s) and representatives thereof ("Customer") are subject to the laws in effect in the State in which it has been signed and executed. This Agreement is subject to the credit and pricing approval of the management of R3 Roofing & Exteriors.

ANY REPRESENTATION, STATEMENTS OR OTHER COMMUNICATIONS NOT WRITTEN IN THIS AGREEMENT ARE AGREED TO BE INVALID AND UNENFORCEABLE, AND DO NOT SURVIVE THE EXECUTION OF THIS AGREEMENT. THE PARTIES EXPRESSLY ACKNOWLEDGE NO SUCH OTHER REPRESENTATION, STATEMENTS OR COMMUNICATIONS ARE BEING RELIED UPON IN ENTERING THIS AGREEMENT.

Should default be made in payment of this Agreement, a lien may be placed on the property and charges will be added from the date of substantial completion at the maximum allowed by law. If placed in the hands of any attorney for collection, all attorney and legal fees shall be paid by the Customer. Any person or company supplying labor or materials for this improvement to your property may also file a lien against your property if that person or company is not paid for the labor and materials furnished. The Company may, at its sole discretion, file a commencement of work with the Iowa Mechanic's Notice and Lien Registry. The Company reserves all rights under Iowa Code Chapter 572. The parties agree and acknowledge part of this contract is being performed in Scott County, Iowa, the Company's headquarters, and the parties agree Iowa law shall control and exclusive venue regarding any disputes related to this Agreement shall be in the Iowa District Court of Scott County.

The Customer shall be responsible for payment of any extras requested by the Customer and any labor and materials required by state, federal and local laws, including local building codes and requirements of local building officials, to properly complete the repairs, regardless if the Customer's insurance company covers or pays for said required labor and materials, also referenced as "required code upgrades" and "site mitigation."

Customer agrees and understands Company shall not be responsible for performing miscellaneous work and repairs identified by the Customer's insurance company. The Company shall have sole discretion regarding whether it will complete any additional miscellaneous work and repairs identified by Customer's insurance company. If the Company declines to perform said additional miscellaneous work and repairs, the Company will deduct the amount the Customer's insurance company attributed to said trades or repairs from the amount due to the Company.

If specified in the "Special Instructions" on the first page of this Agreement, Customer may choose to forgo certain repairs or trades identified in the Customer's insurance scope relating to this Agreement. In such event, the Customer releases the Company of any and all obligations to perform such repairs and trades, and the Company will deduct the amount the Customer's insurance company attributed to said trades or repairs from the amount due to the Company. The cost of any excluded items will be credited towards out of pocket costs, upgrades, change orders and/or code/ordinance related items that are not covered by insurance.

First payment is due upon execution of this Agreement by the Customer. Payment is due for the remainder of this Agreement with the completion of each individual trade. The Customer agrees to pay the balance due on each individual within fifteen (15) days of completion of such trade. Interest at a rate of seven percent (7%) per annum shall begin to accrue on any balance due to the Company on the 16th day after completion of the trade(s), or invoice thereof, whichever is later. The Customer agrees to cooperate with the Company and execute any necessary documents required by the Customer's insurance company or the Company to allow recovery of insurance proceeds to the maximum amount possible.

Subject to the cancellation rights stated on the first page of this Agreement, this Agreement cannot be canceled once negotiations begin with the Customer's insurance company, and/or, once material has been delivered to Customer's job-site, without written, mutual agreement of the Customer and the Company. If this Agreement is canceled by the Customer later than midnight of the third business day after the date of this Agreement, Customer agrees to pay an amount equivalent to 25% of the total contract price for consulting services rendered and/or liquidated damages. If materials have to be returned due to cancellation by the Customer, Customer agrees to pay any additional fee for restocking not to exceed 10% of the total contract price, or the price of non-returnable materials, whichever is greater.

The Company reserves the right to supplement the insurance company for increases in the full scope of work, and/or documented price increases. Customer agrees to allow these supplements and for such supplements to be paid directly to the Company.

The Company shall not be responsible for damage below the roof due to leaks caused by excessive wind greater than 55 M.P.H., ice or hail at any time during construction process or during the warranty period. The Company will not be responsible for slight scratching and denting of gutters, oil droplets in driveways, hairline fractures in concrete, flowers or minor broken branches on plants and shrubbery. All excess materials shall remain property of the Company.

If any provisions of this Agreement should be held invalid or unenforceable, the validity and enforceability of the remaining provisions shall not be affected thereby.

WARRANTY

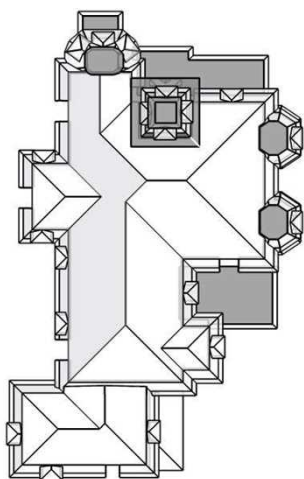
R3 Roofing & Exteriors makes no representations or warranties regarding whether the Customer's insurer will pay for any or all of the Company's services provided to the property or the Customer. R3 Roofing & Exteriors provides a two year warranty from the date of completion on the all workmanship provided.

All warranties are null and void if R3 Roofing & Exteriors is not paid in full in accordance with this Agreement.

PLEASE MAKE ALL CHECKS PAYABLE TO R3 ROOFING AND EXTERIORS

1208 N Main St, Davenport, IA 52803-4741

Report: 49241262



In this 3D model, facets appear as semi-transparent to reveal overhangs.

PREPARED FOR

Contact: Andrea Ponce
Company: R3 Construction, LLC
Address: 730 E Kimberly Rd Suite C
Davenport, IA 52807
Phone: 760-586-0294

TABLE OF CONTENTS

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Penetrations Diagram	8
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MEASUREMENTS

Total Roof Area = 8,074 sq ft
Total Roof Facets = 229
Predominant Pitch = 1/12
Number of Stories > 1
Total Ridges/Hips = 899 ft
Total Valleys = 404 ft
Total Rakes = 12 ft
Total Eaves = 1,180 ft
Total Penetrations = 24
Total Penetrations Perimeter = 87 ft
Total Penetrations Area = 38 sq ft

Measurements provided by www.eagleview.com



Certified Accurate

www.eagleview.com/Guarantee.aspx

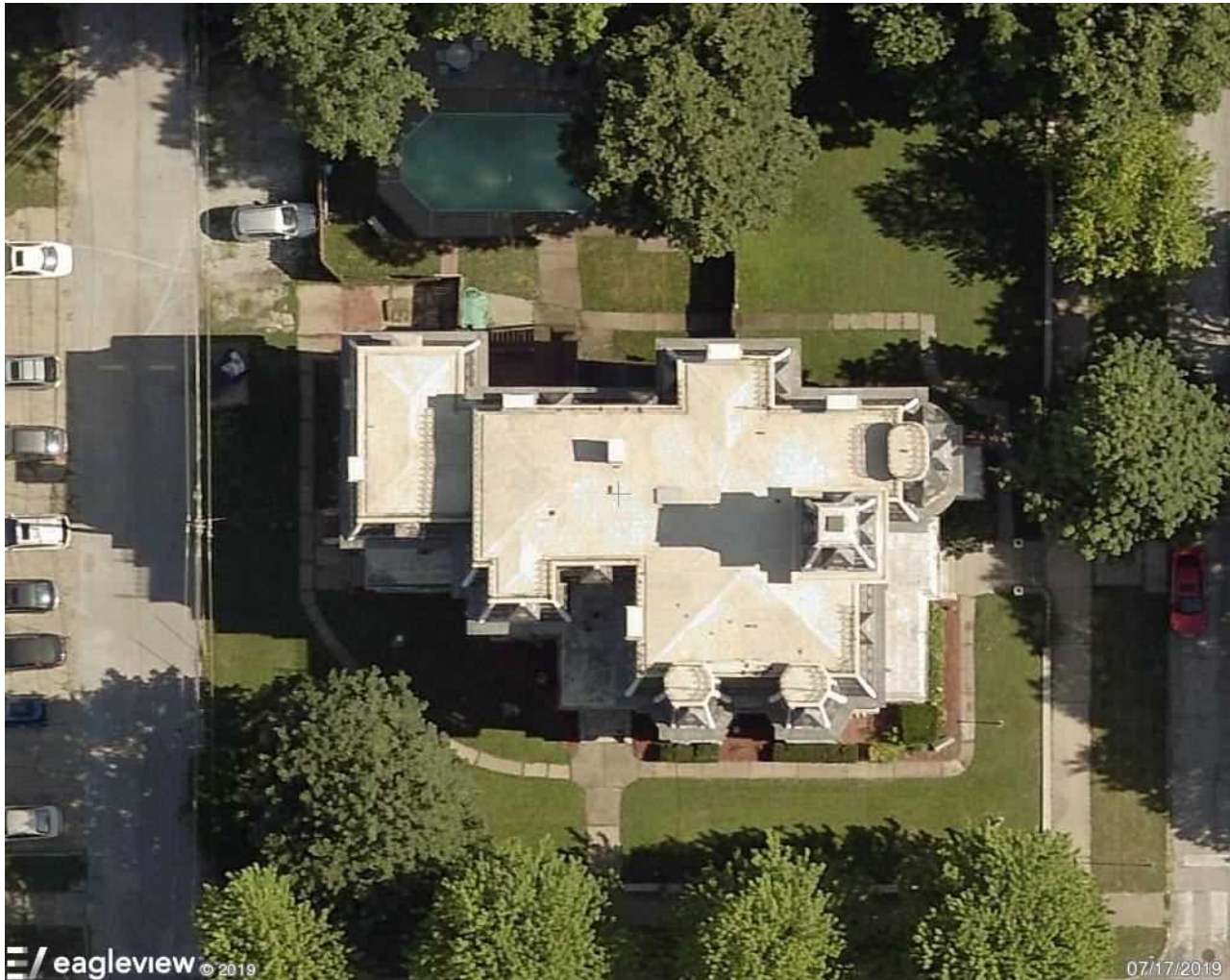
1208 N Main St, Davenport, IA 52803-4741

Report: 49241262

IMAGES

The following aerial images show different angles of this structure for your reference.

Top View



1208 N Main St, Davenport, IA 52803-4741

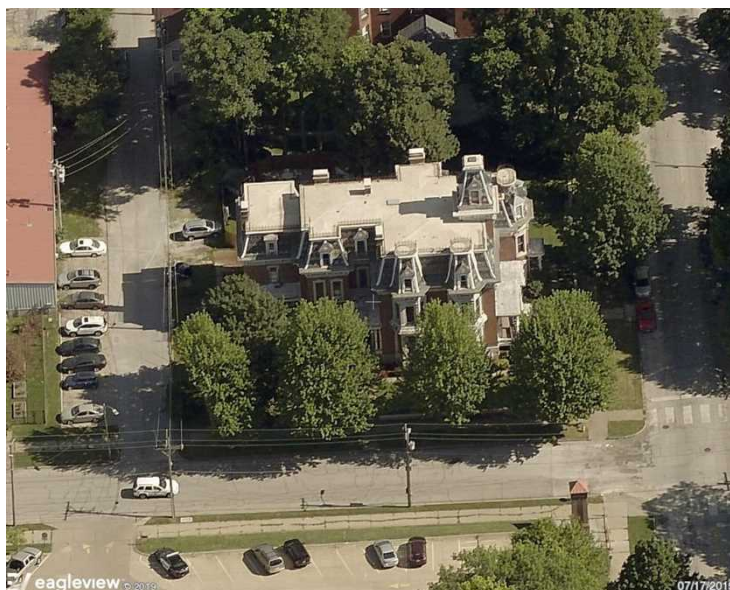
Report: 49241262

IMAGES

North Side



South Side



1208 N Main St, Davenport, IA 52803-4741

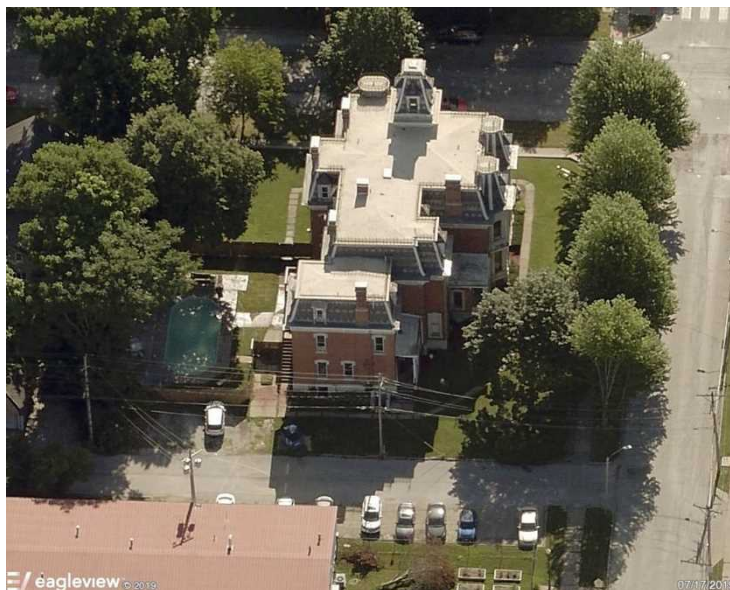
Report: 49241262

IMAGES

East Side



West Side



1208 N Main St, Davenport, IA 52803-4741

Report: 49241262

LENGTH DIAGRAM

Total Line Lengths:

Ridges = 96 ft
Hips = 803 ft

Valleys = 404 ft

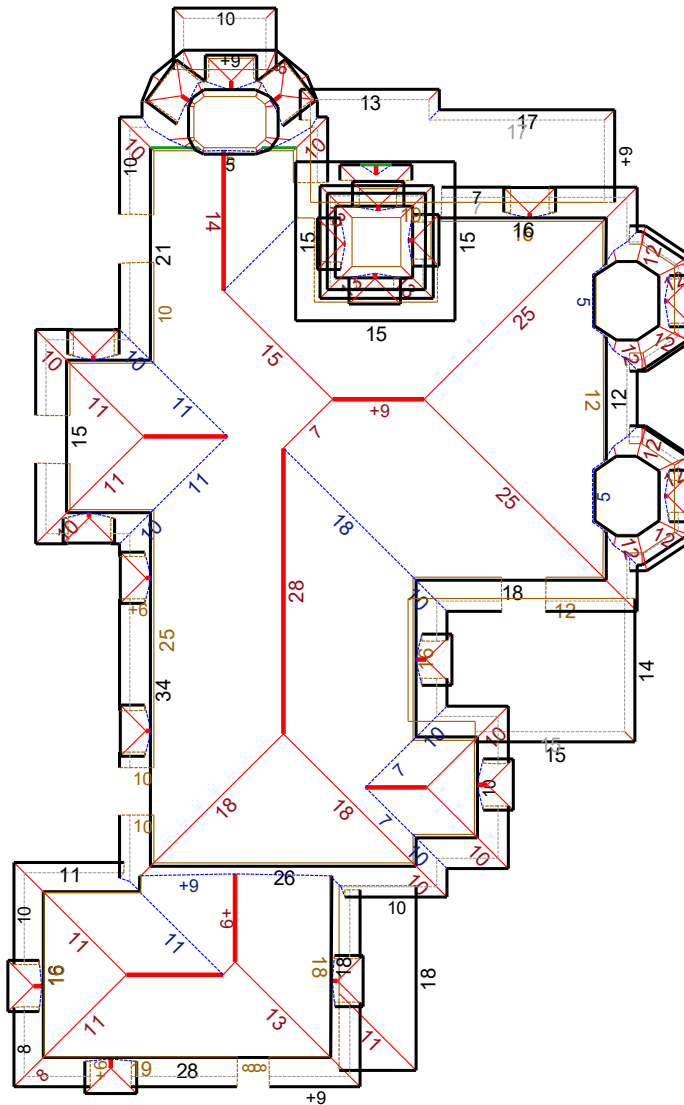
Rakes = 12 ft

Eaves = 1,180 ft

Flashing = 545 ft

Step flashing = 508 ft

Parapets = 0 ft

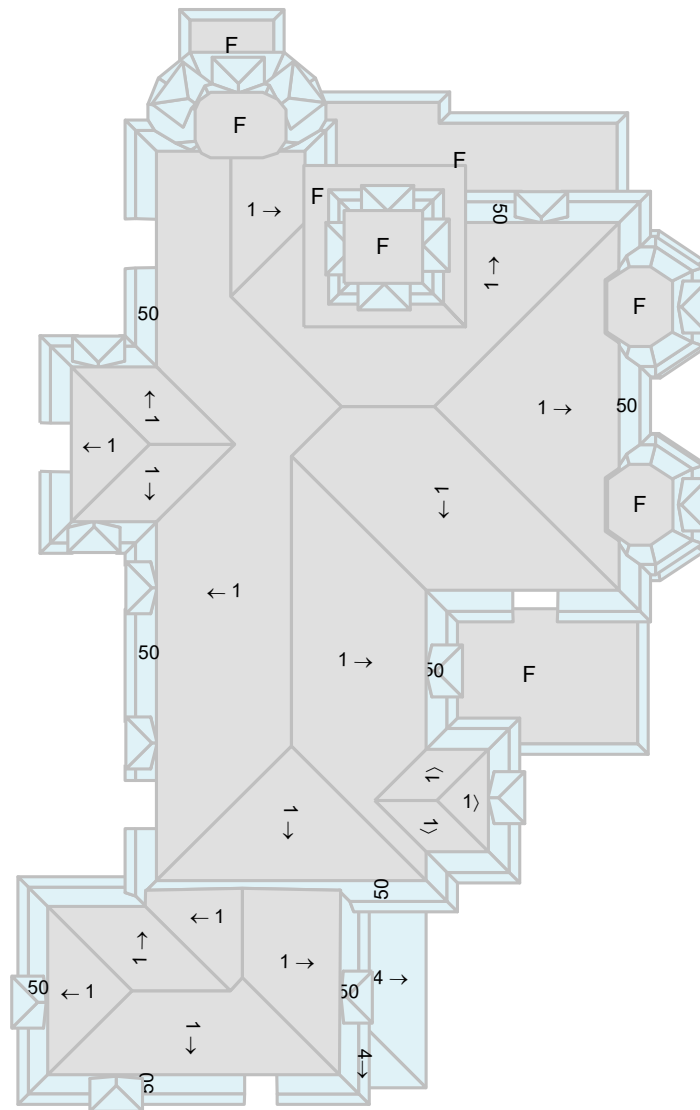


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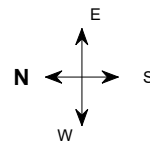
Note: This diagram contains segment lengths (rounded to the nearest whole number) over 5.0 Feet. In some cases, segment labels have been removed for readability. Plus signs preface some numbers to avoid confusion when rotated (e.g. +6 and +9).

