

**MINUTES
CITY OF AMES
HISTORIC PRESERVATION COMMISSION**

Date: November 13, 2023	Susan Minks*	2024
	Angie Kolz	2024
Call to Order: 6:00PM	Mary Jo Winder	2024
Place: Council Chambers	Scott Huffman	2026
	Melissa Goodwin	2026
Adjournment: 8:28PM	Robert Ewald	2026

[*Absent]

CALL TO ORDER: Scott Huffman, Chairperson, called the meeting to order at 6:00 PM.

APPROVAL OF AGENDA:

MOTION: (Winder/Kolz) to approve the agenda for the meeting of November 13, 2023.

MOTION PASSED: (5-0)

APPROVAL OF THE MINUTES OF THE MEETING OF OCTOBER 09, 2023:

MOTION: (Ewald/Goodwin) to approve the Minutes of the meeting of October 09, 2023, with edits. Ms. Winder pointed out her last name was referred to as "Winders" and should be "Winder".

MOTION PASSED: (5-0)

PUBLIC FORUM: There were no public comments.

CHAPTER 31 TEXT AMENDMENT CLARIFYING THE APPLICATION OF DESIGN CRITERIA AND GUIDELINES TO ACCESSORY STRUCTURES AND DWELLING UNITS (ADUS)

Eloise Sahlstrom, Planner for the City of Ames, stated that in September 2023, the Commission reviewed and provided input on how the Design Criteria and Design Guidelines in Chapter 31 would be applied to grant a Certificate of Appropriateness for new construction in the Old Town Historic District. The Commission noted four items that needed further clarification. Planning staff applied the input of the Commission to Chapter 31 section 15, regarding new construction.

It was not discussed at the previous meeting if there was language in place that would address a contributing garage being converted into an ADU. Planning staff reviewed that as well and have provided possible language relating to that specific scenario.

Ms. Sahlstrom did not expect there to be many such instances of contributing garages in the Old Town District that could meet building code and thus qualify to potentially be converted into an ADU. Staff felt the code should be addressed in case this matter came up in the future. Planning staff wants to ensure any additions to an accessory structure are considered as new construction. Staff reviewed language pertaining to the Chapter 31 sections on Certificates of Appropriateness. The proposed edits are in addition to existing text and are not essential to the ADU process and may be omitted if the Commission chooses to do so. Ms. Sahlstrom reviewed the four alternatives noted in the action form.

Mary Jo Winder, Commission Member, attended the Council Meeting when the item was discussed. She felt it was not clear whether Council had given specific directive regarding revisions to Chapter 31. Ms. Winder felt the Commission should only look at the changes that included ADU's. Ms. Sahlstrom replied that Kelly Diekmann, Director of Planning and Housing, indicated that Staff could proceed with minor edits to Chapter 31, Section 10. Ms. Sahlstrom was unsure if the language proposed to address ADU's would also address the concerns the Commission had with that section of Chapter 31. Ms. Winder voiced concern that if the Commission moves forward with edits now but wants to go back in the future to make additional revisions, they will not be allowed to. Ms. Winder felt waiting would be beneficial.

Angie Kolz, Commission Member, felt this would be a good opportunity to address issues within Chapter 31, Section 10. The Commission may not have an opportunity to address these items again. Ms. Winder said the section that applies to new construction was moved in the proposal and may qualify as a substantive change.

Ms. Winder noted the moved section addressed approved architectural styles for new principal structures. The Commission has discussed at length at previous meetings whether the language in that section should stay. Ms. Winder felt if the existing language is kept it would be problematic, unnecessarily restrictive, and costly for homeowners.

Ms. Sahlstrom commented on Duff Avenue there is a duplex that is in the Historic District. It was required the duplex replicate an approved style defined in Chapter 31. Ms. Sahlstrom felt the duplex was an example of the situation Ms. Winder had been discussing. Ms. Winder felt an owner who wants to do new construction and uses the Design Criteria to do so may be unsure what the requirements are. Ms. Winder felt if proposed language would constitute a substantive change, the homeowners in the Old Town District would need to be notified via a Public Notice. Ms. Winder inquired if that was correct. Mr. Anderson replied such changes would not require individual notices be sent out to all property owners. Sending individual notices could be an option but would not be required. A public notice would be published in some form to inform owners. Ms. Winder asked if the overlay for the district had to be approved by the property owners at the time the district was founded. Mr. Anderson said City Council approved the zoning overlay and there were neighborhood meetings to facilitate discussion. Ms. Winder asked if the owners were informed of the Certificate of Appropriateness requirements when the district was put in place. Mr. Anderson replied Old Town became a district in 1988 and he did not recall specifically but did know the neighborhood was involved. Ms. Winder felt the owners in the district would need to be notified of any changes made to Chapter 31 or the Certificate of Appropriateness process as it currently stands.

