

Landmarks Commission
Meeting of October 7, 2024
Agenda #2 and #3, Legistar #85180 and #84154

The staff report for agenda item #3 states: "Previous lot reconfigurations of landmark sites did not also include an amendment to the landmark nomination to reflect a boundary adjustment, which has resulted in challenges in correctly administering the preservation ordinance."

Certainly the Council Crest new construction was a challenge. But Landmarks specifically decided to retain the two lots as part of the landmark site. The adopted motion, Legistar 72243, stated: "retaining the landmark designation on the western lot will ensure preservation of the historic structure on the eastern lot by allowing for review of potential adverse impacts of the new construction on the historic structure."

Ensuring preservation of the historic structure is one of the purposes of the Historic Preservation ordinance: "Accomplish the identification, protection, promotion, preservation, conservation and use of the City's historic resources ..." Thus, looking at the potential risks to the Wiedenbeck-Dobelin Warehouse under this proposed boundary change is important.

1. The boundary change will require a new application for a National Register listing. (36 CFR §60.14(a)(1): A boundary alteration shall be considered as a new property nomination. All forms, criteria and procedures used in nominating a property to the National Register must be used.)

Will the Wiedenbeck-Dobelin Warehouse be able to obtain a new National Register listing with the proposed boundaries? Historical integrity is required.

Integrity is the ability of a property to convey its significance. The evaluation of integrity is sometimes a subjective judgment, but it is always grounded in an understanding of a property's physical features and how they relate to its significance.

Integrity is conveyed through a place's location, setting, design, materials, workmanship, feeling, and association. Through a combination of these aspects of integrity, we can better understand a place.

https://www.nps.gov/subjects/nationalregister/upload/Info-sheet-NR-integrity-2024-05-02_508.pdf

If the warehouse is not approved for a new Federal Register listing, substantial federal tax credits will be lost for any future rehabilitation.

As a side note, it is interesting that the applicant's paid consultant, Heritage Consulting Group, entirely skipped over the "spatial relationships" requirement. (Item #9, pdf page 11 of the application).

2. If the proposed boundary is approved, Landmarks would no longer have control as to what is built on the rest of the currently landmarked lot. Rather than having control, Landmarks' opinion would merely be advisory to Plan Commission.

3. If a split in the ownership of the two lots is desired at some point in the future, how marketable would the warehouse be with an irregular lot that only has 10-11 foot setbacks on the westerly sides?
4. The application speaks to shared spaces, e.g.: "By building a new project next door with shared common area spaces indoor and outdoor the Wiedenbeck rental units are enhanced from their existing arrangement." What is not clear whether this arrangement is just for the present or is permanent (i.e., an easement). And, should the landmark be separately sold, there would likely be issues with landmark residents having access to the interior spaces of the new construction.
5. The 1915 addition at the back of the original warehouse will not be visible to the public except for a peek at the corner through the U-Haul parking lot. And, someday, when the U-Haul property is redeveloped, it can be redeveloped with a 5 foot side yard setback, which would result in the only publically visible portion of the resource being the 40 foot wide front façade and, perhaps, a slice of the easterly side façade. One could argue that the public cannot see the back building at this point in time which, through true, is not a reason to continue to hide a landmarked building.

The staff report also states: "When the preservation ordinance was updated in 2015, it included a new provision to amend landmark nominations to address new information when it became available and to provide for boundary adjustments. To date, no landmark nomination has proceeded through the amendment process."

While the ordinance change did not specifically address boundary adjustments, such changes can come within amending a landmark designation. A question to ask is how a decision on this particular lot will affect other landmark sites where a lot split has occurred. No particular reason is provided for why the landmark boundary needs to be changed for this landmark site, particularly when changes have not been made for other landmark sites. Will this result in boundary changes for those other landmark sites? Is having an advisory capacity better than having control?

Respectfully Submitted,
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