


COUNCIL COMMUNICATION

	Number:	19-390	Meeting:	September 9, 2019
	Agenda Item:	66	Roll Call:	19-1439
	Submitted by:	Chris Johansen, Community Development Director		

AGENDA HEADING:

Public hearing on appeal from decision of the Historic Preservation Commission by Mitch Coluzzi of conditional grant of an application for a Certificate of Appropriateness (COA) that prohibits the demolition of a carriage house structure at 1308 9th Street in the River Bend Historic District.

A. Resolution directing the City to solicit proposals for the purchase and renovation of the property including the carriage house, and/or proposals for the relocation and preservation of the carriage house to a different property; and remanding the request to the Historic Preservation Commission (HPC) following the close of the advertisement period.

B. Alternate resolution affirming the decision of the HPC to conditionally grant a COA.

SYNOPSIS:

Mr. Mitch Coluzzi proposes to demolish the carriage house located at 1308 9th Street. On July 19, 2019, the HPC issued COA 20-2019-9.15 allowing the demolition of fencing and denying the request to demolish the carriage house. The COA, staff report, discussion summary, and photographs from the Commission meeting are attached to the roll call. Staff recommends that the City Council direct the City to solicit alternative proposals and remand the request to the Commission following the close of the advertisement period. (option A).

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- On May 16, 2019, Mr. Coluzzi submitted an application for a COA to allow the demolition of fencing and the carriage house at 1308 9th Street.
- On June 19, 2019, the HPC approved the portion of the request pertaining to fencing and continued the hearing on the carriage house to the July 17, 2019 meeting. Mr. Coluzzi was not present to answer questions regarding the condition of the carriage house. The Commission requested that staff coordinate a tour of the property before the July meeting for interested Commissioners.
- On July 10, 2019, Commission Members Breann Bye, Martha Green and York Taenzer toured the property with Mr. Coluzzi and Jason Van Essen, Senior City Planner.

- On July 17, 2019, the HPC issued COA 20-2019-9.15 allowing the demolition of fencing and denying the request to demolish the carriage house.
- The Commission identified that the carriage house is identified as a “Contributing Structure” by the district’s National Register nomination and found that it is repairable and should be retained to support the historic integrity of the historic district.
- Section 58-31 of the City’s Historical Preservation Ordinance provides a special process to be followed for the issuance of a COA for the demolition of a building defined by the district’s National Register nomination as either a pivotal or contributing structure.

Sec. 58-31. Certificate of appropriateness required.

- (d) *When an application involves the proposed demolition of a building which is defined by the district's National Register nomination to be either a pivotal or contributing structure, the commission shall not issue a certificate of appropriateness until the following conditions have been satisfied:*
- (1) *The city shall advertise that the owner will entertain offers from any person or governmental agency desiring to purchase such building and the lot upon which it stands, provided the prospective purchaser agrees to preserve and rehabilitate the building in accordance with the recommended procedures in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*
 - (2) *When it has been determined by the commission that such building must be moved to mitigate adverse impact, in lieu of the requirements of subsection (d)(1) of this section, the city shall advertise that the owner will entertain offers from any person or governmental agency desiring to purchase such building, provided the prospective purchaser agrees to cause such building to be moved by a professional mover in accordance with the recommended approaches in the Department of the Interior's "Moving Historic Buildings."*
 - (3) *The city shall publish such advertisement in a newspaper of general circulation within the city, in both a legal notice and a classified advertisement, once a month for three months for contributing structures and once a month for six months for pivotal structures.*
 - (4) *Upon the affirmative vote of a majority of the full membership of the commission, the advertising requirements of this subsection (d)(3) of this section may be waived when such waiver is determined to be in the public interest.*

If the conditions of this subsection have been satisfied and no entity has purchased the building for the purpose of rehabilitating or moving it, the commission shall consider the demolition proposal at its next regularly scheduled meeting.

- Staff recommends that the City solicit proposals for the purchase and renovation of the property including the carriage house, and/or proposals for the relocation and preservation of the carriage house to a different property; and remanding the request to the HPC following the close of the advertisement period. The possible alternatives that are provided for by Section 58-31(d) of the City Code should be understood before a decision is made on the future of the building.

PREVIOUS COUNCIL ACTION(S):

Date: August 19, 2019

Roll Call Number: [19-1317](#)

Action: On appeal by Mitch Coluzzi from the conditional grant of an application for a Certificate of Appropriateness, denying a request to demolish a building located at 1308 9th Street, in the River Bend Historic District, (9-9-19). Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Historic Preservation Commission

Date: July 17, 2019

Resolution Number: 20-2019-9.19

Action: Conditional approval of a Certificate of Appropriateness (COA) 20-2019-9.19. Motion carried 5-4.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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