Ms. Kolz suggested the Commission review the suggested language paragraph by paragraph and make note of any comments they wished to add. She felt the Commission should not discuss substantive changes tonight. Ms. Kolz felt the Commission should discuss non-substantive changes.

Scott Huffman, Commission Chair, suggested the Commission begin the review in Chapter 31 with Section 10 regarding the Certificate of Appropriateness. Mr. Huffman noted that Ms. Winder proposed changing the word "structure" to "property" in a specific sentence in paragraph one. Ms. Winder explained her reasoning behind the suggestion. Robert Ewald, Commission Member, commented the section appears to refer to the architectural appearance which would be the structures rather than whole property. Ms. Winder said a new deck is a new addition but not part of the original structure on the property. The overlay designates the whole property as historic. Mr. Huffman asked Mr. Anderson if the word structure is defined in the ordinance. Mr. Anderson read aloud the definition of contributing structures from Chapter 31. Mr. Anderson noted if the word property was used, the Commission may need to define that as well. Ms. Winder said the National Register defines structure and object differently. Mr. Ewald asked if wording indicating contributing structure and objects could be added. Ms. Winder felt that was not feasible since she believed a Certificate of Appropriateness would apply to the whole property.

Mr. Anderson stating the zoning overlay applies to a property and Chapter 31 applies to the structures in the Old Town Historic District. Ms. Winder commented discussion has occurred at many previous meetings regarding wording of definitions in Chapter 31. Ms. Winder suggested the Commission address the definitions another time and felt the rest of the proposed language was adequate.

Mr. Ewald asked for clarification on the wording, "complete City of Ames application". Ms. Sahlstrom clarified the intended meaning is an application that fully addresses all the requirements of the application. Some applications do not include required information, which then deems it incomplete. Ms. Winder asked if a complete application was referred to in the zoning code and Ms. Salstrom confirmed it is.

The Commission went on to discuss paragraph two. Ms. Winder explained her thoughts on the use of the word "alteration". Ms. Winder proposed using the word, "porches" instead of, "railings" for ease of understanding. Mr. Huffman agreed with the suggested edits. Mr. Ewald said buildings or structures seemed redundant since every building is a structure. Ms. Kolz asked if the paragraph only applies to contributing structures or all structures. Mr. Anderson stated it applies only to contributing structures.

The Commission discussed the subparagraphs under paragraph two. Ms. Winder discussed proposed changes to improve clarity and consistency. Mr. Ewald asked if subparagraph A referred to parts of structure that can be removed. Mr. Huffman said yes, and a Certificate of Appropriateness is required for the owner to remove or replace a portion of a structure. Ms. Sahlstrom stated the intent is that if a feature significant to the integrity of a house has deteriorated it could be removed. Staff has not addressed if the removed feature must be replaced. Planning staff discussed if a deteriorated porch should be replaced if it is defining feature of the property even though a replacement would not be original. Ms. Winder discussed the circumstances she felt that would be allowed according to the language in the paragraph. Mr. Anderson said if an architectural feature is removed, a replacement must be put in its place.

Further discussion took place regarding requirements and enforcement of deteriorated features and potential costs to owners. Ms. Kolz said if the Commission applies the chapter as it is, they do not need to incorporate the mentioned suggestions at this time. She felt the discussed proposed changes would be substantive and should be addressed at another meeting. Ms. Winder suggested they not make any changes to paragraph two at this time.

Mr. Ewald asked what the process is regarding a contributing structure that has deteriorated and the owner cannot afford to replace it. Ms. Sahlstrom explained what the process would be. Ms. Goodwin asked if what was discussed would fall under the last two sections of Chapter 31 regarding enforcement and penalties pertaining to the historic district. Ms. Sahlstrom read aloud the demolition definition and remarked if an owner demolished a feature without a permit they would be in violation.

Mr. Huffman confirmed the Commission wanted to leave the subparagraphs under Paragraph two unchanged. He inquired if the Commission wanted to act on proposed changes for paragraph two. Ms. Kolz agreed with Mr. Huffman's suggestion.

The Commission went on to discuss Paragraph three. Ms. Kolz felt the proposed wording "new structure or addition requires" seemed confusing in what it would apply to. Mr. Anderson read the definition of structure from Chapter 31 and further discussion was held on what constitutes a structure. Ms. Winder wondered if subparagraph C was needed. Mr. Ewald asked if principal structure was defined. Ms. Sahlstrom replied it is defined in the zoning code, not in Chapter 31. Ms. Sahlstrom asked what the Commission thought of not making the proposed changes at this time apart from including the additional wording in item C that states, "or addition to an accessory building."