PITCH DIAGRAM

Pitch values are shown in inches per foot, and arrows indicate slope direction. The predominant pitch on this roof is 1/12



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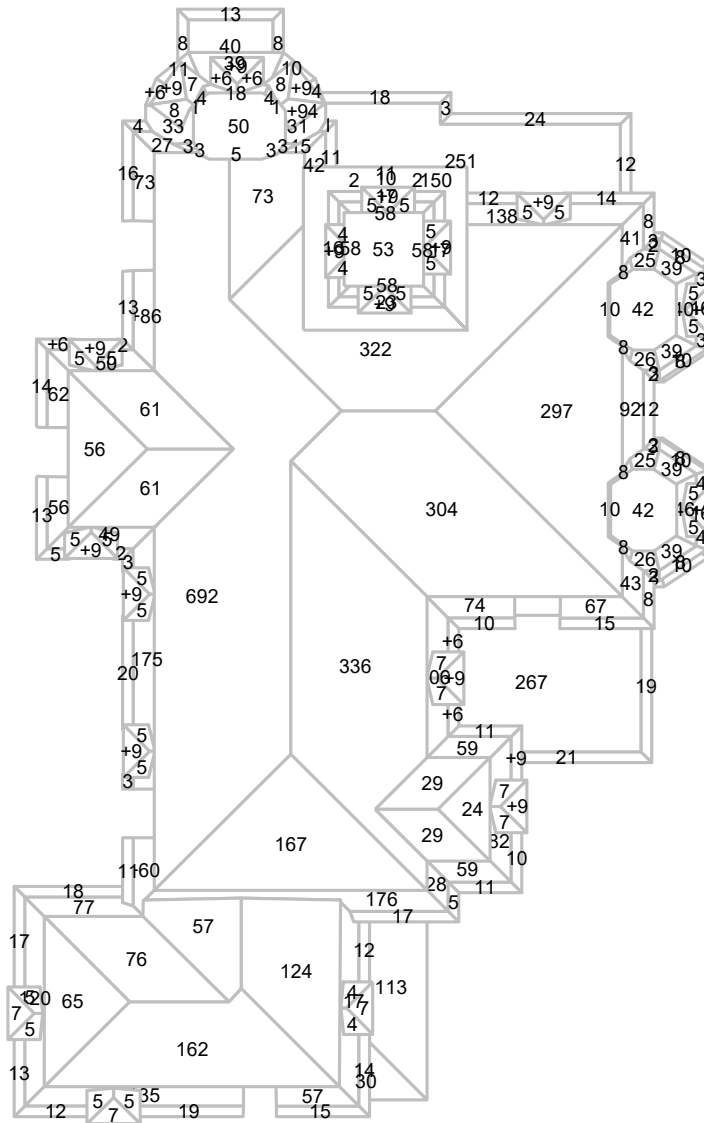
Note: This diagram contains labeled pitches for facet areas larger than 20.0 square feet. In some cases, pitch labels have been removed for readability. Blue shading indicates a pitch of 3/12 and greater. Gray shading indicates flat, 1/12 or 2/12 pitches. If present, a value of "F" indicates a flat facet (no pitch).

1208 N Main St, Davenport, IA 52803-4741

Report: 49241262

AREA DIAGRAM

Total Area = 8,074 sq ft, with 229 facets.

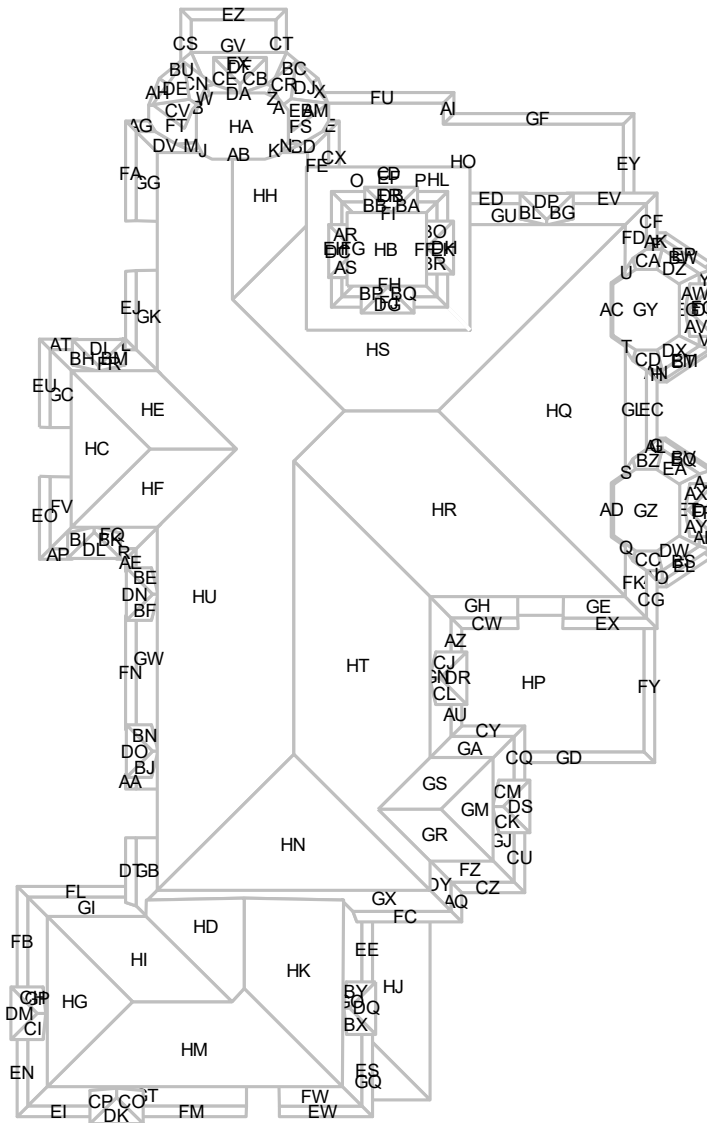


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Note: This diagram shows the square feet of each roof facet (rounded to the nearest Foot). The total area in square feet, at the top of this page, is based on the non-rounded values of each roof facet (rounded to the nearest square foot after being totaled).

NOTES DIAGRAM

Roof facets are labeled from smallest to largest (A to Z) for easy reference.



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1208 N Main St, Davenport, IA 52803-4741

Report: 49241262

PENETRATIONS NOTES DIAGRAM

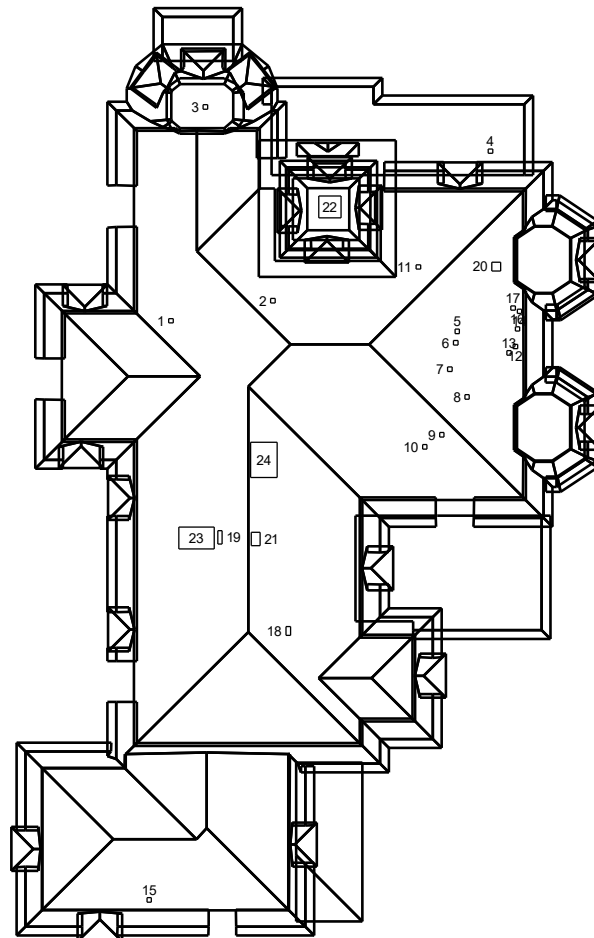
Penetrations are labeled from smallest to largest for easy reference.

Total Penetrations = 24

Total Penetrations Perimeter = 87 ft

Total Penetrations Area = 38 sq ft

Total Roof Area Less Penetrations = 8,036 sq ft



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REPORT SUMMARY

All Structures

Areas per Pitch																			
Roof Pitches	0/12	1/12	4/12	5/12	8/12	11/1	12/1	18/1	22/1	25/1	30/1	31/1	32/1	34/1	50/1	70/1	72/1	73/1	
Area (sq ft)	894.	2935	142.	50.6	1.8	53.0	495.	418.	33.2	72.8	64.2	17.4	34.9	61.4	2167	441.	173.	16.7	
% of Roof	11.1	36.4	1.8	0.6	0%	0.7	6.1	5.2	0.4	0.9	0.8	0.2	0.4	0.8	26.8	5.5	2.1	0.2	

The table above lists each pitch on this roof and the total area and percent (both rounded) of the roof with that pitch.

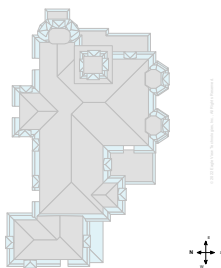
Waste Calculation Table							
Waste %	0%	10%	12%	15%	17%	20%	22%
Area (sq ft)	8,074	8881.4	9042.9	9285.1	9446.6	9688.8	9850.3
Squares	80.7	88.8	90.4	92.9	94.5	96.9	98.5

This table shows the total roof area and squares (rounded up to the nearest decimal) based upon different waste percentages. The waste factor is subject to the complexity of the roof, individual roofing techniques and your experience. Please consider this when calculating appropriate waste percentages. Note that only roof area is included in these waste calculations. Additional materials needed for ridge, hip, valley, and starter lengths are not included.

Penetrations	1-17	18	19	20	21	22	23	24		
Area (sq ft)	0.3	0.5	0.8	1	1.5	6.3	10	12		
Perimeter (ft)	2	3	4	4	5	10	13	14		

Any measured penetration smaller than 3.0x3.0 Feet may need field verification. Accuracy is not guaranteed. The total penetration area is not subtracted from the total roof area.

All Structures Totals



Total Roof Facets = 229
Total Penetrations = 24

Lengths, Areas and Pitches

Ridges = 96 ft (27 Ridges)
Hips = 803 ft (144 Hips).
Valleys = 404 ft (100 Valleys)
Rakes† = 12 ft (5 Rakes)
Eaves/Starter‡ = 1,180 ft (205 Eaves)
Drip Edge (Eaves + Rakes) = 1,192 ft (210 Lengths)
Parapet Walls = 0 (0 Lengths).
Flashing = 545 ft (123 Lengths)
Step flashing = 508 ft (134 Lengths)
Total Penetrations Area = 38 sq ft
Total Roof Area Less Penetrations = 8,036 sq ft
Total Penetrations Perimeter = 87 ft
Predominant Pitch = 1/12
Total Area (All Pitches) = 8,074 sq ft

Property Location

Longitude = -90.5758701
Latitude = 41.5321863

Notes

This was ordered as a commercial property. There were no changes to the structure in the past four years.

† Rakes are defined as roof edges that are sloped (not level).
‡ Eaves are defined as roof edges that are not sloped and level.

1208 N Main St, Davenport, IA 52803-4741

Report: 49241262

Online Maps

Online map of property

http://maps.google.com/maps?f=q&source=s_q&hl=en&geocode=&q=1208+N+Main+St,Davenport,IA,52803-4741

Directions from R3 Construction, LLC to this property

http://maps.google.com/maps?f=d&source=s_d&saddr=730+E+Kimberly+Rd+Suite+C,Davenport,IA,52807&daddr=1208+N+Main+St,Davenport,IA,52803-4741

1208 N Main St, Davenport, IA 52803-4741

Report: 49241262

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Contractors agree to always conduct a preliminary site survey to verify Roof Report ordered. In the event of an error in a Report, your sole remedy will be a refund of the fees paid by you to obtain this Report.

J. Monroe Parker-Ficke House

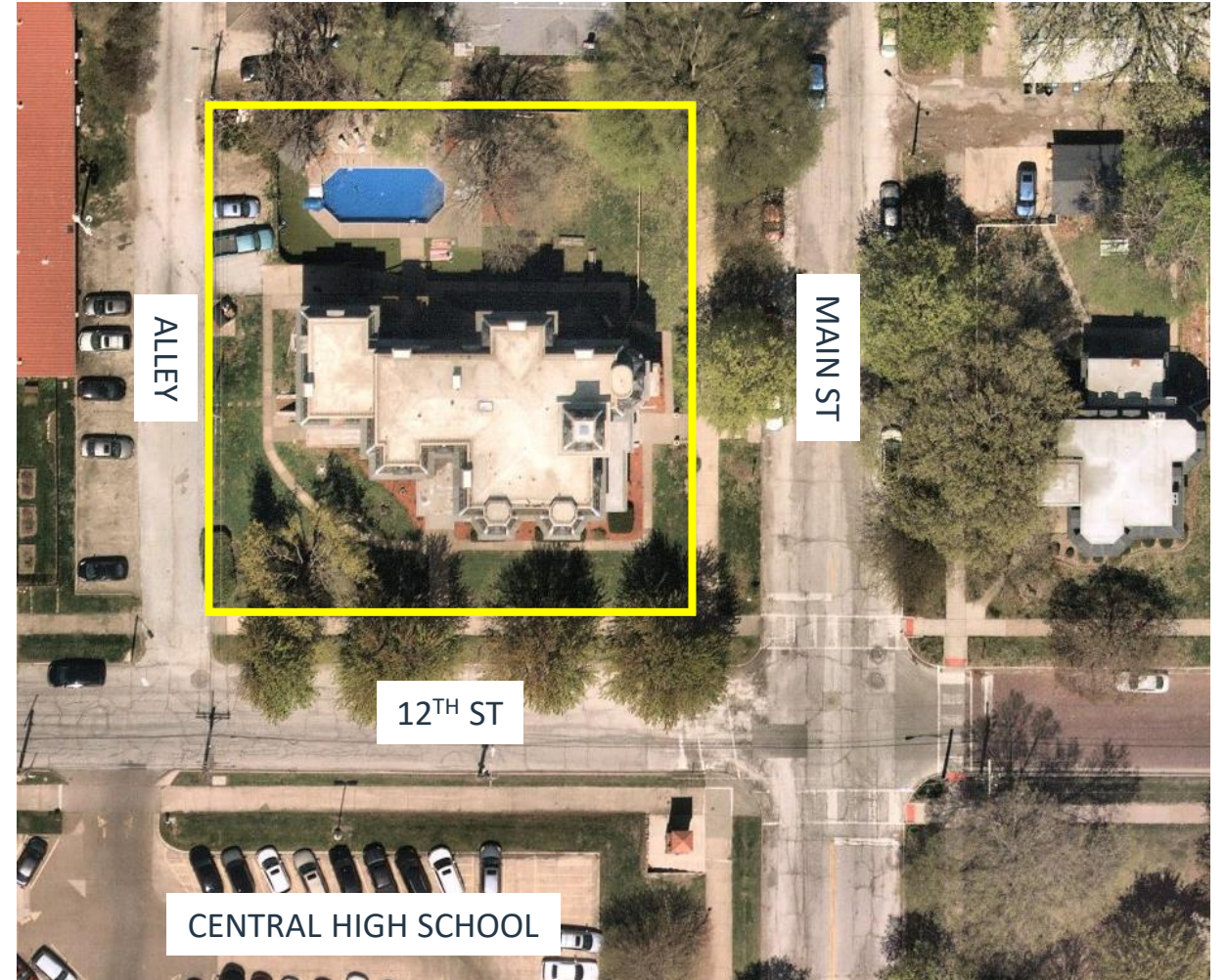


- Locally Designated Historic Landmark: June 4, 2003
- College Square Historic District
- Constructed: 1881
- Architectural Style: French Second Empire
- Recognized by Preservation Officials as the Finest Residence in the State of Iowa, 2nd only to the Governor's Mansion at Terrace Hill.
- "It is the most widely photographed and publicized landmark in Davenport." –Landmark Nomination



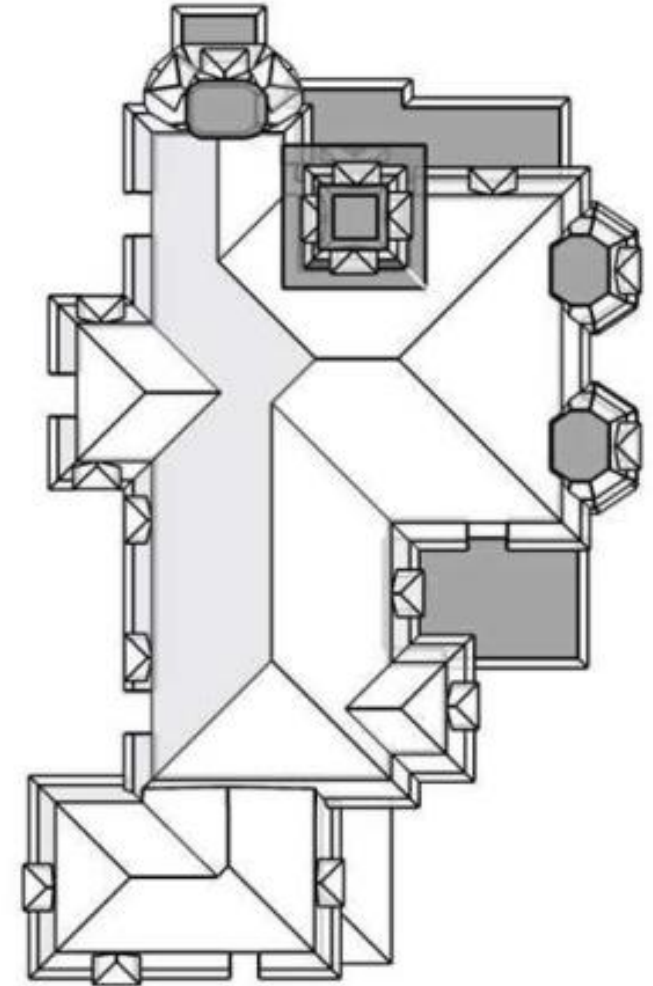
1208 Main Street

DAVENPORT
IOWA | USA



Project Scope

- Remove & replace the flat roofing system.
- The slate mansard roof is outside the scope of this project. Will remain in current condition.
- Install a TPO Roofing System with ISO Boards.
- Install new chimney flashing.
- Reset ornamental fencing.
- Repair wood work where needed.
- Install drains & inspect downspouts



