

SOUTH DAKOTA CODIFIED LAW 1-19A-11.1 - ARSD 24:52:07:03 CASE REPORT FORM



SOUTH DAKOTA STATE HISTORICAL SOCIETY STATE HISTORIC PRESERVATION OFFICE (SHPO) SOUTH DAKOTA CODIFIED LAW 1-19A-11.1 CASE REPORT

If a state entity or political subdivision of the state is required by law or rule to report possible threats to the historical integrity of a property listed in the National Register of Historic Places or the State Register of Historic Places, the threat must be reported by means of a case report.

Case reports must provide the State Historic Preservation Office (SHPO) with sufficient information for the office to make an independent review of effects on the historical integrity of historic properties and shall be the basis for informed comments to state entities and the public. Case reports shall thoroughly examine all relevant factors involved in a preservation question. Abbreviated case reports may be requested at the discretion of the SHPO if less than a comprehensive view is needed. (ARSD 24:52:07:03 - Standards for Case Report)

SHPO reserves the right to request more information if needed. Typed forms are preferred. Submittal of this form without all requested information will cause review delays.

This is a new submittal.

This is information relating to SHPO project number:

PROJECT LOCATION

Address

City

County

The responsible state entity or political subdivision of the state (cities, counties, etc.) must sign and date this form here prior to submitting it to the SHPO. Projects received without an original signature will cause review delays.

Signature: _____

Date: _____

Name

Title

Agency

FOR SHPO USE ONLY. DO NOT WRITE OR INSERT ANYTHING HERE.

**STATE, CITY, COUNTY, OR OTHER GOVERNING BODY
PERMITTING, FUNDING, LICENSING, OR ASSISTING THE PROJECT**

STATE ENTITY, CITY, COUNTY, OR OTHER GOVERNING BODY

Agency Name

Agency Contact Person

Mailing Address

City, State, ZIP

Email Address

Phone Number

APPLICANT OR CONSULTANT CONTACT PERSON, IF APPLICABLE

Company Name

Contact Person

Mailing Address

City, State, ZIP

Email Address

Phone Number

PROPERTY OWNER, IF DIFFERENT FROM ABOVE

Name

Mailing Address, City, State, ZIP

Email Address

Phone Number

STANDARDS FOR CASE REPORT AS OUTLINED IN ARSD 24:52:07:03

1 & 2. Project Description. Describe the project. Include photographs and maps showing the existing project site and details of the proposed project. Where applicable, drawings, three-dimensional models, or accurate computer-generated representations of proposed construction may be included. The models or representations must clearly show the visual impacts of new construction on the surrounding neighborhood or landscape. Photographs, maps, drawings, and other supplemental materials should be submitted with this form as separate documents.

3. What is the planning and approval schedule for this project?

4. How was this project brought to the attention of the state or political subdivision (city, county, etc.)?

Demolition Permit

Building Permit

Other - Please explain:

5. Include a physical description of the affected historic property. Economic or situational information relevant to the affected property may be included if applicable.

6. Describe the potential effects of the proposed project on the historic property, including but not limited to physical and visual effects, alterations to the property, moving the property to another location, or change of use.

7. Provide a description of the feasible and prudent alternatives that were considered and rejected based on factors relevant to the project. Relevant factors should be supported by facts. Include the reason(s) for rejection of feasible and prudent alternatives. Describe other efforts undertaken to minimize harm to the historic property. Provide as much detail as possible when explaining consideration of alternatives and mitigation measures. Questions to be considered when reviewing the project include:

(a) How were decisions based on the consideration of factual reports, research, tried methods, and/or professional and lay preservation advice?

(b) How were alternatives beyond the immediate project explored, taking into account broad community or regional issues in which the historic resource may play a contributing role?

(c) How was the impact of potentially adverse effects on surrounding historic resources, community preservation plans, and long-range community opportunities taken into account, if applicable?

(d) Were decisions based on professional assessment(s) of the value and basic structural condition of the affected property and estimates of a range of rehabilitation or mitigative options prepared by people experienced in historic preservation work?

(e) Were adequate periods of time provided for information to be prepared and for preservation options to be attempted?

8. Provide a copy of correspondence with SHPO. Correspondence should include the identification and evaluation of historic properties, assessment of effects, and any consideration of alternatives or mitigation measures. Copies of this information should be submitted with this form as separate documents.

9. Describe efforts made to consider the views of affected and interested parties.

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10. If applicable, the Historic Preservation Commission (HPC) in the community where this project is located should review and comment on this case report prior to its submittal to SHPO.

The HPC agreed with the findings of the case report.

The HPC disagreed with the findings of the case report.

The HPC declined to comment on the findings of the case report.

In addition to the above findings, please include official comments from the HPC, if applicable.

