

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	February 25, 2013
	Agenda Item No.	39
	Roll Call No.	<u>13-0344</u>
	Communication No.	<u>13-099</u>
	Submitted by:	Phillip Delafield, Community Development Director

AGENDA HEADING:

Public hearing on appeal by Carrie Bouma from the conditions imposed by the Historic Preservation Commission on the issuance of a Certificate of Appropriateness (COA) for the replacement of windows at 1224 9th Street.

- A. Resolution affirming the decision of the Historic Preservation Commission
- B. Alternate resolution granting the appeal by Carrie Bouma.

SYNOPSIS:

Ms. Bouma is appealing the December 19, 2012, decision of the Historic Preservation Commission to apply conditions to the approval of a COA for the replacement of windows. Ms. Bouma proposed replacing all double-hung windows with vinyl replacement windows. The Commission’s approval was conditioned on retaining a 2-lite over 2-lite first floor window on the north façade and the use of wood replacement windows that have the same general style, shape, and dimensions as the existing windows and are not covered with metal cladding as reviewed and approved by staff.

The discussion summary, staff report and photographs from the December 19, 2012 Historic Preservation Commission meeting, the COA and the appeal by Ms. Bouma are attached to the roll call. Staff recommends that the City Council uphold the decision of the Historic Preservation Commission.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

Ms. Bouma wishes to replace all double-hung windows with custom order vinyl replacement windows. The windows have been purchased and the southern three windows on the second floor of the front façade have been replaced. Work ceased after the contractor was advised that a COA was required.

Ms. Bouma purchased the house on April 18, 2010, from the River Bend Neighborhood Association. Prior to purchase, the property was renovated with funding from a variety of sources including the Neighborhood Finance Corporation, the City of Des Moines – Neighborhood Conservation Division and the State Historical Society of Iowa. The house had been converted into apartments many years ago and required extensive renovation to return it to a single-family dwelling. Most of the windows that are in the house were in the building prior to renovation. There are a few new wood windows that were installed during the renovation.

On November 28, 2012, the Commission approved the replacement of all of the double-hung windows except for the 2-lite over 2-lite window on the north wall of the kitchen. Approval was subject to the use of wood windows without metal cladding that match the general profile, shape and dimensions of the existing windows as approved by staff. Following this meeting there was a desire among the Commission to reopen the hearing and review the application further. On December 10, 2012, at a special meeting the Commission voted to reopen the hearing. On December 19, 2012, the Commission reheard the request and voted to confirm their original decision.

The Commission found that the proposed vinyl product does not substantially match the composition, design, dimensions, durability, color, texture and visual properties of a historic wood window. Specifically, the dimensions of the framing and sash frames are noticeably different; there is minimal depth between the sash framing and the glass; the sash tracks (jambs) have a glossy white vinyl product appearance that is noticeable particularly in contrast to the dark matte finish of the framing; and the track for the screens on the exterior of the windows is a noticeable variation in detail. The window openings are close enough to the ground that these variations are noticeable.

The Architectural Guidelines for Building Rehabilitation in Des Moines' Historic Districts state that "any replacement windows should duplicate the original window in type, size, and material." The subject work does not comply with the Architectural Guidelines for Building Rehabilitation. In addition to the local design guidelines the Municipal Code states the Commission shall utilize the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Building. The National Park Service produces documents known as Preservation Briefs. These documents are intended to assist in the interpretation of the Secretary of the Interior's Standards, which provide broad direction.

Preservation Brief #16 (The Use of Substitute Materials on Historic Building Exteriors) provides guidance on the use of substitute materials. It states that if substitute materials are going to be used that they should be comparable in composition, design, dimensions, durability, color, texture and visual properties as the historic material. The Commission found that the proposed product does not comply with these standards.

Staff believes that the Commission was consistent with the Architectural Guidelines for Building Rehabilitation in Des Moines' Historic Districts and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Building. Staff recommends that the City Council uphold the decision of the Historic Preservation Commission as their decision was not arbitrary or capricious. Should the City Council find the decision arbitrary or capricious, staff recommends the applicant be required to retain the identified 2-lite over 2-lite window.

PREVIOUS COUNCIL ACTION(S):

Date: February 11, 2013

Roll Call Number: [13-0218](#)

Action: **On** appeal by Carrie Bouma from the conditions imposed by the Historic Preservation Commission on the issuance of a Certificate of Appropriateness for the replacement of windows at 1224 9th Street, (2-25-13). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Historic Preservation Commission

Date: December 19, 2012

Resolution Number: N/A

Action: Historic Preservation Commission voted 6-1-0 to approve the request subject to the retention of the 2-lite over 2-lite first floor window on the north façade and the use of wood windows without metal cladding that match the same general style, shape and dimensions as the existing windows as reviewed and approved by staff.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Enforcement of the Historic Preservation Ordinance depending on the action taken by the City Council.

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