Roofing System

DAVENPORT
IOWA | USA



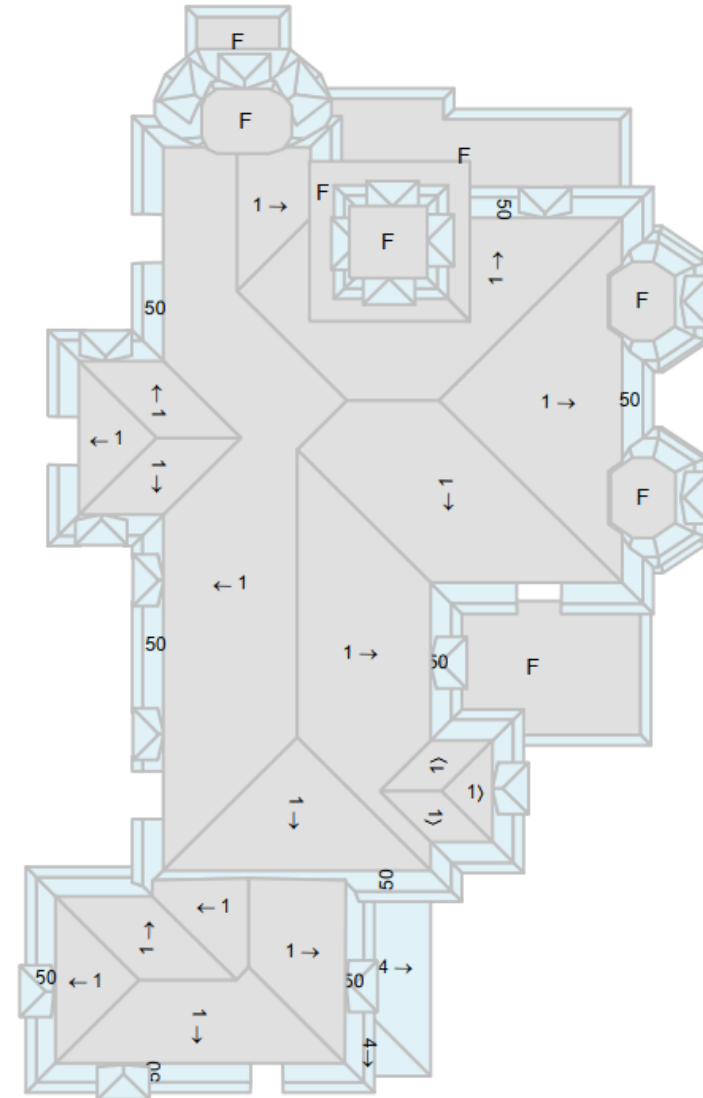
Roofing System

DAVENPORT
IOWA | USA



Roofing System

DAVENPORT
IOWA | USA



Ornamental Railing

DAVENPORT
IOWA | USA



Ornamental Railing

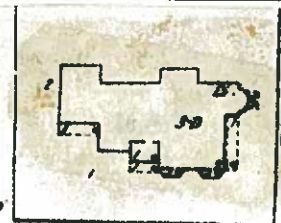
DAVENPORT
IOWA | USA



ARCHITECTURAL/HISTORICAL SURVEY

DAVENPORT, IOWA

The Architects Office

Wehner, Nowysz, Pottschull and Pfiffner
201 day building, Iowa city, Iowa 52240DAVENPORT COMMUNITY DEVELOPMENT DEPARTMENT
IOWA DIVISION OF HISTORIC PRESERVATIONSITE #82-10- MA-1208 MAP # 3HIST. DIST. College SquareNAME J. Monroe Parker Residence (Ficke) (H) CADDRESS 1208 Main StreetLEGAL DES. Allen's 2nd Add. 10 Lots 1, 2 and 3
SUB-DIVISION BLOCK PARCEL SUB-PARCELUTM 15 7102240 46100460 ACREAGE 1 ZONE R-6M
EASTING NORTHINGOWNER Delta Sigma Chi Fraternity
1208 Main St., Davenport, IA 52803TITLE H. De L. Egan & Wife
(IF DIFF)

SITE SHEET

DESCRIPTION

FORM 2 stories, irregular plan CONST. DATE 1881

MATERIALS Stone, brick, wood, cast & wrought iron ARCH Second Empire

FENESTRATION Rectangular 1/1 D.H.S. in broad surrounds w/incised heads STYLE

DIST. FEATURES State mansard w/iron cresting, bracketed cornice w/paneled frieze, 2-story polygonal window bays, columned porches

ALTERATIONS 1 or 2 porch columns missing; converted to fraternity/apartment building

SITE & RELATED STR. Corner lot north of Sheldon Hall & high school

STATEMENT

The Ficke House is perhaps the finest example of Second Empire architecture in Iowa, rivalled only by Terrace Hill in Des Moines. From the extraordinary roofscape - crested, dormered, sheathed in polychrome shingles - to the richly detailed cornices, porches and window surrounds, the Ficke House is the ultimate expression of Victorian excess, beautifully composed and finely-executed.

ARCHITECTURE

SOURCES

Davenport Democrat & Leader, 30, May, 1904.

HABS Inventory Form, Iowa Division of Historic Preservation

SIGNIFICANCE

This building is associated with a moderately important local political leader and elected official, C.A. Ficke. As an active German-American politician, his career typified the change from Republican party to Democrat party evidenced in the German electorate between 1860 and 1885. Since City Hall remains extant, the value of this property is diminished.

Architect and contractor for the house was T. W. McClelland and Co., with the slate roof by Victor Huot. The design may possibly be credited to Benjamin W. Gartside, who was architect with the McClelland firm from 1878 until becoming vice-president in 1889.

HISTORY

DESCRIPTION

Charles August Ficke came to Davenport as a child in 1851. He became established as a lawyer in 1877 following reading in H.R. Claussen's office and formal study. A successful attorney, Ficke was also active in real estate and several local banks. In 1880, Ficke changed from Republican to Democrat, over such issues as prohibition and women's suffrage. He was elected County Attorney in 1886 and mayor in 1890 & 91. His second election was the largest majority registered by a mayor to date. His administration as mayor was marked by improved paving and sewer construction. His career typified the successful professional and business career of many local German-Americans.

SOURCES

- Downer, Harry, History of Davenport and Scott County, Iowa, Vol. II, Chicago: S.J. Clarke Publishing Company, 1910.
- Johnson, H.B., "German Forty-Eighters in Davenport," Iowa Journal of History and Politics, January, 1946, pp. 3-53.
- Oszuscik, Philippe, A History of the Architecture and Urbanization of Nineteenth Century Davenport, Iowa. Ph.D. Dissertation, University of Iowa, 1979, pp. 378, 387.

ARCHITECTURAL HISTORIAN: Martha Bowers | HISTORIAN: MARLYS SVENDSEN - ROESLER | SURVEY COMP 1981

EVALUATION

ARCHITECTURAL

- I. ARCH. EVALUATION Exceptional
- II. ENVIR. STATURE Landmark
- III. INT. OF CONTEXT Good
- IV. INT. OF FABRIC Excellent

LEVEL OF SIGNIFICANCE:

☒ NAT. ☐ STATE ☐ LOCAL ☐ N. ELIG.

HISTORICAL

- I. THEME(S) OF SIGNIFICANCE:
A. PRIMARY Gov't. & Politics
B. SECONDARY _____

II. LEVEL OF SIGNIFICANCE:

☐ NAT. ☐ STATE ☒ LOCAL

III. NRHP

ELIGIBLE ☒ NOT ELIGIBLE ☐

HISTORIC DISTRICT CLASSIFICATION

☒ A. ☐ B. ☐ C.

FOR DIVISION OF HISTORIC PRESERVATION USE ONLY

1. DATE RECEIVED _____

2. DATE OF STAFF EVALUATION _____

	A. ARCHITECTURAL	B. HISTORICAL
ELIGIBLE FOR NRHP	☐	☐
NOT ELIGIBLE FOR NRHP	☐	☐

3. NRHP ACTION

A. STATE REVIEW COMM.	APP. ☐	DISAPP. ☐	TABLED ☐	DATE _____
B. FEDERAL REVIEW	APP. ☐	DISAPP. ☐	TABLED ☐	DATE _____

4. D.H.P. SOURCES

- ☐ COUNTY RESOURCES
- ☐ W'SHIELD SURVEY
- ☒ NRHP 11/16/83
- ☐ GRANT _____

☐ DET. OF ELIGIBILITY

☐ R. & C. _____

☒ DAVENPORT A/H SURVEY

☐ _____

☐ _____

5. SUBJECT TRACES

6. PHOTO

1620-2,3,4, & 5

The Architects Office

Wehner, Nowysz, Pattschull and Pfiffner
901 ovy building, iowa city, iowa 52240DAVENPORT COMMUNITY DEVELOPMENT DEPARTMENT
IOWA DIVISION OF HISTORIC PRESERVATION

82 - 10 - MA-1208

ADDITIONAL PHOTOGRAPHS:



CONTINUATION

CITY OF DAVENPORT

DOCUMENT : 11947

COMMITTEE : Community Development Committee

ACTION:

DATE:

CD

05/29/03

DEPARTMENT: LAND USE

CONTACT : KENNETH OESTREICH

1, 2 & 3 6-4-03

PHONE : 326-6170

SUBJECT:

ORDINANCE for Landmark Designation for the Parker-Ficke Mansion, 1208 Main Street, pursuant to the provisions of Chapter 17.23 of the 2000 Municipal Code of the City of Davenport, Iowa (Delta 100 Alumni Association, petitioner).

RECOMMENDATION:

The Historic Preservation Commission recommends that the ordinance be approved.

The Commission vote was unanimous.

BACKGROUND:

The Historic Preservation Commission has voted to nominate the Parker-Ficke Mansion, 1208 Main Street, for listing on the Davenport Register of Historic Properties. The current owners, Delta 100 Alumni Association, are in support of the nomination.

The Parker-Ficke Mansion is recognized by state preservation officials as one of the finest French Second Empire residences in the state of Iowa, second only to the Governor's mansion at Terrace Hill.

It is the most widely photographed and publicized landmark in Davenport.

Charles Ficke was one of Davenport's earliest and most prosperous German immigrants. From the humblest of beginnings as a 14 year old store clerk, left alone to support himself in a less than fashionable downtown boarding house, he persevered for fifty years until he had built a vast fortune as a noted frontier lawyer and land appraiser. His unique skills helped open homestead sites in the six million acre Black Hawk Purchase land grant territory. By 1886, his professional reputation led to his election as the City Attorney of Davenport. By 1890, his popularity among the local citizenry was so universal that he often mused that they had elected him Mayor twice "over my

BACKGROUND: - continued

protests".

Charles Ficke felt that he owed a debt of gratitude to his adopted home in America. In 1884, he began to travel the world in search of rare art treasures. He had decided to become a philanthropist and gift the entire collection to the hometown where he had made his fortune.

Ficke collected over three hundred oil paintings. He once mused that he had chosen the 38 room, three story mansion - complete with a third floor ballroom in the attic - simply because it was the only house in town large enough to accommodate his insatiable collecting habit.

In 1925, Ficke first approached the City of Davenport, making known his intention to donate his collection. The donation presented a unique historical dilemma. Until that time, art collections were the domain of wealthy private individuals, art associations or art institutes - not municipalities. Before the City of Davenport could accept his donation, the Iowa State Legislature, as well as the Davenport City Council, had to enact revolutionary new legislation which would legally allow a city, such as Davenport, to own and operate a public art gallery.

The Ficke Mansion collection became the first municipal art gallery in the nation. It soon moved to a new home in a larger more permanent location, three blocks downhill on 5th Street, October 25, 1925. Charles Ficke's dream of passing down the strong German tradition of "art and music for the masses" to the next generation had become a reality.

The magnitude of the investment Ficke had made during his 42 years of traveling the globe collecting was best put in perspective by his contemporary, the Director of the Chicago Art Institute. Ficke had summoned him to the mansion in hopes he could spare just one-half day appraising the attic. The Director ended up staying a week. When he emerged, he publicly announced that:

- The collection was worth well over one-half million (pre-depression) dollars. (Today, that figure would translate to ten times that amount.)
- The donation contained the largest collection of Mexican Colonial Art outside Mexico.
- The early landscape collection rivaled those held by his Chicago Art Institute.
- The diverse collection included significant collections of old master's oil paintings, bronze and marble sculptures
- It contained extensive collections of rare Peruvian art and pottery, oriental art and Alaskan sculptural art
- It contained crates packed full of collections of rare books and manuscripts.
- In all, the collection easily rivaled those held in such major metropolitan art centers as Los Angeles.

Delta Sigma Chi Fraternity has been conducting public tours of the mansion on Saturdays, highlighting both local history and architecture. (Over 100 people attended the twelve block Main Street

BACKGROUND: - continued

Walking Tour last May.) The mansion is opened for many private events during the year, as well.

Please refer to the Landmark Nomination for further background information.

ORDINANCE NO.

ORDINANCE for Landmark Designation for the Parker-Ficke Mansion, 1208 Main Street, pursuant to the provisions of Chapter 17.23 of the 2000 Municipal Code of the City of Davenport, Iowa (Delta 100 Alumni Association, petitioner).

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

SECTION 1. The following described unit of Scott County, Iowa real estate known as the Parker-Ficke Mansion at 1208 Main Street, Davenport, Iowa is hereby granted Landmark designation (Delta 100 Alumni Association, petitioner). The property has the following legal address:

Lots 1, 2, & 3 of Block 10 of Allen's 2nd Addition

The Historic Landmark designation is for the purpose of preserving the site.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____,

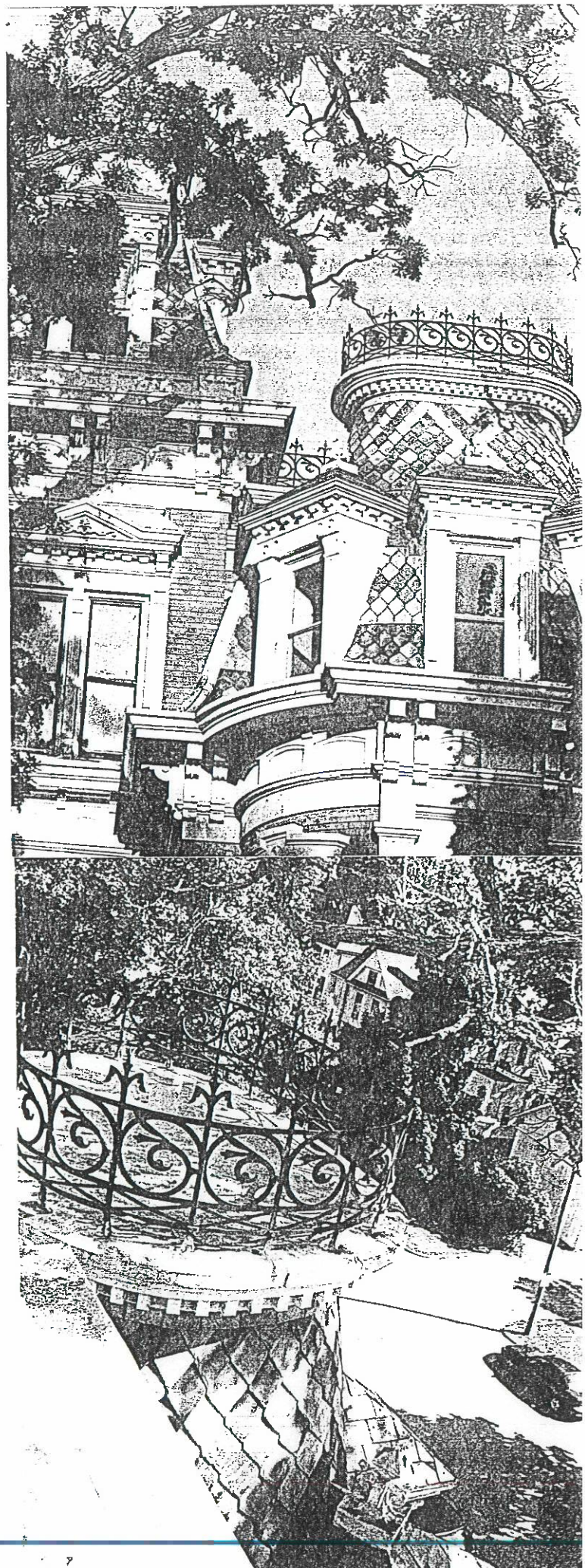
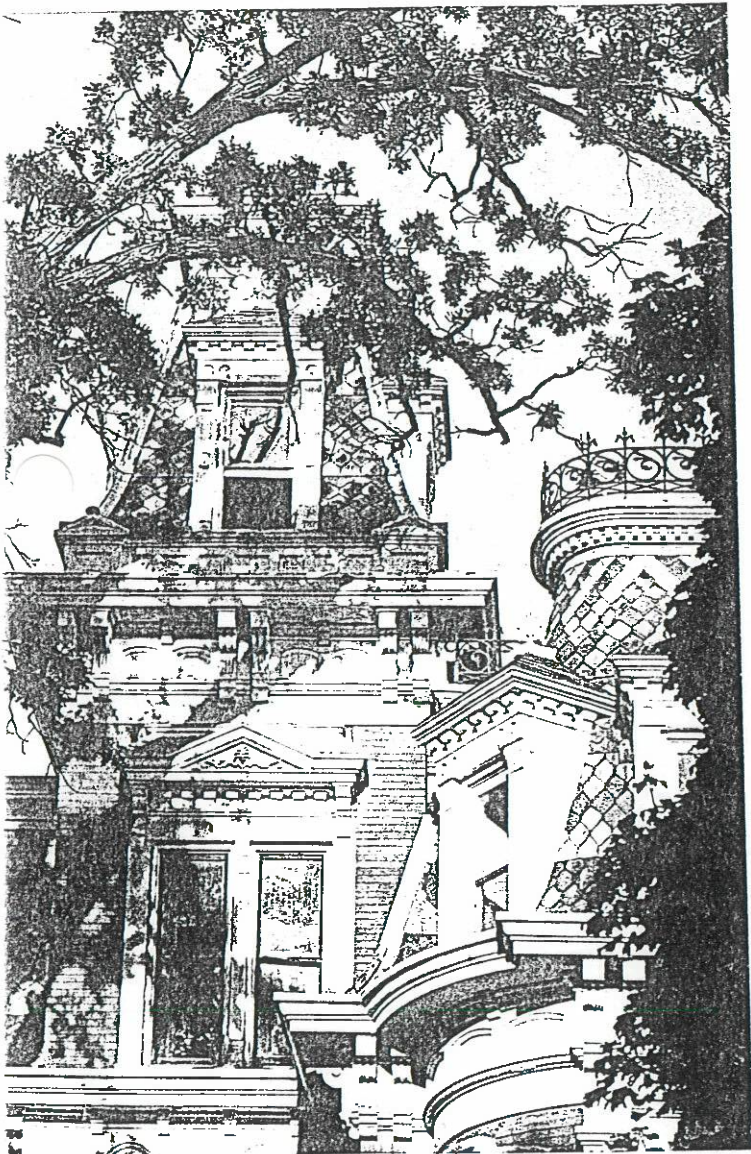
Second Consideration _____,