11. Provide copies of written views submitted by the public to the state entity, city, county, or other governing body concerning the potentially adverse effects of projects on historic properties and alternatives to reduce or avoid those effects. Copies should be submitted with this form as separate documents.

**Please print this entire form, sign and date the first page,
and mail completed form with any additional documentation to:**

Review and Compliance Coordinator
South Dakota State Historical Society
900 Governors Drive
Pierre, SD 57501

Questions about South Dakota Codified Law 1-19A-11.1 can be directed to:

Review and Compliance Coordinator
(605) 773-6004

Restoration Specialist
(605) 773-6005

Project information submitted to SHPO cannot be returned. This documentation is kept on file at the South Dakota State Historical Society. We review faxed and electronic submissions in the same manner as any other submission and with the same considerations for clarity and completeness. However, original documents with original signature must follow all faxed and electronic submissions. The submission of incomplete, unclear, or confusing information may result in unnecessary delays in the review process until adequate information is obtained.

Additional Resources:

South Dakota State Historic Preservation Office: <http://history.sd.gov/Preservation/>
Link to National and State Register Listed Properties: <http://history.sd.gov/Preservation/NatReg/NatReg.aspx>
Historic Contexts: <http://history.sd.gov/Preservation/OtherServices/SHPODocs.aspx>

National Park Service: <http://www.nps.gov/nr/>
Publications (National Register Bulletins, Preservation Briefs, etc.): <http://www.nps.gov/history/publications.htm>

Exhibit 1: See Highlighted Portions - Minutes from the 2/7/2014 and 3/21/2014 HPC Meeting

Minutes of the February 7, 2014
Rapid City Historic Preservation Commission Meeting

Members Present: Jean Kessloff, Eric Monroe, Bill Freytag, Lance Rom, Sally Shelton, Shawn Krull, Clancy Kingsbury, and Alternates Jody Speck and Doug Jones

Members Absent: None

Others Present: Sarah Hanzel, Kip Harrington, Jeanne Nicholson, Brett Limbaugh, Patsy Horton, Michelle Dennis, Scott Sogge, Bob Brandt, Leah Brown, Kel Arguello, Chad McDonald, Dave Lyons and Brad Estes, City Council Liaison

Krull called the meeting to order at 7:30 a.m.

Approval of the Meeting Agenda

Krull requested that an item, Work Session, be added under New Business.

Shelton moved to approve the agenda with the noted addition. The motion was seconded by Rom and carried unanimously.

11.1 Reviews

1012 12th Street (14RS002)

Sogge reviewed the request and identified the fire damaged area. He added that the rear roof slope and plane will not be changed and that the fascia and overhang will remain intact. He further explained that the ceiling joists and structural elements in the fire area will be replaced as needed.

Rom moved to recommend a finding that removing and replacing roof framing post fire, replacing existing asphalt shingles and repairing existing windows will have no adverse effect on the historic property located at 1012 12th Street. The motion was seconded by Shelton and carried unanimously.

1103 West Boulevard (14RS003)

Brandt reviewed the request and identified the windows that are being proposed to be replaced during the current remodel project. He noted that the clapboard siding has been replaced with vinyl siding. He explained that the outside trim on the windows will stay the same and that all of the windows will be replaced with more energy efficient windows over the next couple of years.

Freytag moved to open discussion on the 11.1 Review for 1103 West Boulevard. The motion was seconded by Rom.

Kessloff asked if the property owner has considered rehabilitating the windows.

Brandt advised that the current windows cannot be replaced with double panes, the pulleys don't work and cannot be replaced and that some of the windows do not open. He added that it would be too expensive for the property owner to rehabilitate the windows.

Kessloff stated that the Secretary of Interior Standards do not recommend vinyl windows and that windows should be replaced with in kind windows. She added that replacing the windows with vinyl windows could have a cumulative effect and could compromise the contributing status of the house.

Brandt informed the Commission that all of the windows were wrapped with aluminum when the vinyl siding was installed. He added that the wood inside trim will stay the same and that the permit for the siding was previously approved by the Historic Preservation Commission.

Monroe stated that the muntin bars are defining features and inquired as to whether they will be emulated in the new windows.

Brandt responded that the manufacturer has stated that the muntin bars can be matched exactly.

Freytag reviewed the Building Permit process and reminded the applicant to be aware of the Building Permit expiration date so that a new permit does not need to be obtained and approved by the Commission for the remaining windows. Freytag briefly explained the appeal process in the event that the State does not approve the vinyl windows.

Brandt advised that a couple of years ago, the addition was removed and replaced and that new windows were installed in the addition at that time.

Freytag moved to recommend a finding that replacing the original double hung windows with matching double hung vinyl windows will have no adverse effect on the historic property located at 1103 West Boulevard. The motion died due to a lack of a second.