Mr. Huffman discussed the paragraph that was moved from below paragraph three to below paragraph four. Ms. Winder felt the paragraph should not be moved. Mr. Huffman inquired as to staff reasoning for moving the paragraph. Ms. Sahlstrom explained in more detail what the reason was for the suggested move. Ms. Kolz felt the paragraph should be moved and, Mr. Huffman and Mr. Ewald agreed. Ms. Winder disagreed with the paragraph in general. She suggested noting the section reference for Design Guidelines after the wording, "Consideration of an application for a Certificate of Appropriateness shall apply the Design Guidelines." Ms. Goodwin suggested switching sections 31.14 and 31.15 to correspond with how they are listed in Paragraph four. The Commission members and Ms. Sahlstrom agreed.

The Commission then discussed the proposed sentence addition for section 31.11 pertaining to the Application for a Certificate of Appropriateness. Ms. Winder felt the sentence should be at the end of the paragraph and the acronyms ADU and HPC should be spelled out rather than abbreviated. Mr. Ewald stated the verbiage Director and Planning & Housing Director is confusing since it is the same person, and the wording is not consistent. Ms. Goodwin said the portion stating, "and substitute materials are not proposed" is confusing as worded. Ms. Sahlstrom said the sentence should probably say, "When substitute materials" instead of the word, "And."

The Commission discussed section 31.13. Ms. Winder felt the wording in item K should indicate conversion of a garage is allowed after it has been through the review process. Mr. Ewald felt item should state, "The proposed replacement door shall contain as many of the elements as possible of the historic door." Ms. Kolz asked what the process would be if an owner wanted to convert a contributing garage into an ADU, and how item K would be applied in that scenario. Ms. Sahlstrom stated If an existing non-contributing garage was converted as an alteration into

an ADU, a Certificate of Appropriateness would not be required. Mr. Huffman asked if an addition to a non-contributing garage would require a Certificate of Appropriateness. Mr. Anderson said in that case, a Certificate of Appropriateness would not be needed since the garage would be non-contributing. Ms. Winder felt the Commission should retain review authority if a property with a contributing principal structure would add an addition on the property. Ms. Sahlstrom stated if a property has a principal contributing structure, any additions will require a Certificate of Appropriateness. Ms. Sahlstrom said that specific situation has not come up often. Ms. Winder asked if any language needed added. Mr. Huffman felt adding wording, "non-contributing garage" would be a substantive change. Ms. Kolz noted item K would be a new item added to 31.13 so it would not be a substantive change. Ms. Kolz felt it is important to distinguish the difference between a conversion and an addition. An addition would add to the square footage of a structure, but a conversion would be done on the interior of the structure.

Ms. Kolz asked other Commission members felt an additional sentence was needed to indicate converting a noncontributing garage into an ADU is allowed. Ms. Winder and Ms. Goodwin agreed with Ms. Kolz. Ms. Goodwin felt a clear connection should be made between alteration and conversion. Further discussion took place on the meaning of the word "conversion". Ms. Winder stated the historic character of a property should be protected and suggested it be stated that an ADU shall not impact the historic character. Ms. Kolz felt that would be confusing and that the word, "conversion" should be defined to indicate it is not an addition or alteration. Ms. Winder suggested the wording, "A conversion that does not impact the exterior." Ms. Sahlstrom said an exterior may be impacted if a door or other feature must be added. Ms. Sahlstrom stated the Commission could opt to not use the word conversion. Ms. Winder questioned if conversion meant changing the use of a garage from automobile storage to ADU use. Ms. Goodwin stated the use was not part of the section but would be outlined in the zoning ordinance. Ms. Sahlstrom suggested the wording, "Changing the use of an existing contributing garage to an ADU is allowed as long as the character defining features of the garage are not significantly altered." Ms. Kolz felt that would be helpful since it did not use the word conversion. Ms. Kolz felt it would still be important to add language regarding a non-contributing garage, so owners and the Commission know what the criteria is. Ms. Kolz felt two things are being discussed: protecting character defining features and when a Certificate of Appropriateness is needed, which could be addressed in section 31.10 paragraph two by adding an item D. Ms. Kolz proposed the item D wording could state, "When changing the use of an existing garage to an ADU if the garage is contributing or the property has a contributing principal structure a Certificate of Appropriateness is required." Mr. Huffman agreed and felt the proposed language made sense. Ms. Sahlstrom stated Planning staff would create wording for item D based upon the suggested language by the Commission. Ms. Goodwin suggested addressing in item D architectural features that would be affected by changing the use of a garage.