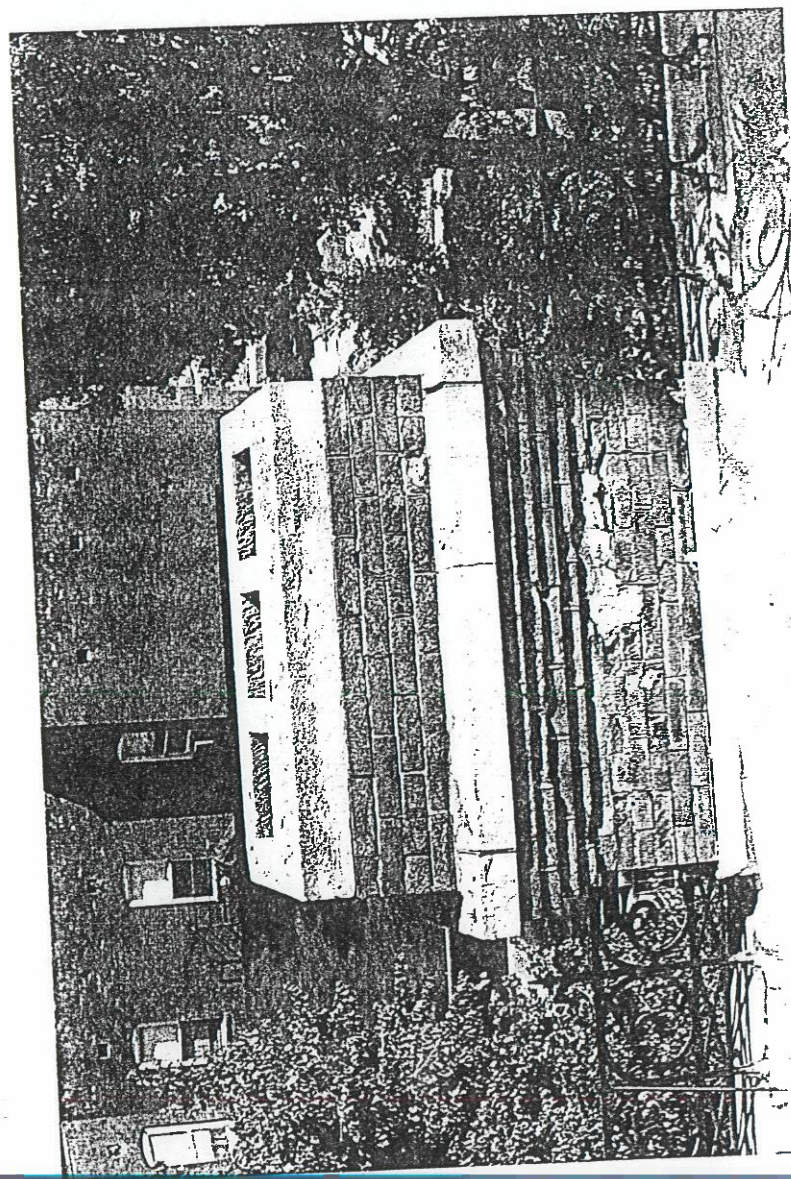
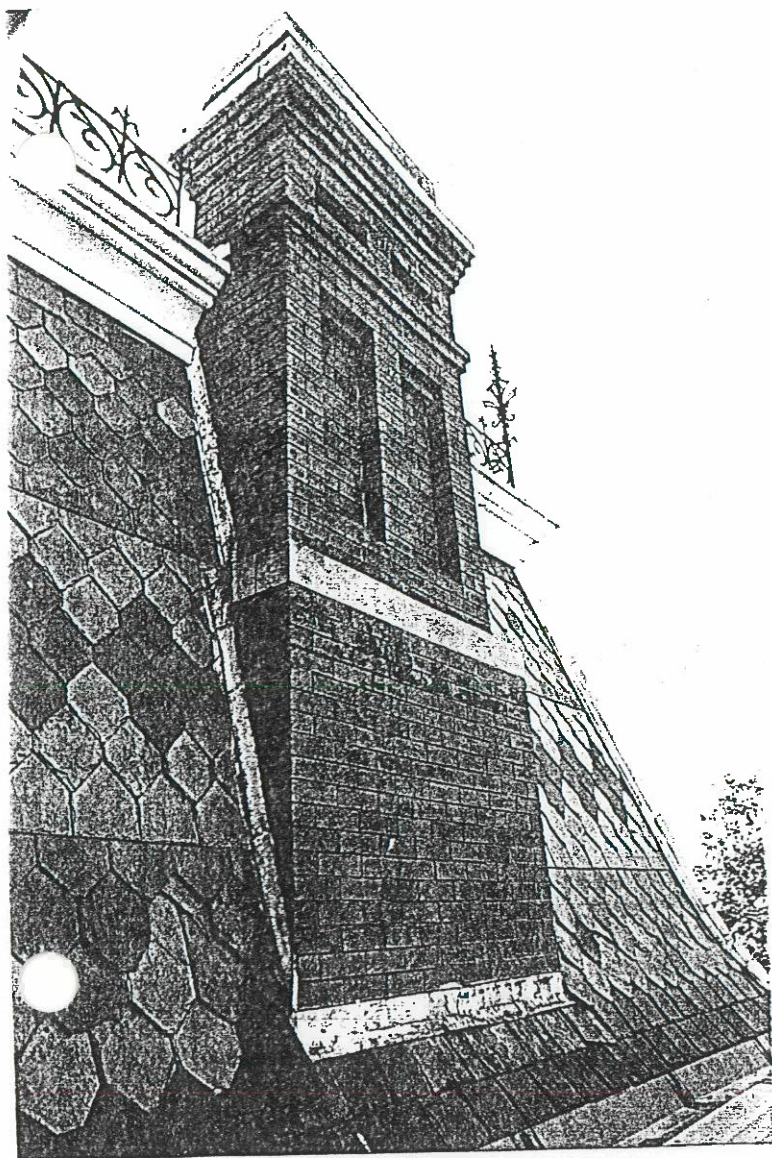
Approved _____,

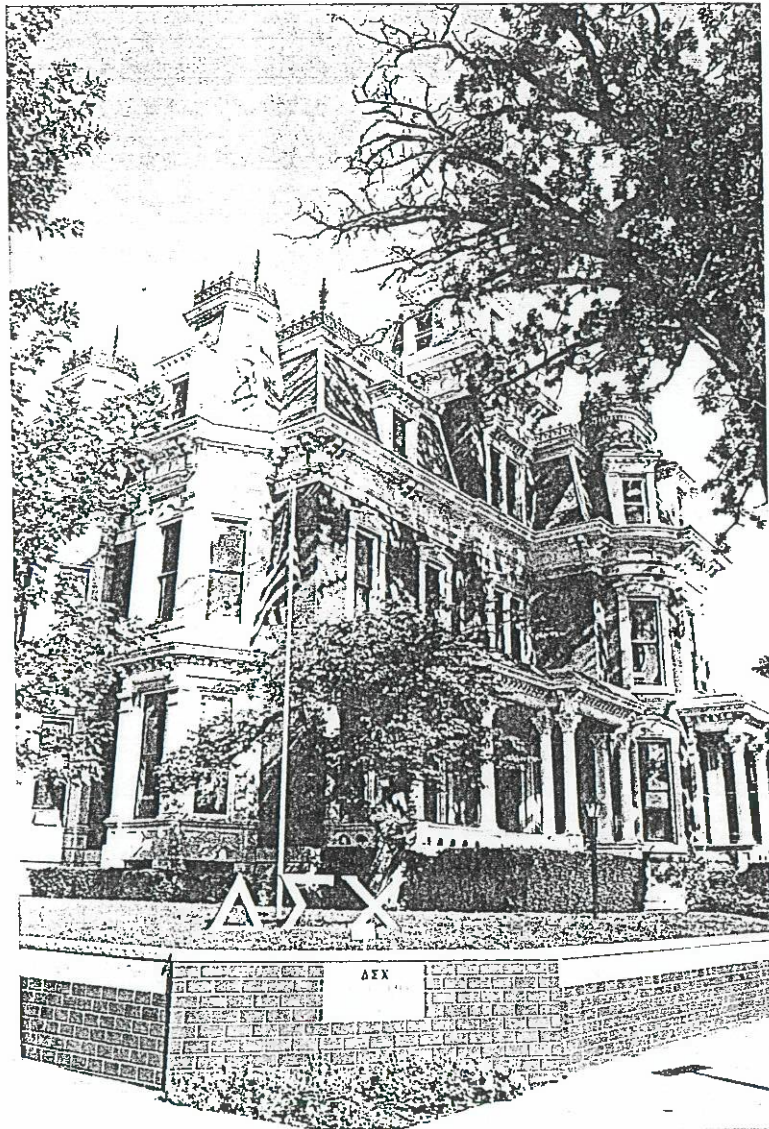
Charles W. Brooke
Mayor

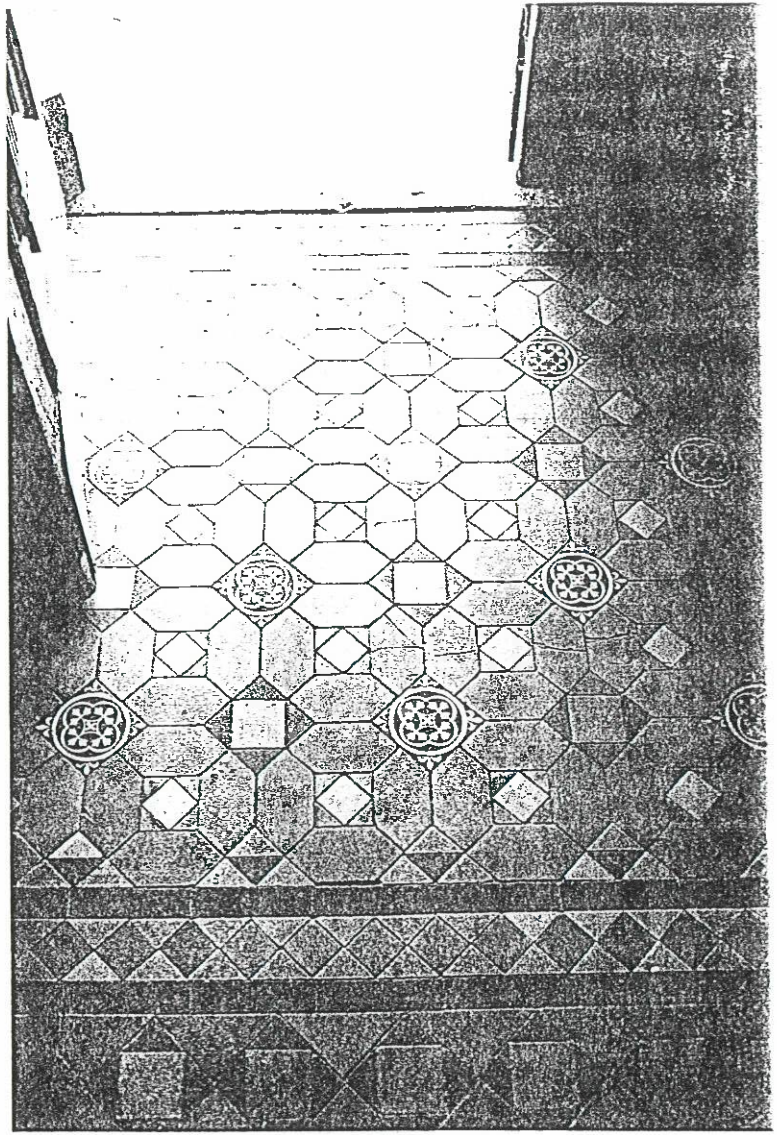
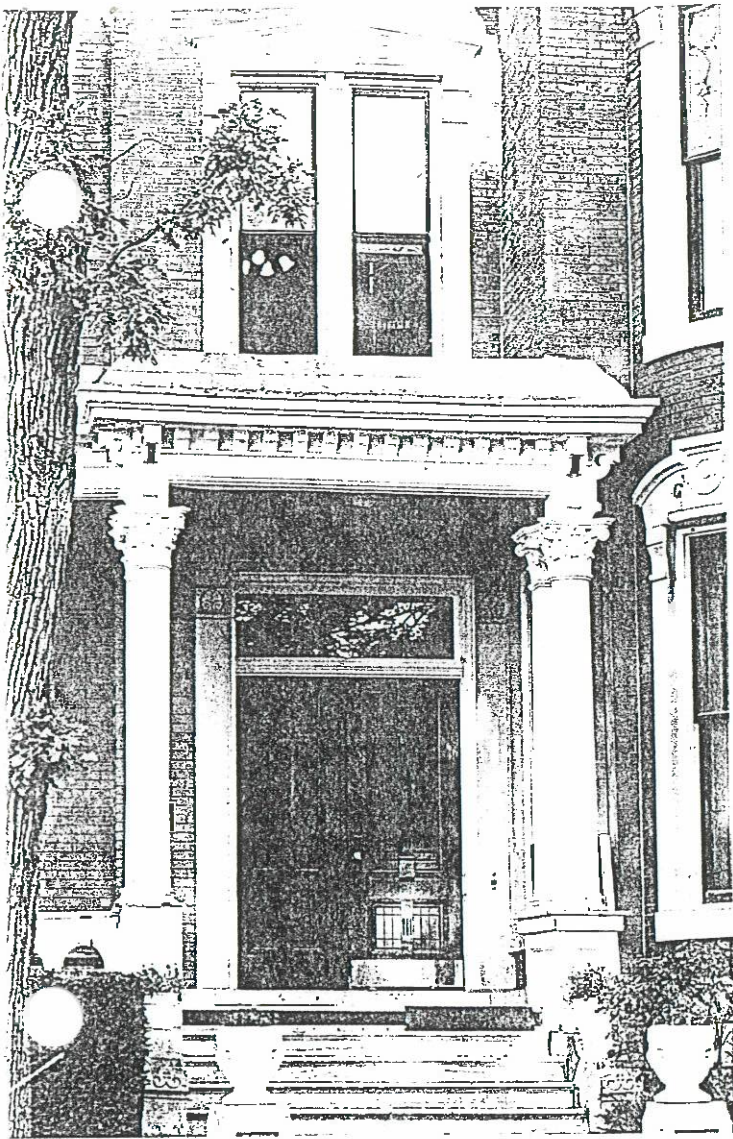
Attest: _____
Jackie E. Holecek, CMC
Deputy City Clerk

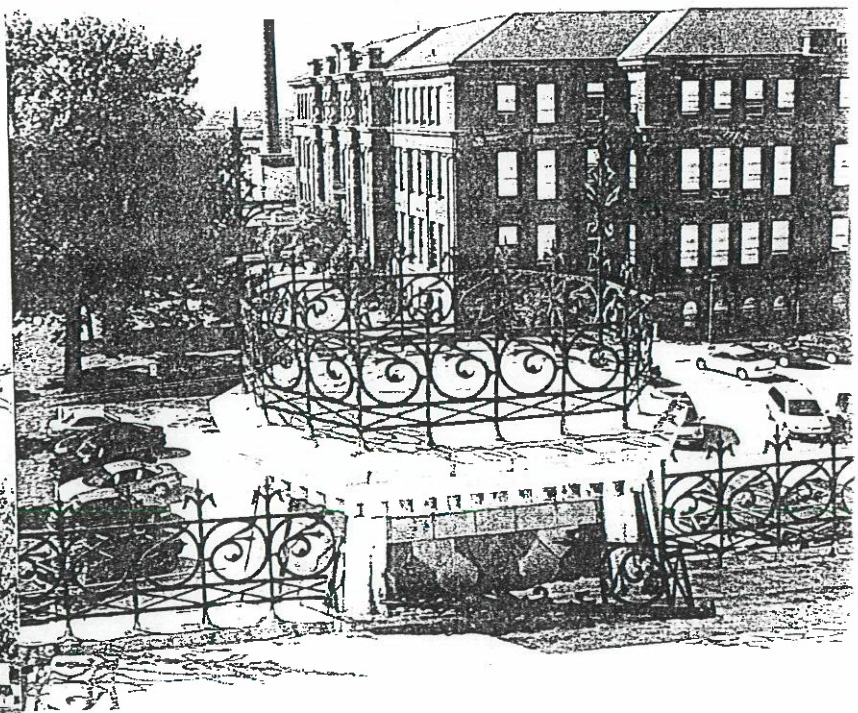
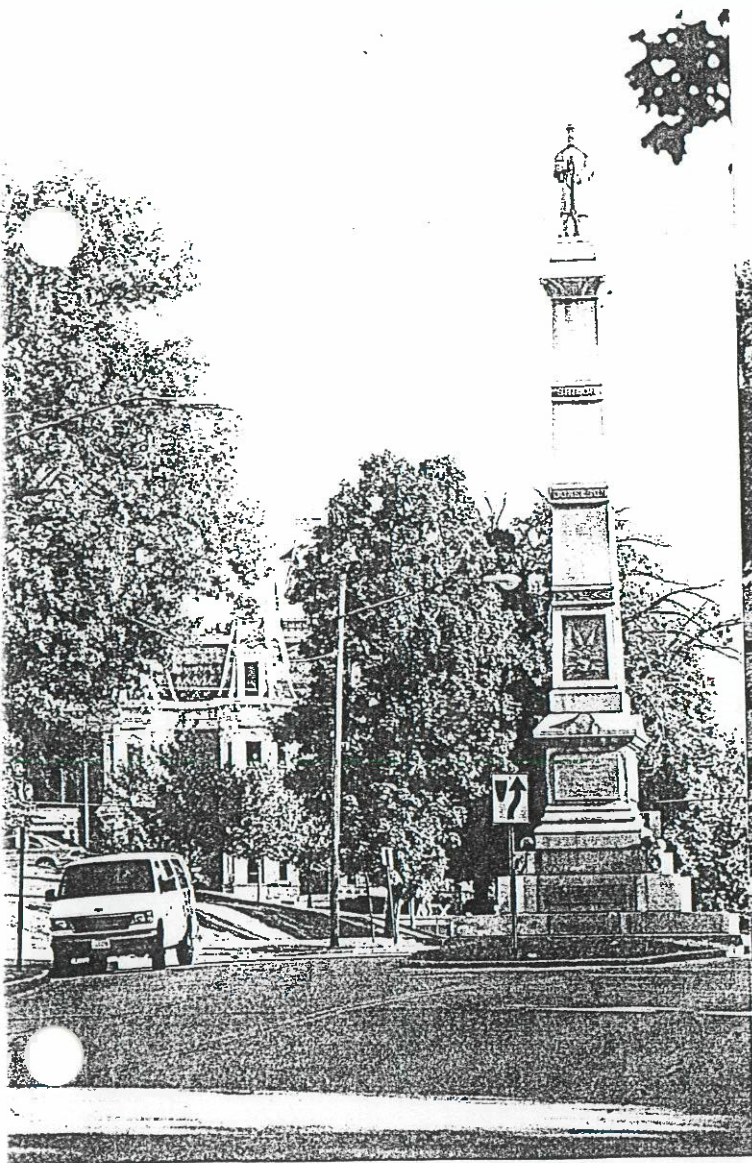
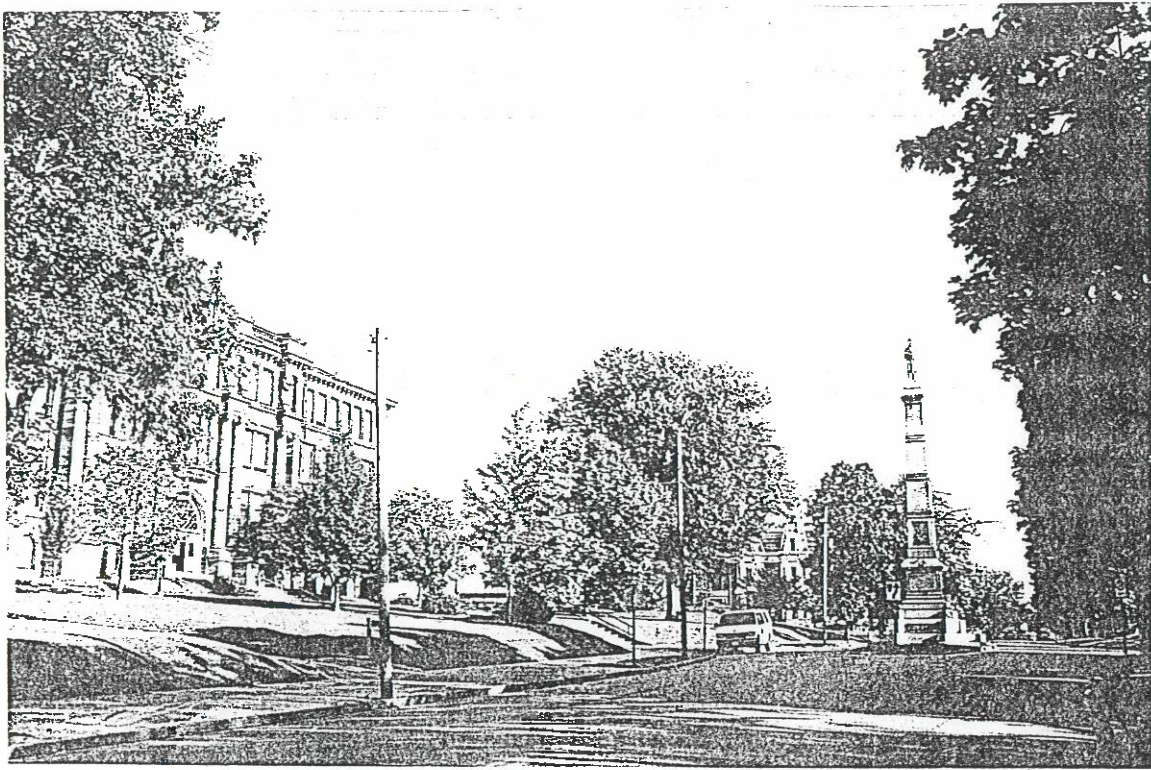
Published in the Quad-City Times on _____,

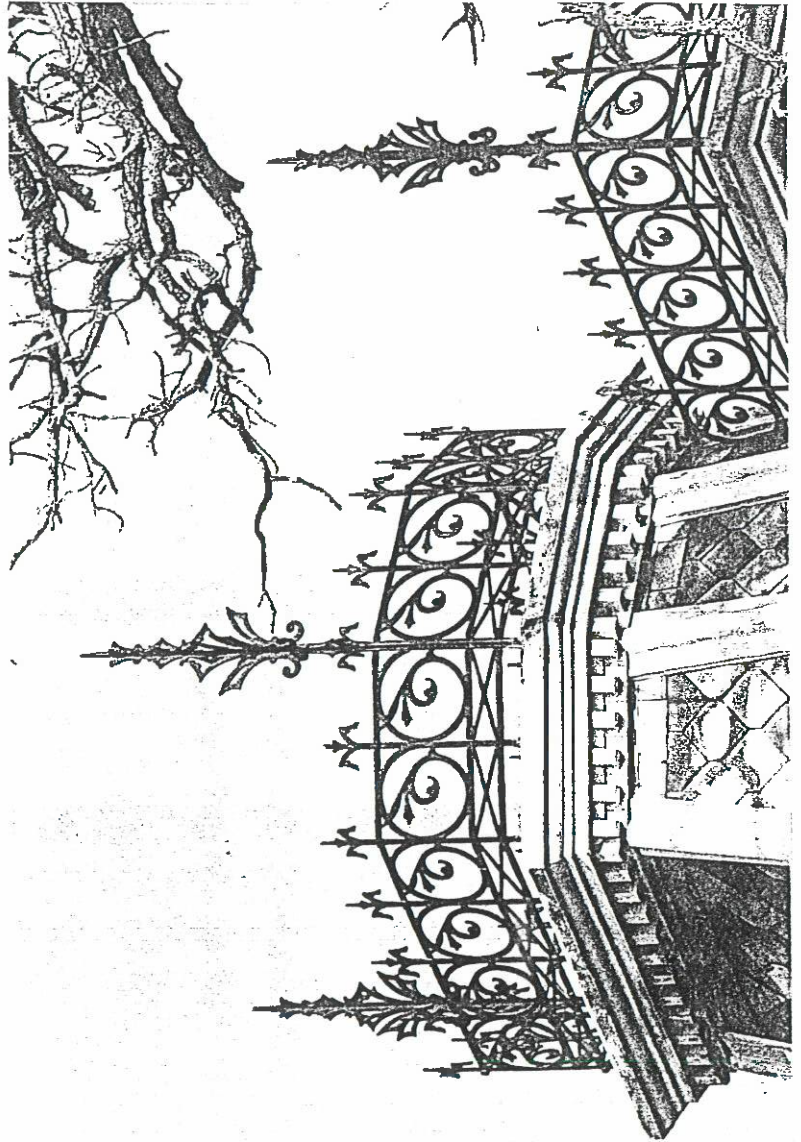
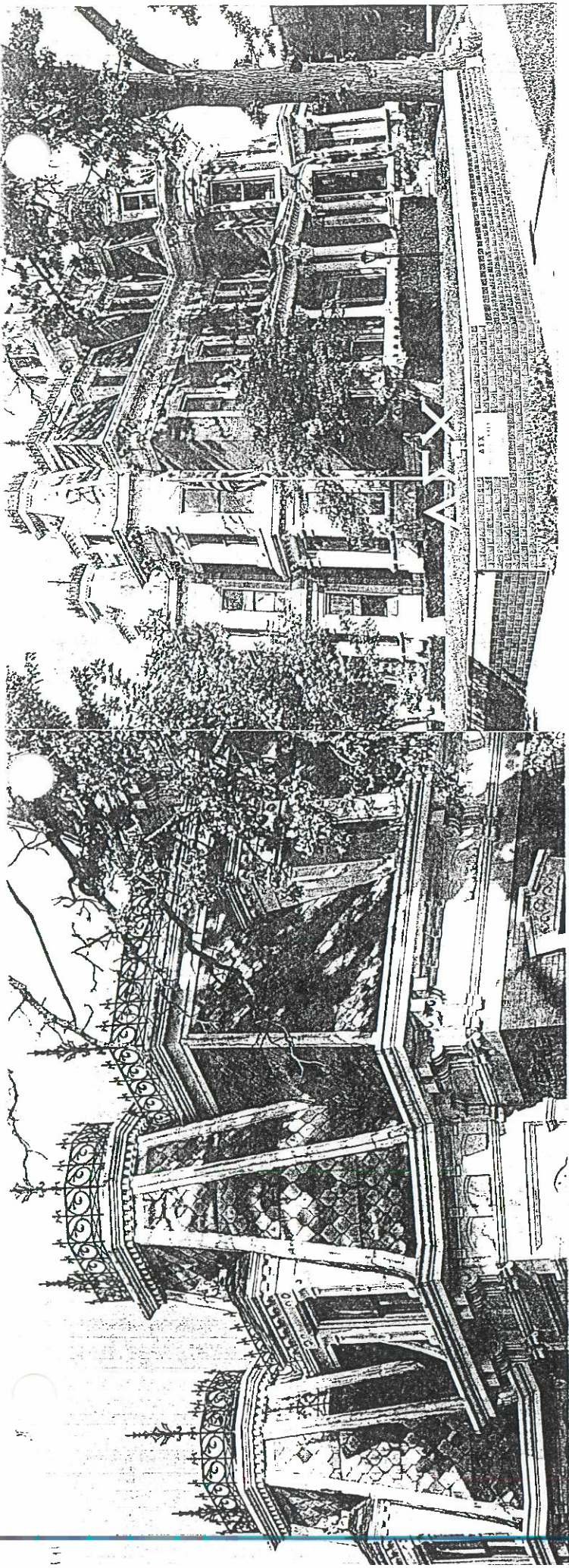














City of Davenport

Nomination No: _____

"INDIVIDUAL PROPERTY" NOMINATION

for the

DAVENPORT REGISTER OF HISTORIC PROPERTIES

Historic Preservation Commission City of Davenport, Iowa

Please Provide the following information: (Please type or print)

Address of the Property: 1208 Main Street, Davenport, Iowa 52801

Legal Description of the Property: Subdivision Name: Allen's 2nd Addition

Block: 10 Lot: 1, 2 & 3

Historic Name (or proposed historic name): Parker-Ficke Mansion

Date listed on *National Register of Historic Places* (if applicable): November 18, 1983

(If listed, NRHP Site No. #82-02152 (Ficke Mansion) #82-00033 (College Square Hist. Dist.)

NRHP Historic District (if applicable): College Square Historic District

Who is the PETITIONER for Nomination: Owner(s) of Record: X HPC: _____ (check one)

Owner(s) of Record: Delta 100 Alumni Association (International Delta Sigma Chi Fraternity of Chiropractic)

Owner(s) Address: (Name) Phillip Arnone, President (Local Contact-Todd Steffensmier*)

(Street) 10610 Independence Pointe Parkway, Suite B

(City, State & ZIP) Matthews, North Carolina 28105

Owner(s) Telecommunications: Work: 704-608-9007 Home: _____ Mobile: _____

Fax: _____ Email: _____

* (Local Contact: Todd Steffensmier, Fraternity President, 2010 Farnam, Dav., Ia., Ph. 324-3973)

Current Use of the Property: Residential housing for Palmer Delta Sigma Chi Fraternity members

Original Function of the Property: Private residence

The Petitioner shall submit the following information:

- (1) Four 4" X 6" photographs showing all elevations (These will become part of the Commission's permanent file and cannot be returned.)
- (2) Any historical photographs, if available. (Clear photocopies of the photographs are acceptable at the time of application as long as petitioner brings reprints and/or slides of historical photographs to the meeting for HPC review. These will be returned after consideration of the nomination is complete.)

(3) Physical Description of the Property: (Applicant may use as many continuation sheets as necessary)

Date of Construction: 1881 Architectural Style: Second Empire

Building Materials: Foundation: Stone Walls: Brick

Roof: Patterned slate Other: _____

Distinctive Features: Numerous towers, pavilions and bays. Patterned slate mansard roof. Decorative stone window cornice and porch column heads. Original brass gasolier light fixtures. Patterned hardware. Carved and tiled mantels. Stained glass windows. Ornate woodwork, including a massive three story staircase leading to the third floor attic ballroom.

Alterations: Very few. (Two chimneys have been capped above the roof. (They are part of a pending RDA grant.)

- (4) A narrative describing why the property satisfies the "Designation Criteria" listed in Section 17.23.060(2) of the 1990 Municipal Code. Please describe both the property's present and historic physical appearance as it relates to the definitions of Architectural and Historical significance in contained in Section 17.23.030¹.

The "Designation Criteria" are defined in the 1990 Municipal Code as follows:

Designation Criteria: Section 17.23.060(2). The Commission shall, after such investigation as it deems necessary, make a recommendation to the City Council as to whether a nominated structure or district qualifies for the Local Register. To qualify, a property must satisfy one or more of the following criteria:

- (A) It is associated with events or persons that have made a significant contribution to the broad patterns of history of the city, county, state and/or nation; and/or
- (B) It embodies the distinctive characteristics of an architectural style valuable for the study of a type, period or method of construction; and/or
- (C) It represents the work of a master builder, craftsman, architect, engineer or landscape architect or possesses high artistic values.

- (5) A list of major bibliographical references.

Downer's History of Scott County
National Register Nomination forms
Davenport, A Pictorial History, Svendsen
Memories of Fourscore Years, Ficke

"I, petitioner for the nomination of the aforementioned property to the Davenport Register of Historic Properties, do hereby state that all the information contained herein is, to the best of my knowledge, accurate and that there are no negligent or fraudulent misrepresentations of fact. I also understand that fraudulent misrepresentations of fact contained in this nomination form shall be sufficient cause to immediately nullify the nomination process.

Todd Stiff President
Owner(s) of Record or Authorized Agent

4-3-2003
Date

Please return the completed application to the:

Historic Preservation Commission
Community & Economic Development Department
226 W. 4th Street
Davenport, Iowa 52801

Direct your questions to the Commission Secretary at 326-7765.

Your Nomination for Designation will be considered by the Historic Preservation Commission at its public meeting scheduled for:

month day year

All Historic Preservation Commission Public Meetings are held in the City Council Chambers at City Hall on the 2nd Tuesday of every month at 4:30 p.m. unless otherwise notified.

Staff will keep the original signed nomination form and will return to the petitioner a photocopy of the application with staff comments.

PLEASE NOTE: The owner(s) of record, or an agent acting on their behalf (petitioner), should plan to attend the Commission meeting in person. It is important for someone to be present to respond to the Commission's inquiries and comments. If no one is present, the nomination process may be delayed indefinitely.

For Staff Only:

Received by: _____

Commission Secretary or Designee

Date

Is application complete? Yes No

If not, explain: _____

Historic Preservation Commission
City of Davenport, Iowa
Nomination for the Davenport Register of Historic Properties

Continuation Sheet:

The Ficke Mansion is recognized by state preservation officials as one of the finest Second Empire residences in the state of Iowa, second only to the Governor's mansion at Terrace Hill.

It is the most widely photographed and publicized landmark in Davenport.

Charles Ficke was one of Davenport's earliest and most prosperous German immigrants. From the humblest of beginnings as a 14 year old store clerk, left alone to support himself in a less than fashionable downtown boarding house, he persevered for fifty years until he had built a vast fortune as a noted frontier lawyer and land appraiser. His unique skills helped open homestead sites in the six million acre Black Hawk Purchase land grant territory. By 1886, his professional reputation led to his election as the City Attorney of Davenport. By 1890, his popularity among the local citizenry was so universal that he later remarked that they had elected him Mayor twice—"over my protests".

Charles Ficke felt that he owed a debt of gratitude to his adopted home in America. In 1884, he began to travel the world in search of rare art treasures. He had decided to become a philanthropist and gift the entire collection to the hometown where he had made his fortune.

Ficke collected over three hundred oil paintings. He once mused that he had chosen the 38 room, three story mansion—complete with a third floor ballroom in the attic—simply because it was the only house in town large enough to accommodate his insatiable collecting habit.

In 1925, Ficke first approached the City of Davenport, making known his intention to donate his collection. The donation presented a unique historical dilemma. Until that time, art collections were the domain of wealthy private individuals, art associations or art institutes—not municipalities. Before the City of Davenport could accept his donation, the Iowa State Legislature, as well as the Davenport City Council, had to enact revolutionary new legislation which would legally allow a city, such as Davenport, to own and operate a *public* art gallery.

The Ficke Mansion collection became the first municipal art gallery in the nation. It soon moved to a new home in a larger, more permanent location, three blocks downhill on 5th Street, October 25, 1925. Charles Ficke's dream of passing down the strong German tradition of "art and music for the masses" to the next generation had become a reality.

5.

The magnitude of the investment Ficke had made during his 42 years of traveling the globe collecting was best put in perspective by his contemporary, the Director of the Chicago Art Institute. Ficke had summoned him to the mansion in hopes he could spare just one-half day appraising the attic. The Director ended up staying a week. When he emerged, he publicly announced that:

-The collection was worth well over one-half million (*pre-depression*) dollars.
(Today, that figure would translate to ten times that amount.)

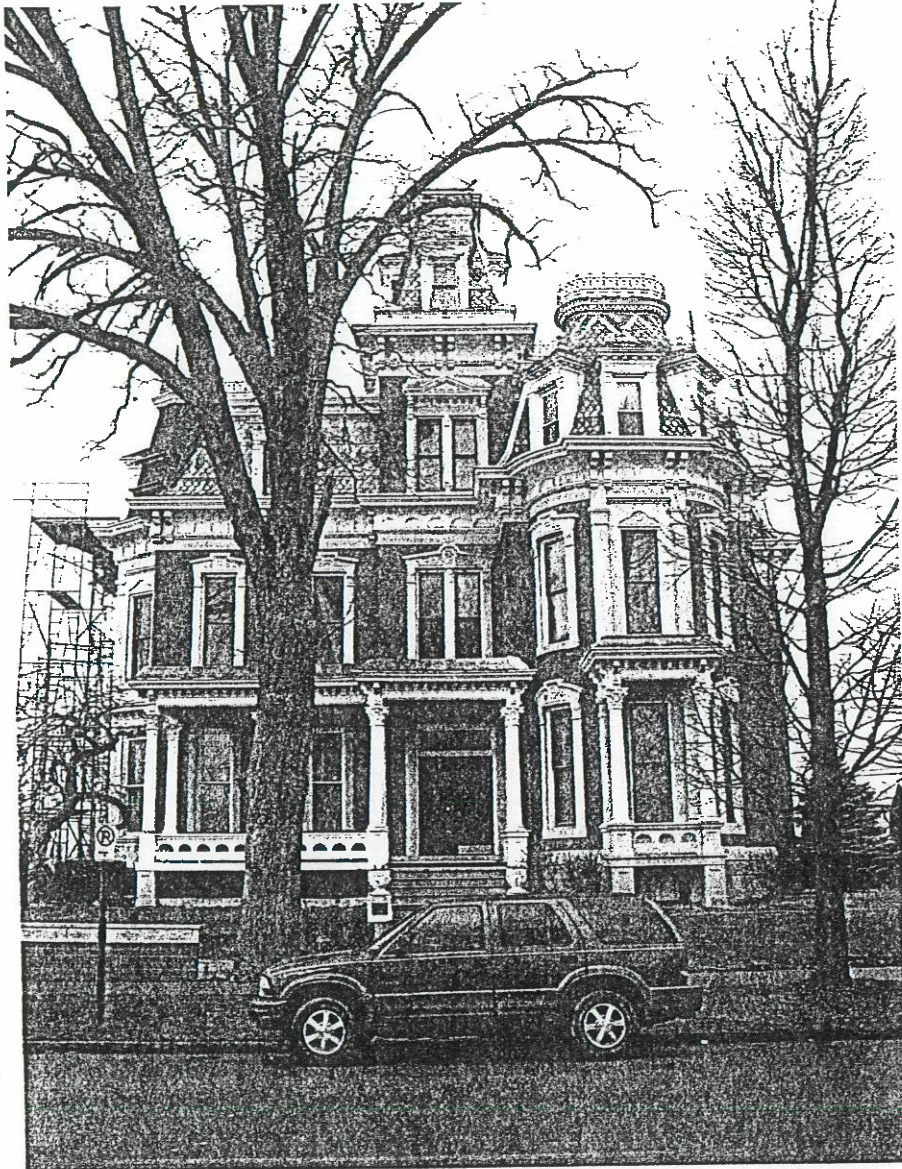
- The donation contained the largest collection of Mexican Colonial Art outside Mexico.
- The early landscape collection rivaled those held by his Chicago Art Institute.
- The diverse collection included significant collections of old master's oil paintings, bronze and marble sculptures
- It contained extensive collections of rare Peruvian art and pottery, oriental art and Alaskan sculptural art
- It contained crates packed full of collections of rare books and manuscripts.

-In all, the collection easily rivaled those held in such major metropolitan art centers as Los Angeles.

In 2001, the City of Davenport initiated the downtown River Renaissance Project. The plan includes an eight block long "River Renaissance Arts Walk", leading from the door of the new \$33 million dollar Figge Arts Center up Main to Eighth Street—the gateway to the College Square National Register Historic District. When completed, the Arts Walk will reunite the new state-of-the-art Figge Arts Center with its original home—and the man who first dreamed the dream of "art and music for the masses" for Davenport 119 years ago.

In honor of the Arts Walk, the Delta Sigma Chi Fraternity and its parent organization, Delta 100, have undertaken a \$158,000 slate roof restoration project. (A \$20,000 RDA grant was received for this project. Application has been made to RDA for an additional \$20,000 RDA grant to complete a \$96,000 exterior brick and chimney restoration project.)