The Commission discussed Section 31.15. Mr. Huffman stated the items in this section are based on the feedback from the Commission at the September meeting. He stated the Commission needs to determine if the phrasing is acceptable or if any edits are needed. Mr. Ewald suggested editing items K and N to say, "location and orientation of the structure." He also suggested editing, "Located slab on grade" to say, "Constructed slab on grade." Ms. Kolz asked for clarification regarding the location of a structure on the lot and orientation when facing the street versus if it is on the back of a property. Ms. Sahlstrom stated the intent of the wording was to provide flexibility to the Commission to decide if a location on a lot warrants the footprint be different or requires a porch.

Ms. Winder clarified staff would be adding under item 10 and Ms. Sahlstrom confirmed that was correct, since an ADU would be an accessory building. Ms. Winder stated at the previous meeting it was discussed adding exceptions the Commission would need to address under items K through M. Ms. Winder suggested eliminating first sentence in item K to say, "A standalone ADU may require a porch as determined by the HPC." Mr. Ewald suggested first sentence of item K state, "Even though garages and accessory buildings do not typically require a porch, a standalone ADU may or may not require a porch as determined by the HPC." Ms. Winder suggested adding the wording, "May be exempt as determined by the HPC." Ms. Goodwin felt that would indicate the HPC would review all cases then decide. Ms. Goodwin felt the use of the word may was important. If the ADU is street facing, it may require a porch. Mr. Huffman suggested the wording could say accessory buildings and put, "including garages and ADUs" in parentheses to eliminate using the phrase "Garages and" in the items. Ms. Kolz suggested adding the verbiage, "if street facing" to items K and N. Mr. Huffman agreed and felt that made sense.

1. MOTION: (Huffman/Kolz) Recommend Alternative 3, sending proposed modifications as discussed to City Council.

MAJORITY VOTE NOT HELD

Ms. Goodwin asked if the Commission wanted to review proposed language with edits done by Planning Staff for item D before it went to Council. Mr. Ewald asked if it would come back to the Commission regardless. Ms. Sahlstrom stated the intent was for this item to go to the Planning & Zoning Commission next. The Commission could state they wanted to have the item come back for review or they could state they wanted to view the draft language from P & Z before it would go to City Council.

2. MOTION: (Huffman/Kolz) Recommend Alternative 3, and the Commission will review Planning staff's suggested wording and location for section 31.10 paragraph two, subparagraph D.

MOTION PASSED: (5-0)

CLG GRANT APPLICATION UPDATE

Ms. Sahlstrom stated at the meeting on October 24th Council approved proceeding with the grant application for nomination of Ridgewood and Chautauqua Park thanks to work performed Devon Lewis. Planning staff will prepare the application and send the draft to the state. The final version needs to be submitted by December 15th and approved by City Council before it can be sent on to the State Historic Preservation Office.

Ms. Winder asked if the \$4,000 cash match was in addition to the \$12,000 for the consultant. Ms. Sahlstrom replied that was correct and gave a detailed breakdown of the funding. The Commission should list their time spent to review the work of the consultant as specified in the grant application.

CHAPTER 31 UPDATE REFERRAL REQUEST

Mr. Anderson said City Council considered work priorities for the upcoming year at the October 24th meeting, and the memo from the Commission regarding the revision of Chapter 31 was one of them. The Council sent a request back to the Commission asking for more information on why the Chapter 31 revision is necessary. They Council needs a response from the Commission by the end of January 2024. The Commission could compose a response at the December or January meeting. Council will then consider the revision of Chapter 31 along with the other priorities and decide if they want to devote staff time to the project.

Mr. Huffman asked if the Commission wanted to discuss this item in more detail tonight or wait until the December meeting. Ms. Kolz volunteered to draft a response to review at the next meeting. Mr. Ewald asked if Ms. Kolz could send the draft to the Commission prior to the next meeting date. Ms. Kolz replied she would.

Ms. Winder stated she felt City Council was not respecting the Commission. Mr. Ewald felt the City Council was concerned about the 300 hours of staff time required for one project. Ms. Winder felt the Commission was not viewed as important.

COMMISSION COMMENTS:

Ms. Kolz thanked the Commission members for their participation in the lengthy discussion this evening.

STAFF COMMENTS

Mr. Anderson stated at the next meeting the Commission will review the Work Plan for the annual report. The information will be sent out prior to the next meeting along with the memo that went to Council. In January the Commission will discuss the annual report as well as the 2024 Historic Preservation Awards.

MOTION TO ADJOURN:

MOTION: (Huffman/Winder) to adjourn the meeting.

MOTION PASSED: (5-0)

The meeting adjourned at 8:28PM.



Scott Huffman, Chairperson
Historic Preservation Commission



Laura Colebrooke, Recording Secretary
Department of Planning & Housing