Delta Sigma Chi Fraternity has been conducting public tours of the mansion on Saturdays, highlighting both local history and architecture. (Over 100 people attended the twelve block Main Street Walking Tour last May.) The mansion is opened for many private events during the year, as well. The house has become a focal point, not only for showcasing the history of the Main Street—once known as "City Beautiful Boulevard"—but as a highly street-visible reminder to three thousand people, who pass by it each day, that River Renaissance and quality historic restoration go hand-in-hand in Davenport, Iowa.



EAST



South

Second Empire

Countrywide 1870

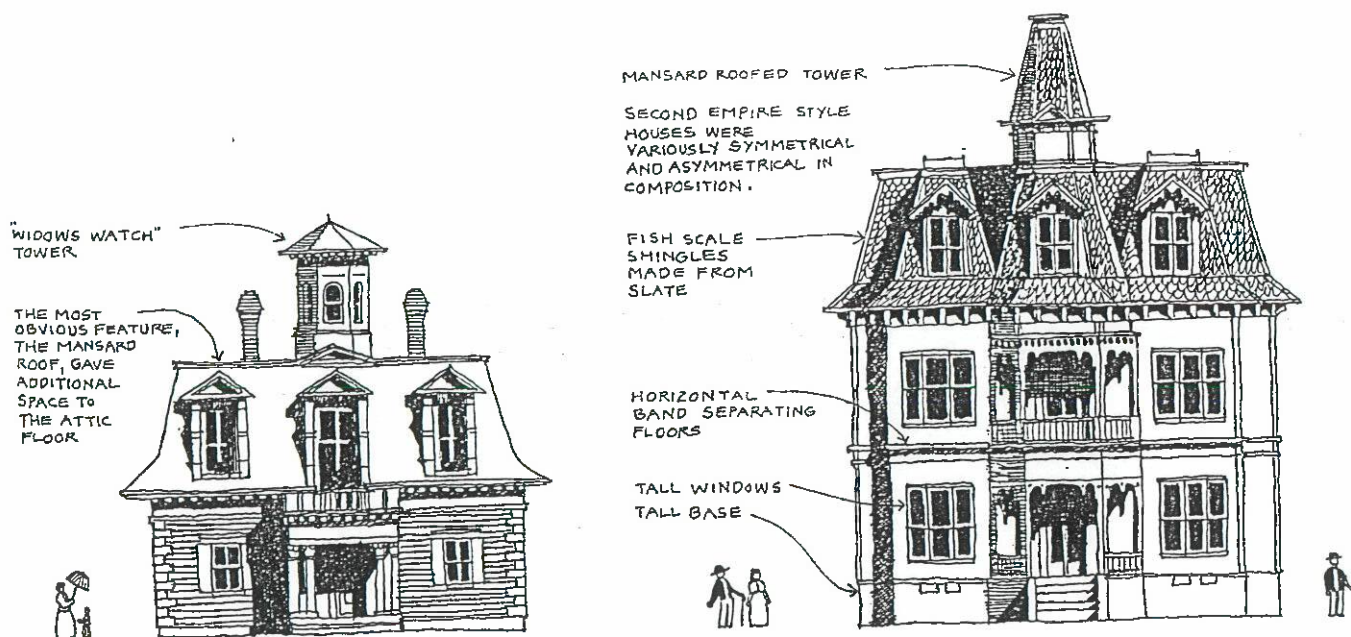
This style takes its name from the French Second Empire under the reign of Napoleon III (1852–1870). During this period Paris was renewed on a grand scale with wide boulevards and elegant new buildings. Paris became the world capital of art and fashion and attracted thousands of visitors with two successful international expositions in 1855 and 1867. French Second Empire Style buildings then began to rise in cities throughout the western world, but nowhere was the French impact stronger than in America.

From 1860 through 1875, the French Second Empire Style dominated both public and private construction in the United States. Americans were enamored of this "modern" and "fashionable" style. When the Second Empire was destroyed in the Franco-Prussian War (1870-1871), the cultural prestige of France also suffered a defeat and the popularity of the style died out.

The hallmark of the style was the mansard roof, named after its inventor, a seventeenth-century French architect named Francois Mansart. This roof style was especially popular because it allowed almost a full story of usable space to be included in what was normally wasted attic space, and at the same time it provided a stylish capping to a building. In some European cities, such as London, it was used to circumvent height restrictions. If a law barred buildings of more than four stories, a mansard roof provided a fifth rentable floor.

In America the mansard roof design was varied in several ways. It could be straight-sided, concave or convex arc, or a combination of concave and convex (a graceful "S" curve). At the top and bottom of the slope were strong, massive cornices or "French curbs," the lower resting on relatively small but bold brackets, the upper capped with cast-iron "cresting." On the first floor of many homes were French, or casement, windows opening out like double doors, reaching to the ground and flanked by louvered shutters.

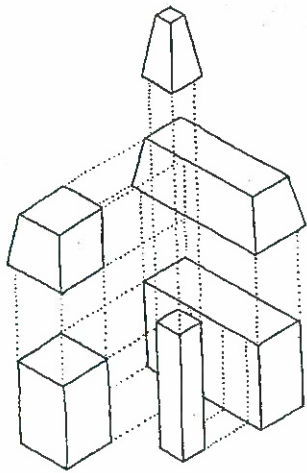
Apart from the mansard roof and French windows, the Second Empire house did not differ from earlier Victorian types, the mansard topped homes of basically Early Gothic Revival (p. 122) or Italian Villa (p. 134) design. Many pre-Victorian houses were modernized by adding a stylish mansard roof or tower.



1864 EDWARD PENNIMAN HOUSE,
EASTHAM, MASSACHUSETTS

1886 RUFUS HERRICK DORN HOUSE,
LOS ANGELES, CALIFORNIA R. H. DORN, ARCHITECT

The Second Empire Style did not remain pure for very long. Its formality often restricted the nineteenth-century life-style that had come to include a veranda, bay window, and light tower of the popular Italian Villa and Carpenter Gothic Styles. After 1874, the basic Second Empire Style house had become a composite of an Italian Villa with a mansard roof with Carpenter Gothic detailing around the windows, doors, and porches.



THE SECOND EMPIRE HOUSE OFTEN CONSISTS OF A MANSARD ROOF ON AN ITALIAN VILLA STYLE HOUSE.

MANSARD ROOF MASSES

ITALIAN VILLA STYLE MASSES (SEE PAGE 134)

CAST IRON ROOF CRESTING WAS VERY POPULAR.

MANSARD ROOFED TOWER

MULTICOLORED AND PATTERNED SLATE TILES OR TIN PLATES WERE USED TO COVER ROOF.

MANSARD ROOF WITH CONCAVE SIDES (CONVEX WAS JUST AS COMMON)

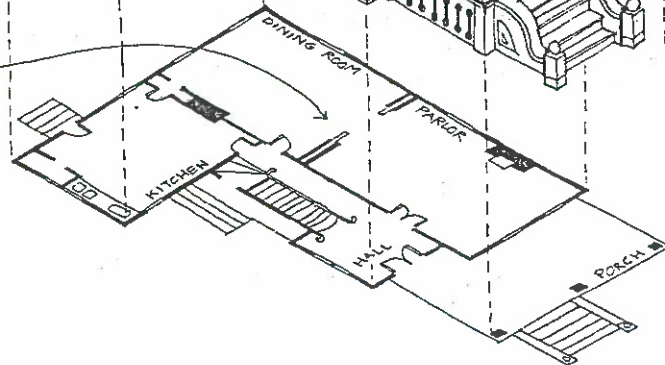
SMALL BRACKETED CORNICE CALLED A "FRENCH CURB"

PAIRED WINDOWS WERE POPULAR

TALL, FLOOR-TO-CEILING WINDOWS

TALL BRICK BASE

THE DINING ROOM AND PARLOR COULD BE USED AS ONE BIG ROOM BY OPENING A PAIR OF SLIDING DOORS.



Historic Preservation Ordinance

Section 14.01.060 Certificate of Appropriateness Review Process

C. Commission review process - Standards for review. In considering an application for a certificate of appropriateness, the commission shall be guided by the following general standards in addition to any other standards or guidelines established by ordinance for a local landmark or historic district. In all cases, these standards are to be applied in a reasonable manner, taking into full consideration the issue of economic feasibility and other technical considerations.

1. Every reasonable effort shall be made to make the minimal number of changes necessary to maintain a designated property in a good state of repair, thereby minimizing the impact of the proposed alteration; and
2. The removal, alteration or concealing of distinguishing exterior architectural features and historic material of a designated property should be avoided when possible; and
3. All designated property shall be recognized as a product and physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural architectural features shall be discouraged; and
4. Most properties change over time, and those changes that have acquired architectural and/or historical significance in their own right shall be recognized, respected and retained; and
5. Distinctive architectural features, construction techniques and/or examples of craftsmanship that characterize a designated property shall be treated with due consideration; and
6. Deteriorated architectural features should, where possible, be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence; and
7. Activities that cause deterioration of a designated property and its architectural features shall be discouraged. In those cases where the damage would be irreversible, such as sand-blasting and wet blasting fire-hardened bricks, the activities shall be prohibited. If cleaning is to be done, the gentlest means possible shall be encouraged; and
8. Known significant archeological resources possibly affected by a proposed activity shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken; and
9. New additions and related new construction shall not be discouraged when such improvements do not destroy historic material and such design is compatible with the size, massing, scale, color, materials and character of the property, neighborhood and district, if applicable.

D. Design criteria to implement review standards. When the commission is considering an application for a certificate of appropriateness, it shall consider the following architectural design criteria, or elements of design as they relate to the standards for review prescribed in Section 14.01.040C.

1. Height. The height of any proposed addition, construction or reconstruction should be compatible with the designated property and the surrounding structures, if located within a designated historic district; and
2. Proportions. The proportions (width versus height relationship) between doors and windows should be compatible, if not replicated, with the architectural design and character of the designated property; and
3. Scale. A proposed alteration, construction, reconstruction or addition should not negatively impact the scale of the designated property or district; and
4. Materials. Historic or original architectural features, or replacement elements which in all ways replicated the original, should be repaired whenever possible; and
5. Relationship of building masses and spaces. The relationship of a structure within a designated historic district to the rear, side and front yards between it and surrounding structures should be compatible; and
6. Roof shape. The roof design and shape should remain consistent with its original configuration and character; and
7. Site improvements. Landscaping and other site improvements, including off-street parking, should have as minimal of an impact as possible to the designated property's original plan/layout and its visual character.

City of Davenport
Historic Preservation Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
6/13/2023

Subject:
Review of Commission Bylaws

Recommendation:
Hold discussion and provide written comments.

Background:
The Historic Preservation Commission Bylaws were last amended on March 13, 2001. The current version online are the most up-to-date.

The City adopted a new Zoning Ordinance in 2019, which caused several reference errors embedded in other sections of the Municipal Code. Staff are correcting reference errors when encountered. Reference errors can be ignored until updates are made as the Commission continues to operate in compliance with the Historic Preservation Ordinance and Chapter 2.65 of the Municipal Code.

City staff propose the following timeline for revising and adopting Bylaws:

1. **April Meeting:** Distribute existing Bylaws and relevant code sections to Commissioners.
2. **April-May:** City staff will draft corrections to the Bylaws and review with the Legal Department.
3. **June Meeting:** Staff will provide a draft to Commissioners for discussion. Commissioners can submit comments and recommendations to staff for further revision.
4. **July Meeting:** Review final draft of Bylaws.
 - If no additional revisions are warranted, the Commission may take formal action approving the Bylaws.
 - If additional edits are desired, then staff can further revise the Bylaws for formal action at the August 8, 2023 meeting.

Attached is a draft version of the Bylaws. Staff consulted with other Iowa municipalities regarding historic preservation bylaws. Included is a complete rewrite of Davenport's bylaws. Please review and provide feedback to staff by June 30th. This will enable staff to make revisions for the July 11th meeting where the bylaws can be further reviewed.

ATTACHMENTS:

Type	Description
▢ Backup Material	Draft Bylaws
▢ Backup Material	Historic Preservation Commission Bylaws
▢ Backup Material	Chapter 2.65 of the Municipal Code
▢ Backup Material	Title 14-Historic Preservation Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	6/9/2023 - 10:24 AM

**HISTORIC PRESERVATION COMMISSION
CITY OF DAVENPORT, IOWA**

BYLAWS

**ARTICLE I
NAME**

The name of the Commission is the “Davenport Historic Preservation Commission” and is herein referred to as the “Commission”.

**ARTICLE II
POWER AND DUTIES**

The Commission shall be governed by the terms of Chapter 2.65 and Title 14 of the Municipal Code of the City of Davenport, Iowa and the laws of the State of Iowa, as amended time to time.

**ARTICLE III
MEMBERSHIP**

SECTION 1: MEMBERSHIP

Membership eligibility and composition are outlined in Chapter 2.65 of the Municipal Code of the City of Davenport, Iowa.

SECTION 2: ORIENTATION FOR NEW MEMBERS

Prior to the first regular meeting following appointment, a new member will be provided with copies of the Historic Preservation Commission Ordinance, Chapter 2.65 of the City of Davenport Municipal Code, Bylaws, and other documentation useful to the member in carrying out the duties of the Commission. Each new member will receive an orientation briefing by the Commission Secretary, which includes a review of the duties and obligations of a member and a review of current business before the Commission.

SECTION 3: RESIGNATIONS

Resignations must be submitted in writing declaring an effective date to the Commission Secretary.

SECTION 4: ABSENCES

Commission members are expected to attend all regular and special meetings of the Commission. Prior to any scheduled meeting, members shall notify the Commission Secretary regarding any excused or anticipated absences. Failure to attend meetings as outlined in Chapter 2.65 of the Municipal Code may be subject to forfeiture of appointment.

**ARTICLE IV
OFFICES**

SECTION 1: ELECTION AND TERM OF OFFICE

The Commission, at the first regular meeting of the calendar year, shall elect to office from its membership a Chairperson and Vice-Chairperson, each to hold office for one (1) year. Both Chairperson

and Vice-Chairperson shall be eligible for reelection. Election of Chairperson and Vice-Chairperson shall be by a roll call vote.

SECTION 2: POWERS AND DUTIES OF CHAIRPERSON

The Chairperson shall:

- A. Preside at meetings of the Commission;
- B. Call special meetings;
- C. Establish committees and appoint members thereto;
- D. Sign official documents adopted or approved by the Commission; and
- E. See that all actions for the Commission are properly taken and carried out.

SECTION 3: POWERS AND DUTIES OF VICE-CHAIRPERSON

During the absence, disability, or disqualification of the Chairperson, the Vice-Chairperson must exercise all the powers and duties of the Chairperson.

SECTION 4: REPLACEMENT OF OFFICERS

In the event any office of the Commission becomes vacant, a replacement must be elected at the next regular meeting to serve the unexpired term of the vacated office.

SECTION 5: TEMPORARY ABSENCE AND APPOINTMENTS OF OFFICERS

If both the Chairperson and Vice-Chairperson are absent and a quorum is present, a temporary Chairperson for that one meeting shall be elected by those members in attendance. The temporary Chairperson shall carry out the duties of the Commission.

SECTION 6: COMMISSION SECRETARY

City staff designated by the Director of the Department of Development & Neighborhood Services shall provide staff support to the Board. Upon request, staff will provide records, documents, or other information which the Commission may need for its consideration in connection with its duties.

ARTICLE V MEETINGS

SECTION 1: REGULAR MEETINGS

The Commission shall conduct regularly scheduled meetings pursuant to Chapter 2.65 of the Municipal Code. The regular monthly meetings of the Commission shall be held on Tuesdays beginning at 5:00 p.m. Meetings are generally the second Tuesday of each month; however, variations may occur due to holidays or scheduling conflicts. All regular meetings shall be held at the City Hall Council Chambers, 226 West 4th Street, unless otherwise specified.

SECTION 2: SPECIAL MEETINGS

The Commission shall conduct special meetings pursuant to Chapter 2.65 of the Municipal Code. Special meetings may be called by the Chairperson or upon written request by three members of the Commission. Special meetings shall be held at the time and location as determined by the Chairperson or three requesting members of the Commission.

SECTION 3: WORK SESSIONS

The Commission shall conduct work sessions pursuant to Chapter 2.65 of the Municipal Code. Work sessions may be called by the Chairperson or upon written request by three members of the

Commission. Work sessions shall be held at the time and location as determined by the Chairperson or three requesting members of the Commission. The purpose of a work session is to discuss items related to historic preservation, which will not require a formal vote at a later date. No business will be transacted during a work session.

SECTION 4: NOTICE

Adequate notice of all Commission meetings must be given to encourage attendance by members and other interested persons and to meet all requirements of law. All Commission meetings are open to the public as required by the Iowa Open Meetings Law (Iowa Code Chapter 21).

SECTION 5: QUORUM

The presence of a majority of the official members of the Commission shall constitute a quorum to legally transact Commission business. Without a quorum, no business will be transacted and no official action on any matter will take place.

SECTION 6: VOTING

- A. Requirements: The concurring vote of a majority of the quorum is necessary for any formal action by the Commission;
- B. Procedure: Voting on formal applications before the Commission will be by voice roll call, called by the Commission Secretary. All Commissioners, including the Chairperson, are required to cast a vote upon each motion.
- C. Meeting Attendance: Commissioners are expected to be physically present at the meeting in order to exercise their vote. Remote voting may be authorized by the Chairperson if given proper notification in advance of a meeting.

SECTION 7: CONFLICT OF INTEREST

A member of the Commission must abstain from participating in a matter before the Commission when the member has a conflict of interest or an appearance of impropriety. Conflict of interest shall mean a direct and personal interest in the outcome of the proceedings. An appearance of impropriety shall mean an apparent conflict of interest based on objective standards. A member of the Commission shall declare their conflict or appearance of impropriety as soon as the matter comes before the Commission for discussion or as soon thereafter as the member becomes aware of the appearance of the impropriety or conflict. Thereafter, the member shall take no part in the discussion or vote on the matter.

SECTION 8: EX PARTE COMMUNICATIONS

No member of the Commission is qualified to speak for the Commission or to give public expression, including news releases, of the opinion, attitude or action of the Commission on any matter, unless specifically directed to do so by motion of the Commission. The right of a member of the Commission as a citizen to his/her personal opinion, written or spoken, is not denied.

It is the policy of the Historic Preservation Commission that members not attend private meetings whose principal purpose is to discuss business that is before or will come before the Commission, unless such attendance is approved by the Commission by motion prior to the private meeting.

Ex Parte means communication between a Commission member(s) and a party or third party outside of duly scheduled meetings on an issue pending before the Commission or that will be brought before the Commission. Ex Parte communications should be avoided because they raise the issue of due process

fairness. In the event a situation arises where they occur, the member shall place on the public record the sum and substance of the communication to enable interested persons to rebut the communications.

SECTION 9: ROBERT'S RULES OF ORDER

Robert's Rules of Order shall govern the Commission meetings in all cases where these rules do not provide for the procedures to be followed.

SECTION 10: MINUTES

The minutes must be approved at the next regular meeting by formal action of the Commission. The minutes must then become part of the permanent records of the Commission.

SECTION 11: OPEN MEETINGS LAW

All actions of the Commission must comply with the Iowa Open Meetings Law (Iowa Code Chapter 21)

SECTION 12: OPEN RECORDS

All letters, petitions, documents, and other materials submitted to and/or generated by the Commission are public records open to public viewing at the Department of Development & Neighborhood Services, Public Works Facility, 1200 East 46th Street, as provided in Iowa Code Chapter 22. A charge may be levied for copies of such materials.

ARTICLE VI AGENDA

SECTION 1: ORDER OF AGENDA ITEMS

The order of business shall be as follows:

- I. Call to Order
- II. Secretary's Report
- III. Communications
- IV. Old Business
- V. New Business
- VI. Other Business
- VII. Open Forum for Comment
- VIII. Adjourn

ARTICLE VII AMENDMENT OF BY-LAWS

The foregoing bylaws, or any part thereof, may be amended at any regular or special meeting of the Commission. A vote of not less than five (5) members approving said amendment shall be required. An affirmative vote on the motion to amend the bylaws cannot be reconsidered.

HISTORIC PRESERVATION COMMISSION
City of Davenport, Iowa

“Bylaws” *

ARTICLE I

General Rules

The Commission shall be governed by the terms of the Historic Preservation Ordinance as contained in Section 17.23 of the 1990 Municipal Code of the City of Davenport, Iowa and by the terms of the Code of Iowa, Chapter 303, as amended time to time.

ARTICLE II

Membership

The Commission shall consist of nine (9) members and be governed by the provisions contained in Section 17.23.040 of the 1990 Municipal Code.

ARTICLE III

Officers

The Commission shall elect by secret ballot from its membership a Chairperson and Vice-Chairperson. The officers’ duties and terms of office shall be those described in Section 17.23.040(I) of the 1990 Municipal Code.

The Commission Secretary shall provide staff support to the Commission in accordance with the provisions contained in section 17.23.040(J) of the 1990 Municipal Code. The Commission may assign the Commission Secretary other duties and responsibilities at its discretion.

ARTICLE IV

Meetings

The Commission shall conduct regularly scheduled meetings and special meetings pursuant to Sections 17.23.040(G) and 17.23.040(H) of the 1990 Municipal Code.

*as amended 03/13/01

Voting on formal applications before the Commission will be by voice roll call, called by the Commission Secretary, and will be recorded by yeas and nays or present, which will act as neither a yea or a nay. Members shall be physically present at the meeting in order to exercise their vote. Proxy voting and voting by mail or telephone are prohibited.

Prior to formal consideration of a request for demolition of a designated local landmark or a property located within a designated local or national historic district, the Commission shall meet with the petitioner in an informal work session. The purpose of this work session is to discuss the criteria to warranting demolition as stipulated in the City Code, and to discuss viable alternatives to demolition.

Conflict of Interest

In accordance with the provisions contained in Section 17.23.040(K) of the 1990 Municipal Code, a member of the Commission must abstain from participating in a matter before the Commission when the member has a conflict of interest or an appearance of impropriety. Conflict of interest shall mean a direct and personal interest in the outcome of the proceedings. An appearance of impropriety shall mean an apparent conflict of interest based on objective standards. A member of the Commission shall declare their conflict or appearance of impropriety as soon as the matter comes before the Commission for discussion or as soon thereafter as the member becomes aware of the appearance of the impropriety or conflict. Thereafter, the member shall take no part in the discussion or vote on the matter.

Ex Parte Communications

No member of the Commission is qualified to speak for the Commission or to give public expression, including news releases, of the opinion, attitude or action of the Commission on any matter, unless specifically directed to do so by motion of the Commission. The right of a member of the Commission as a citizen to his/her personal opinion, written or spoken, is not denied.

It is the policy of the Historic Preservation Commission that members not attend private meetings whose principal purpose is to discuss business that is before or will come before the Commission, unless such attendance is approved by the Commission by motion prior to the private meeting.

Ex Parte means communication between a Commission member(s) and a party or third party outside of duly scheduled meetings on an issue pending before the Commission or that will be brought before the Commission. Ex Parte communications should be avoided because they raise the issue of due process fairness. In the event a situation arises where they occur, the member shall place on the public record the sum and substance of the communication to enable interested persons to rebut the communications.

ARTICLE V

Powers and Duties of the Commission

The Commission shall have the powers and duties granted in Section 17.23.050 of the 1990 Municipal Code, as amended time to time.

ARTICLE VI

Rules of Order

Roberts Rule of Order, Revised, will govern the Commission meetings in all cases where these rules do not provide for the procedures to be followed.

The foregoing bylaws, or any part thereof, may be amended at any regular or specially-called meeting of the Commission where not less than three (3) days notice and a copy of the proposed amendment has been provided to all members of the Commission. A vote of not less than six (6) members approving said amendment shall be required. An affirmative vote on the motion to amend the bylaws cannot be reconsidered.

Chapter 2.65 HISTORIC PRESERVATION COMMISSION

2.65.010. Creation. [Ord. No. 2019-02 § 3]

The historic preservation commission of the City of Davenport is hereby established. The word "commission", when used in this chapter, means the historic preservation commission.

2.65.020. Eligibility. [Ord. No. 2019-02 § 3]

All members of the commission shall be legal residents of the City of Davenport or own a property within the City of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places.

2.65.030. Composition. [Ord. No. 2019-02 § 3]

The commission shall consist of seven members. Members shall demonstrate positive experience or interest in historic preservation and/or cultural resource management. Members shall include, but are not limited to, architects, urban designers, urban planners, architectural historians, landscape architects, civil or structural engineers, real estate development professionals and contractors.

2.65.040. Compensation. [Ord. No. 2019-02 § 3]

Members shall serve without compensation.

2.65.050. Method of appointment. [Ord. No. 2019-02 § 3]

Members shall be appointed by the Mayor, with the approval of the City Council.

2.65.060. Terms. [Ord. No. 2019-02 § 3]

Members shall serve terms of three years, provided however that all members shall hold over until their successors are appointed and approved. Appointments shall be staggered such that no more than three members are appointed and approved each year. Appointments for non-reappointed members shall begin from the date of the expired term of the non-reappointed member. Vacancies occurring on the commission, other than those due to the normal expiration of term of office, shall be filled only for the unexpired portion of the former member's term.

2.65.070. Forfeiture of appointment. [Ord. No. 2019-02 § 3]

A member shall forfeit his or her appointment to the commission if he or she changes their legal residence to outside the City's corporate limits, no longer owns a property within the City of Davenport, which is a designated Local Landmark or is listed on the National Register of Historic Places or fails to attend in person at least two-thirds of all regularly scheduled meetings during the calendar year.

2.65.080. Meetings. [Ord. No. 2019-02 § 3]

Meetings shall be held at regularly scheduled times and location as determined by the commission. All meetings shall be open to the public. Special meetings may be called by the chairperson or upon written request by three members of the commission. Special meetings shall be held at the time and location as determined by the chairperson or three requesting members of the commission. All meetings shall be in accordance with Iowa Open Meetings Law, Iowa Code, Chapter 21.

A public record of meetings shall contain the minutes, attendance records, voting results and summaries of all pertinent action of the commission. A copy shall be filed with the City of Davenport community planning and economic development department for public review.

2.65.090. Quorum. [Ord. No. 2019-02 § 3]

The presence of a majority of the official members of the commission shall constitute a quorum to legally transact commission business.

2.65.100. Powers and duties. [Ord. No. 2019-02 § 3]

The commission shall have and exercise all the powers and privileges and shall perform the duties and conduct as established by state law, or as same may be from time to time amended and the provisions thereof being incorporated herein by reference, and such other powers and duties as may from time to time be conferred by or imposed upon it by law.

The historic preservation commission shall have the following powers and duties:

- A. To adopt its own administrative and procedural guidelines; and
- B. To maintain an ongoing survey designed to identify structures and districts potentially qualifying for local designation. The commission may initiate the nomination process and shall

respond to a petition by the owner(s) of record for local landmark or historic district designation and placement onto the local register; and

- C. To maintain an ongoing survey designed to identify structures and districts potentially qualifying for the National Register of Historic Places. The commission may initiate the nomination process, and review and comment on a petition for nomination from any person, group or association for the National Register of Historic Places. This subsection is not to be interpreted as meaning that all structures, sites, objects and districts identified as eligible for the National Register of Historic Places shall be automatically approved by the City Council and accepted onto the local register; and
- D. To recommend to the City Council for consideration and adoption, ordinances designating architecturally and historically significant structures and areas as local landmarks and historic districts; and
- E. To maintain records of all studies and inventories for public use. This will include listings of all structures and districts that have been listed on the National Register of Historic Places and all structures and districts that have been designated as local landmarks and historic districts by the City Council. This latter list will be known as the Davenport Register of Historic Properties; and
- F. To hold public meetings to consider any action officially before the commission; and
- G. To review and take action on applications for a certificate of appropriateness, a certificate of economic hardship and a certificate of public hazard; and
- H. To call upon City staff and/or outside experts for technical advice; and
- I. To promote and conduct public education and interpretive programs on local history, including the City's inventory of architecturally and historically significant structures and districts; and
- J. To periodically review and make recommendations to the City Council proposed revisions to the Historic Preservation chapter of the City's comprehensive plan and to assist in the development of policies and procedures under the ordinance for Securing of Abandoned Buildings; and

- K. To testify before all boards and commissions on any matter involving a local landmark or designated historic district, such as but not limited to proposed zoning amendments, applications for special use or applications for zoning variances; and
- L. To develop and recommend to the City Council for adoption, individual design guidelines for designated landmarks and historic districts in Addition to the guidelines contained in the historic preservation ordinance. This includes design guidelines appropriate for rehabilitation, reconstruction and infill development specific to each individual designated historic district; and
- M. To provide information upon request to the owners of local landmarks or to residents in designated historic districts pertaining to the appropriate preservation, rehabilitation and reuse options and the available financial assistance programs for the rehabilitation of designated property; and
- N. To make recommendations to the City Council regarding the appropriate streetscape improvements, with adequate technical and public input, for designated historic districts. This also includes the system of signs used to announce the designated historic district and the plaques used to identify individual structures.

The commission shall adopt its own rules of procedure not in conflict with this Chapter or with the Iowa Code.

2.65.110. City officers and employees to assist. [Ord. No. 2019-02 § 3]

It shall be the duty of all City officers and employees of the City to provide assistance to the commission and its members as this will enable the board to most effectively perform its duties. City officers and employees of the City are authorized and directed to furnish to the commission, upon its request, records, documents, other information which the commission may need for its consideration in connection with its duties.

Title 14
HISTORIC PRESERVATION

Chapter 14.01
HISTORIC PRESERVATION

14.01.010. Short title. [Ord. No. 2019-02 § 4]

This chapter shall be known as the "Historic Preservation Ordinance" of the City of Davenport, Iowa.

14.01.020. Purpose. [Ord. No. 2019-02 § 4]

The purpose of this chapter is to promote the educational, cultural, aesthetic, economic and general welfare of the City of Davenport by:

- A. Providing a mechanism for the community to identify, protect and enjoy the distinctive historical and architectural characteristics of Davenport which represent a visual legacy of the City's cultural, social, economic, political and architectural heritage; and
- B. Fostering civic pride, through public education, by formally recognizing and honoring the notable accomplishments of past citizens as represented in the City's historic structures, sites, objects and districts; and
- C. Stabilizing and/or increasing property values by encouraging the conservation, through sympathetic rehabilitation and/or reuse, of historically or architecturally significant properties; and
- D. Preserving and enhancing the City's attractiveness to potential home buyers, tourists, businesses wanting to relocate and other visitors, thereby supporting and promoting commercial development and economic benefit to the City's economy; and lastly,
- E. Encouraging the stabilization, rehabilitation and conservation of the existing building stock, including the prevention of needless demolition of structurally-sound buildings, in order to strengthen the City's neighborhoods and to prevent future urban blight.

14.01.030. Definitions. [Ord. No. 2019-02 § 4]

- A. ALTERATION - Means any activity requiring a building, sign or demolition permit which materially or visually changes the exterior architectural features, elements and appearance of a structure. This includes, but is not limited to, construction, reconstruction, rehabilitation, relocation and demolition, in whole or in part.
- B. APPURTENANT FIXTURE - Means something that belongs to or is attached to something else, either physically or legally.
- C. ARCHITECTURAL FEATURE - Means and includes the exterior elements of a structure or site and their arrangement which define a particular architectural style, character and/or uniqueness. These elements include, but are not limited to, the following: facade materials,

windows, doors, mill-work, roof-cresting, fences, gates, light fixtures, signs, and all other appurtenant fixtures.

- D. ARCHITECTURAL SIGNIFICANCE - Means a structure possessing any of the following characteristics is said to have architectural significance:
1. The structure is the work of or is associated with a noted architect, builder, craftsman or architectural firm; and/or
 2. The structure is an exceptional example of a particular architectural design or style (whether local or typical) in terms of detail, material and workmanship; and/or
 3. The structure is one of the few remaining examples of a particular use or is an example which does not clearly represent a major style but has a high degree of integrity, as defined herein; and/or
 4. The structure is one of a contiguous grouping that provide a sense of cohesiveness expressed through a similarity of design, style, time period or method of construction and adding to the unique character of the area; and/or
 5. The detail, material and workmanship can be valued in and of themselves as reflective of or similar to those of the majority of the other visual elements in the area.
- E. BUILDING - Means a structure created to shelter any form of human activity, such as a house, garage (or carriage house), warehouse, factory, barn, church, hotel or similar structure. Buildings may refer to a historically-related grouping of structures such as a courthouse and jail or a house and barn. This term is a subset of "structure" as defined in this section.
- F. CERTIFICATE OF APPROPRIATENESS - Means a document issued by the local historic preservation commission indicating its approval of work plans prior to a proposed change in the exterior architectural appearance, material or character of a designated landmark or a structure located within a designated historic district through alteration, rehabilitation, restoration, construction and reconstruction. It shall be required only for activities covered by the building and sign permit procedure.
- G. CERTIFICATE OF ECONOMIC HARDSHIP - Means a certificate issued by the historic preservation commission, or by the City Council upon appeal, based on financial and economic criteria, authorizing the demolition, in whole or in part, of a designated structure.
- H. CERTIFICATE OF PUBLIC HAZARD - Means a certificate issued by the historic preservation commission for the partial or complete demolition of a structure because it poses an immediate, definite and serious threat to the life, health and safety of the general public.

- I. COMPATIBLE - Means to coexist with harmony and consistency.
- J. CONSTRUCTION - Means building activity which physically attaches new floor space, walls and/or ceiling(s) to an existing structure or erects a new principal or accessory structure on a parcel of land.
- K. DEMOLITION - Means any act requiring a building or demolition permit which removes or destroys, in whole or in part, any exterior architectural feature of a local landmark or a structure within a designated historic district.
- L. DESIGN CRITERIA - Means a standard of appropriate and permissible work that will retain and preserve the architectural and historic character of a designated structure and/or district.
- M. DESIGNATED - Means the status officially assigned to a structure or district by the City Council, based on a recommendation of the historic preservation commission, due to its architectural and/or historical significance, as defined herein.
- N. DESIGNATED PROPERTY - Means the short term for a designated landmark, a designated district or a structure located within a designated district.
- O. DISTRICT - Means an area of historical significance designated by ordinance of the City Council, as provided in Chapter 303.34 of the Iowa State Code.
- P. EXTERIOR ARCHITECTURAL APPEARANCE - Means and includes the architectural treatment and general arrangement of all exterior elements of a structure. This includes, but is not limited to, the color, texture and kind of materials, and the type and size of all windows, doors, roof details, light fixtures, signs and appurtenant fixtures.
- Q. HISTORICAL SIGNIFICANCE - Means structures or districts which possess any of the following traits are said to have historical significance:
 - 1. Are significant in American history, architecture, archaeology and culture; and/or
 - 2. Possess integrity of location, design, setting, materials, skill, feeling and association; and/or
 - 3. Are associated with events that have been a significant contribution to the broad patterns of our history; or
 - 4. Are associated with the lives of persons significant in our past; or
 - 5. Embody the distinctive characteristics of a type, period, method of construction, represent the work of a master, possess high artistic values, represent a significant and distinguishable entity whose components may lack individual distinction; and

6. Have yielded, or may be likely to yield, information important in prehistory and history.
- R. IMPROVEMENT - Means any structure, object, parking facility, fence, gate, wall, walkway, work of art, landscape feature or other item constituting a physical betterment of real property.
- S. IMPROVEMENT PARCEL - Means the unit of land, which may contain an improvement as defined in this section and which is treated as a single entity for the purpose of levying real estate taxes.
- T. INFILL DEVELOPMENT - Means new construction and/or other physical improvement of vacant land within a designated historic district.
- U. INTEGRITY TAKEN AS A WHOLE, - Means the degree in which a structure, site, object or district retains its original design, materials, configuration or character.
- V. LOCAL LANDMARK - Means a structure or district identified by the historic preservation commission and designated by the City Council as satisfying the criteria as architecturally and/or historically significant, as defined herein. Structures and districts officially receiving local landmark status shall hereby be regulated by this chapter and shall be listed on the "Davenport Register of Historic Properties".
- W. LOCAL REGISTER - Means the short term for the Davenport Register of Historic Properties.
- X. NOMINATED PROPERTY - Means a structure and/or district that is officially before the historic preservation commission and the City Council for review of eligibility for designation.
- Y. NUISANCE - Means a building or structure found to be in substantial violation of City building, fire and/or housing codes.
- Z. OWNER(S) OF RECORD - Means the person(s), corporation or other legal entity listed as owner(s) of real property for taxation purposes in the records of the Scott County, Iowa, Recorder of Deeds.
- AA. REHABILITATION - Means the act of returning a property to a state of utility which makes possible a contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values. Re-habilitation activities require a building permit.
- BB. RELOCATION - Means the removing of a structure, in whole or in part, from its original site to be situated or reconstructed on another site.
- CC. REPAIR - Means any maintenance of a structure that does not require a building permit.

- DD. REPLACEMENT-IN-KIND - Means the act of replacing an architectural feature of a designated structure so as not to alter its visual appearance and character. This is accomplished by using replacement materials that replicate the previous historic feature in design, size, texture and visual appearance.
- EE. RESTORATION - Means the act or process of accurately recovering the form and details, using documentary evidence, of a structure and/or a district and its setting, as it appeared at a particular period of time, by means of the removal of later work, repair or by replacement-in-kind of missing historic architectural features.
- FF. SCALE IN A STRUCTURE - Is the relationship of vertical, horizontal and depth dimensions. With a district, it is the comparative relationship of the massing of the buildings, open spaces and landscape features.
- GG. STRUCTURE - Means anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including but not limited to: buildings, fences, bridges, gazebos, fountains, statuary, advertising signs, billboards, backstops for tennis courts, radio and television antennas (including supporting towers and satellite dishes) and swimming pools.

14.01.040. Commission designation process. [Ord. No. 2019-02 § 4]

- A. Application process. The legal owner(s) of record or the commission, may nominate a single structure for designation as a local landmark or an area as a historic district. Upon application, the commission secretary shall inform the applicant of the information needed by the commission to adequately consider the nomination.

To nominate a district for designation by the legal owners of record, a petition requesting nomination must be signed and submitted by the owners of record representing at least 51% of the total area of the proposed district, excluding public rights-of-way. After the names on the petition are verified as legal real property owners within the proposed district, the commission secretary shall notify the applicant(s) that the nomination process may continue. A copy of the petition shall also be submitted to the State Historical Society of Iowa for its review and recommendation.

- B. Designation criteria. The commission shall, after such investigation as it deems necessary, make a recommendation to the City Council as to whether a nominated structure or district qualifies for the local register. To qualify, a property must satisfy one or more of the following criteria:
1. It is associated with events or persons that have made a significant contribution to the broad patterns of the history of the City, county, state and/or the nation; and/or

2. It embodies the distinctive characteristics of an architectural style valuable for the study of a type, period or method of construction; and/or
 3. It represents the work of a master builder, craftsman, architect, engineer or landscape architect or possesses high artistic values.
- C. Notification of nomination. Upon receipt of a properly completed application for designation, the commission shall place the nomination on the agenda within 60 calendar days. A notice shall be placed in a newspaper of general circulation not less than four nor more than 20 calendar days prior to the scheduled meeting stating the commission's intent to consider an application for designation. It shall contain, at the minimum, the nominated property's address, legal description and the date, time and location of the public meeting. If a district is nominated, in addition to the published public notice, a letter explaining the proposed designation shall be sent by regular mail to the owner(s) of record of real property within the proposed historic district. The commission's meeting agenda shall also be posted on the first floor City hall bulletin board used for such purposes no less than one business day prior to the scheduled time of the meeting.
- D. Designation - public meeting. Upon submittal of a complete application, the commission shall conduct a public meeting to consider the designation of the nominated structure and/or district. Any interested person, group of persons or organization may submit oral and/or written testimony concerning the significance of the nominated property. The commission may also consider staff reports, and request and/or hear expert testimony.
- E. Burden of documentation. The nominator(s) shall have the burden of proof to provide sufficient evidence and documentation that the nominated structure and/or district is worthy of local landmark status.
- F. Recommendation by the commission. To recommend the designation of local landmarks or historic districts, the commission must pass by a simple majority vote of the members present, a vote in the affirmative. In the case of a proposed historic district, when owners of more than 33 1/3% of the proposed district's area, excluding public rights-of-way and other publicly-owned property, state their disapproval in writing on an owner comment on designation form before or during the commission's first public meeting conducted to formally consider the nomination, a super-majority vote of three-fourths of the commission members present shall be required to recommend designation as a local historic district.

The commission's recommendation for approval of the designation shall be forwarded to the City Council for final review and consideration. If the commission determines that the nominated property does not satisfy the criteria for designation, the nomination process shall cease. However, a property denied designation as part of a proposed historic

district may seek individual local landmark status at any time following the commission's or City Council's first denial. An individual structure denied designation as a local landmark may be considered for the Local Register as part of a nominated historic district at any time following its initial denial.

- G. Documentation of recommendation. All commission recommendations shall be adopted by vote in a public meeting and shall be accompanied by a report stating the following information:
1. A map showing the location of the nominated structure and/or the boundaries of the proposed district; and
 2. An explanation of the architectural and/or historical significance of the nominated structure and/or district as it relates to the designation criteria listed in Section 17.23.060B; and
 3. An inventory of the significant exterior architectural features and property improvements that should be protected from inappropriate alterations; and
 4. In the case of a designated district, a brief statement of the architectural and/or historical significance and character unique to the neighborhood that should be preserved for future generations. This statement may include design guidelines for new construction or infill development, signage, parking regulations and streetscape design or any other development issues affecting the physical appearance and use of the district.
- H. Interim permit process. No building, sign or demolition permit for exterior work shall be issued for the alteration, construction, reconstruction, relocation or demolition of a nominated local landmark or for a property located within a nominated historic district from the date of filing an application for nomination with the commission until final disposition of said nomination by the commission and/or City Council. The commission shall, however, establish and exercise procedures allowing for the review and approval of emergency repairs during this process. In no event shall this limitation on permits apply for more than 120 calendar days without permission of the owner(s) of record of the property.
- I. Nonapplicability. This section nor this chapter is in no way intended to and shall not prevent the demolition of a structure or object that the City housing, building, fire or legal department or the City Council had identified as being an immediate threat to the life, health and safety of the general public pursuant to the Uniform Housing Code, is a fire hazard pursuant to Uniform Fire Code or is a nuisance under state or City law.

This section or this chapter shall have no effect on and shall not prevent demolition of any building already documented as being in substantial

violation of the City's building, fire and/or housing codes before the date this chapter is adopted.

14.01.050. Designation by City Council. [Ord. No. 2019-02 § 4]

- A. Action by City Council. The City Council may vote to approve with modifications or deny the ordinance for a proposed landmark or historic district designation. If the City Council denies local landmark status for the property and/or district, the same nominated property(s) may not be reconsidered by the commission for designation during the twenty-four-month period following the date of denial by the City Council, except pursuant to the exceptions stated in Section 14.01.040G.
- B. Notification of decision. The commission secretary shall notify the nominator(s) by regular mail, of the City Council's determination. The notification letter shall be postmarked no later than 15 business days after the date of the City Council's ruling on said designation. If the property is designated, the commission shall pay for and cause said designation to be recorded on the property's chain of title by the Scott County, Iowa Recorder of Deeds.
- C. Amendments or rescissions. The designation of any landmark or historic district may be amended or rescinded through the same procedure utilized for the original designation.

14.01.060. Certificate of appropriateness review process. [Ord. No. 2019-02 § 4]

- A. Application for certificate of appropriateness. Upon application for a building or sign permit that involves a designated property, the office of construction code enforcement shall direct the applicant to the commission secretary to begin the certificate of appropriateness application process. A certificate of appropriateness must be obtained from the commission for any activity requiring a building or sign permit, except demolition, that would change the exterior architectural appearance of a structure designated as a local landmark or a structure located within a designated historic district. The activities covered shall include new construction, exterior alterations, relocations, reconstructions and infill development within designated historic districts. This approval must be obtained prior to the commencement of work and does not relieve the applicant from obtaining the other approvals required by the City.
- B. Notification about application. The commission secretary shall inform the owner(s) of record of the date, time and location of the commission meeting at which the application will be considered. The commission secretary shall also post the commission's agenda on the first floor City hall bulletin board used for such purposes no less than one business day prior to the scheduled time of the meeting.

- C. Commission review process - Standards for review. In considering an application for a certificate of appropriateness, the commission shall be guided by the following general standards in addition to any other standards or guidelines established by ordinance for a local landmark or historic district. In all cases, these standards are to be applied in a reasonable manner, taking into full consideration the issue of economic feasibility and other technical considerations.
1. Every reasonable effort shall be made to make the minimal number of changes necessary to maintain a designated property in a good state of repair, thereby minimizing the impact of the proposed alteration; and
 2. The removal, alteration or concealing of distinguishing exterior architectural features and historic material of a designated property should be avoided when possible; and
 3. All designated property shall be recognized as a product and physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural architectural features shall be discouraged; and
 4. Most properties change over time, and those changes that have acquired architectural and/or historical significance in their own right shall be recognized, respected and retained; and
 5. Distinctive architectural features, construction techniques and/or examples of craftsmanship that characterize a designated property shall be treated with due consideration; and
 6. Deteriorated architectural features should, where possible, be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence; and
 7. Activities that cause deterioration of a designated property and its architectural features shall be discouraged. In those cases where the damage would be irreversible, such as sand-blasting and wetblasting fire-hardened bricks, the activities shall be prohibited. If cleaning is to be done, the gentlest means possible shall be encouraged; and
 8. Known significant archeological resources possibly affected by a proposed activity shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken; and
 9. New additions and related new construction shall not be discouraged when such improvements do not destroy historic material and such design is compatible with the size, massing,

scale, color, materials and character of the property, neighborhood and district, if applicable.

- D. Design criteria to implement review standards. When the commission is considering an application for a certificate of appropriateness, it shall consider the following architectural design criteria, or elements of design as they relate to the standards for review prescribed in Section 14.01.040C.
1. Height. The height of any proposed addition, construction or reconstruction should be compatible with the designated property and the surrounding structures, if located within a designated historic district; and
 2. Proportions. The proportions (width versus height relationship) between doors and windows should be compatible, if not replicated, with the architectural design and character of the designated property; and
 3. Scale. A proposed alteration, construction, reconstruction or addition should not negatively impact the scale of the designated property or district; and
 4. Materials. Historic or original architectural features, or replacement elements which in all ways replicated the original, should be repaired whenever possible; and
 5. Relationship of building masses and spaces. The relationship of a structure within a designated historic district to the rear, side and front yards between it and surrounding structures should be compatible; and
 6. Roof shape. The roof design and shape should remain consistent with its original configuration and character; and
 7. Site improvements. Landscaping and other site improvements, including off-street parking, should have as minimal of an impact as possible to the designated property's original plan/layout and its visual character.
- E. Determination by the commission. The commission shall review a completed application for a certificate of appropriateness within 60 calendar days to determine if the proposed activity will change any exterior architectural features of the designated property. The commission shall accept, review and request additional evidence and testimony from the applicant during the public hearing. The commission shall work closely with the applicant and recognize the importance of finding an appropriate way to meet the current needs of the applicant. In addition, the commission shall recognize the importance of approving plans that will be reasonable for the applicant to carry out. The applicant may modify his/her plans as a result of the discussions with the commission and resubmit them for approval. If the

commission finds, by a simple majority, that the proposed activity conforms to the standards for review, as defined herein, then a certificate of appropriateness shall be issued approving said activity. If the commission fails to decide on an application within the specified time period, the application shall be deemed approved. If the commission denies the certificate of appropriateness, the applicant shall have the right of appeal to the City Council pursuant to Section 14.01.040I.

- F. Notification of determination. The commission secretary shall notify the owner(s) of record within 15 business days of the commission's action. If the commission denies the certificate of appropriateness, the notification letter shall contain the reasons for denial and inform the applicant of his/her right to appeal.

The commission secretary shall also notify the office of construction code enforcement within three business days of the commission's action. If the commission issues the certificate of appropriateness, the commission secretary shall inform the chief building official of said approval and that the proposed work satisfies the intent of this chapter. However, if the commission denies the certificate of appropriateness, the commission secretary shall ask that the building or sign permit not be issued for said work unless an appeal to the City Council results in a reversal of the commission's denial.

- G. Appeal of commission determination. The owner(s) of record may appeal the commission's decision to the City Council by filing a written appeal with the City Clerk's office within 30 calendar days of the postmark date of the notification of determination.

If no written appeals are submitted with the City Clerk's office within 30 calendar days, the commission's determination shall be the final action by the City.

- H. Appeal fee. A fee of \$75 shall be paid by the petitioner at the time of filing a written appeal to said determination with the City Clerk.

- I. Appeal criteria. The City Council, after hearing all of the evidence, shall review the commission's decision and base its ruling on the following criteria:

1. Whether the commission has exercised its powers and followed the guidelines established by law and ordinance; and
2. Whether the commission's actions were patently arbitrary and capricious.

- J. Appeal — Public meeting. The City Council shall, by simple majority of the members present, approve or disapprove the issuance of the certificate of appropriateness based upon the appeal criteria described in Section 14.01.040I.

14.01.070. Commission's demolition review process. [Ord. No. 2019-02 § 4]

The demolition of a designated local landmark or a property within a designated historic district shall be prohibited unless, upon application for and approval of, the commission issues a certificate of economic hardship allowing said demolition. The owner(s) of record or the City may apply for a demolition permit for designated properties.

- A. Demolition application process. Demolition applications shall be made to the office of construction code enforcement. The office of construction code enforcement shall forward all demolition permit requests for local landmarks and properties within designated historic districts to the commission secretary within two business days of their receipt. No demolition permits shall be issued for local landmarks or properties within designated historic districts prior to the commission, or the City Council upon appeal, issuing a certificate of economic hardship, excluding the circumstances described in Section 14.01.090 of this chapter.
- B. Criteria for demolition request. The commission shall request and receive from the applicant all information it deems necessary to adequately consider the demolition of a designated property. This may include, but is not limited to, the following:
 - 1. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the building(s) on the property, their suitability for rehabilitation, and possible new uses for the property; and
 - 2. The assessed value of the land and improvements thereon according to the two most recent assessments; and
 - 3. The real estate taxes paid during the previous two years; and
 - 4. All appraisals obtained by the owner or applicant in connection with his purchase, financing or ownership of the property; and
 - 5. Any listing of the property for sale or rent, price asked and offers received, if any; and
 - 6. All building, fire and housing code violations which have been listed on the property for the past two years; and
 - 7. Any federal, state or local citation(s) which have determined the building to be a nuisance under applicable law; and
 - 8. Estimated market value of the property after completion of the proposed demolition and after renovation of the existing property for reuse; and
 - 9. If the property is income-producing;

- a. Annual gross income from the property for the previous two years; and
 - b. Itemized operating and maintenance expenses for the previous two years; and
 - c. Annual cash flow, if any, for the previous two years; and
 - d. Proof that efforts have been made by the owner to obtain a reasonable return on his investment.
- C. Notification of proposed demolition. The commission agenda shall be posted on the first floor City hall bulletin board used for such purposes no less than one business day prior to the scheduled time of the meeting and shall serve as notice to the general public of the pending meeting.
- D. Commission review process. The commission shall review all the evidence and information submitted by the applicant and receive testimony from other interested parties. If the commission finds that the building substantially violates the City building, fire and/or housing codes or the property owner cannot obtain a reasonable economic return therefrom, then the commission shall issue the demolition permit. The commission shall act on each application within 60 days after the receipt of a complete application.
- E. Notification of determination. The commission secretary shall notify the owner(s) of record by regular mail within 15 business days of the commission's decision. The office of construction code enforcement shall be notified within two business days of the commission's action. If the certificate of economic hardship is issued, the commission secretary shall inform the chief building official of said approval. If the certificate of economic hardship is denied, the chief building official shall be instructed to withhold the demolition permit pending possible appeal of the commission's determination.

Notified parties will be informed of their right to appeal the commission's decision.

14.01.080. Appeal of commission's decision on demolition. [Ord. No. 2019-02 § 4]

- A. Application to appeal. The owner may appeal the commission's determination regarding a proposed demolition of a local landmark. A written appeal must be submitted to the City Clerk's office within 30 calendar days of the commission's decision.
- B. Appeal fee. A fee of \$75 shall be paid by the petitioner to the City Clerk at the time of filing a written appeal.
- C. Notification of appeal. The City Clerk shall notify the commission secretary within three business days of the filing of a written appeal. The commission secretary shall inform the office of construction code

enforcement of the pending appeal and instruct the chief building official to withhold the demolition permit until the City Council has ruled on same. The commission secretary shall also inform the owner(s) of record of the subject property of the date, time and location of the City Council meeting scheduled to hear the appeal. The City Council agenda shall serve as notice to the general public of the appeal and shall be posted on the first floor City hall bulletin board used for such purposes no less than one calendar day prior to the scheduled time of the meeting.

- D. Review process. The City Council, within 30 calendar days of the filing of a written appeal or at a later time at the request of the petitioner, shall either accept or reject the commission's determination. In considering the commission's determination, the City Council may receive and review all relevant information, testimony and/or evidence submitted for its consideration, including that reviewed by the commission, and any additional material.
- E. Notification of decision. The owner(s) of record shall be notified by regular mail of the City Council's decision within 15 business days. The office of construction code enforcement shall be notified within two business days of the City Council's decision. The publishing of the City Council meeting minutes shall serve as notice to the general public. The City Council's decision shall be the final City action.

14.01.090. Exclusions. [Ord. No. 2019-02 § 4]

A designated property may be altered, relocated, demolished or secured and maintained under the following circumstances and shall not be subject to any of the terms of this chapter.

- A. Certificate of public hazard. If emergency circumstances affect a designated property which requires immediate relief, including demolition, the fire marshal and chief building official shall certify that such conditions exist and said conditions shall be eliminated as quickly as is practicable. Emergencies are defined as life or health-threatening conditions requiring immediate attention. A certificate of public hazard may be issued after the fact documenting the reasons for loss of the designated property. This section shall apply only in cases where it is impractical for the commission to consider a certificate of economic hardship prior to demolition.
- B. Conflict with other regulations. The clauses and sections in other City Council-adopted codes and regulations which address life-safety, fire safety and legal nuisances, shall be excluded from the standards and provisions herein. In the event the City's legal, fire, housing or building officials determine that a structure or portion thereof is a life-safety hazard, a fire safety hazard or a nuisance, the fire, housing and building codes shall supersede this chapter.

- C. Ordinary repair and maintenance. This chapter is not meant to prevent ordinary repair and maintenance activities of private property not requiring a building or sign permit.

14.01.100. Historic structure demolition review process. [Ord. No. 2019-02 § 4]

- A. If the owner(s) of record or agent applies for a demolition permit to a building or structure listed on the National Register of Historic Places, which to date has not been designated as a local landmark, the office of construction code enforcement shall not issue the permit but instead shall direct the applicant to the commission secretary. Once the office of construction code enforcement refers the matter to the commission secretary, all demolition activity shall stop, if started, until after the commission or the City Council acts on the matter. The commission secretary shall place the demolition request on the agenda for the commission's next meeting.
- B. In making its determination on whether to recommend continuance of the demolition stoppage and consideration by the City Council for designation as a local landmark, the commission shall consider the criteria as stated in Section 14.01.070B of this chapter. The commission, by a three-fourths vote of its members present may request the City Council to review a proposed demolition permit for a structure listed on the National Register of Historic Places which has not, to date, been designated as a local landmark. In the event the commission votes to delay demolition, the commission shall have staff prepare an individual property nomination for designation as a local landmark as outlined in Section 14.01.040. Said nomination shall be considered by the commission in a timely manner.

In the event the commission vote to nominate the property as a local landmark fails, the demolition permit may be issued and the matter does not proceed to the City Council.

In the event the commission votes first to delay demolition and then to nominate the property for designation as a local landmark, the commission shall submit written documentation to the City Council that the building is presently on the National Register of Historic Places, that the criteria for designation as a local landmark as listed in Section 14.01.040 have been met and that the provisions of Section 14.01.090 of the chapter are not applicable, as well as forward any application material submitted by the petitioner or prepared by staff relevant to either the demolition request or the landmark nomination.

- C. The City Council shall give appropriate notice that a public hearing will be held on the demolition application and nomination for landmark designation.

At the public hearing, the City Council shall hear all written and oral statements of the interested parties. The City Council shall base its

decision on all relevant evidence presented at the public hearing, including whether Section 14.01.090 of the chapter is applicable.

The City Council shall determine by a majority of the entire Council either to allow the structure to be demolished or to approve the structure for local landmark status. If the local landmark status is approved the owner shall not be issued a demolition permit by the City.

Every effort shall be made by all parties to complete the designation process in the most timely fashion. The City Council shall act either allowing the structure to be demolished or designating it a local landmark within 120 days from the date of the commission's first public hearing.

14.01.110. Penalty. [Ord. No. 2019-02 § 4]

- A. In the event work is being performed without the required certificate of appropriateness or the certificate of economic hardship, the commission or the commission secretary shall ask that a stop work order be issued. In the event work is being performed which is not in accordance with its certificate of appropriateness, the commission shall also ask that a stop work order be issued. 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 is in effect.
- B. In the event work has been completed without the required certificate of appropriateness or certificate of economic hardship, the owner, the tenant, if a participating party to said work, and the person(s) performing such work shall be guilty of a misdemeanor or municipal infraction. Every day each such violation shall continue to exist shall constitute a separate violation.
- C. Enforcement. The City's director of community and economic development department, or his/her designee, shall be responsible for the enforcement of the provisions of this chapter.