Rom moved to recommend a finding that replacing the original double hung windows with matching double hung vinyl windows will have an adverse effect on the historic property located at 1103 West Boulevard. The motion was seconded by Kessloff and carried with Kessloff, Monroe, Rom, Shelton, Krull and Kingsbury voting yes and Freytag voting no.

1725 9th Street (14RS004)

McDonald informed the Commission that the old wood siding was rotten and that he is proposing to replace it with hardboard textured siding. He added that the same siding has been used on the neighboring houses.

In response to a question from Freytag, McDonald advised that the siding is eight inch lap siding and that he is unsure what was previously on the house.

Kessloff stated that this is a minimal traditional house and that it did not have drop lap siding on it. She added that it would have had ribbon course siding that was probably cedar. She expressed concern that replacing the siding with hardboard siding could compromise the contributing status of the structure. She suggested that the owner replace the siding with ribbon course siding instead of lap siding. She noted that the scalloped trim was a defining feature to the structure and suggested that the trim be put back on the house.

McDonald reminded the Commission that the surrounding homes have the same siding on them and that he can put the scalloped trim back on the house. He inquired if a new application will need to be submitted to replace the bathroom window.

Krull asked if the window replacement can be added to this application and included in the Commission's motion.

Freytag expressed his opinion that the window replacement could be included in the motion. He encouraged the applicant to install an era correct ribbon course siding on the house.

Kessloff commented that the house is small and plain and that the ribbon course siding and the scalloped trim are architectural features of minimal traditional homes.

Kessloff moved to recommend a finding that replacing the wood siding with LP Smartside siding applied in ribbon course and the replacing of the scalloped trim with fabricated material will have no adverse effect on the historic property located at be 1725 9th Street. The motion was seconded by Freytag and carried with Kessloff, Monroe, Freytag, Shelton, Krull and Kingsbury voting yes and Rom voting no.

1423 9th Street (14RS005)

Legner reviewed the photographs of the garage and noted that the garage is old and unstable. He added that they are proposing to raise the structure and put in a new floor to address drainage and stability issues. He explained that if the structure is stable, it will be placed on the new foundation in the same location and that an addition would be added to the front of the structure. He added that the old part would be a workshop and the addition would be used as a two car garage. He advised that the new garage doors would match the existing doors on the structure.

In response to a question from Freytag, Legner reviewed the dimensions, the elevation and the height of the garage.

Freytag asked if the existing siding will be used on the structure. Legner stated that the current siding is different than the house and that he would like to put new eight inch cedar siding on the garage to match the house. A brief discussion followed regarding the dimensions of the proposed garage.

Kessloff reminded the Commission that the garage is a contributing structure and that the proposed changes may affect the status of the structure. Kessloff asked if the applicant has considered rehabilitating the structure with the same dimensions which would be adequate for a garage.

Legner responded that he would like to have some workshop space in the garage.

In response to a question from Krull, Legner advised that the contractor is confident that the structure can be raised and placed back down on a new foundation.

Kingsbury stated that this would be a substantial increase to the size of the garage and asked if the neighbors support the proposed addition. Legner informed the Commission that he has visited with the neighbors and they are not opposed to the addition.

Kessloff stated that the proposed addition would elongate the garage and suggested that a separate building be built in front of the existing garage. Additional discussion followed.

Kessloff moved to recommend a finding that raising the existing garage and adding on to the garage using matching materials and matching the neighbor's garage height will have an adverse effect on the historic property located at 1423 9th Street. The motion died due to a lack of a second.

Freytag moved to recommend a finding that raising the existing garage and adding on to the garage using matching materials and matching the neighbor's garage height will have no adverse effect on the historic property located at 1423 9th Street. The motion died due to a lack of a second.

Krull asked if four inch lap siding could be used on the entire structure and that a delineation be made between the old structure and the addition.

Legner responded that he did not prefer to have a delineation between the older structure and the addition.

Monroe explained that this is a contributing structure and suggested that some kind of delineation from the old to the new needs to be apparent to help in preserving the status of the structure. He added this can be done many different ways such as using different materials, changing direction, changing setbacks or roof lines, etc.

Legner asked what happens if the contractor determines that the garage is too unstable to be raised and that it will need to be removed in order to build a new garage.

Krull advised that the removal of the structure would be an adverse effect on the property. Additional discussion followed.

Freytag suggested that the 11.1 Review be continued until it is determined if the garage can be lifted to allow for the construction of a new foundation and for the applicant to provide a site plan proposing an offset for the addition and a description of the materials that will be used on the garage.

Freytag moved to continue the 11.1 Review for 1423 9th Street to the February 21, 2014 meeting. The motion was seconded by Shelton and carried unanimously.

Approval of the Minutes

Shelton moved to approve the January 3, 2014 meeting minutes. The motion was seconded by Rom and carried unanimously.

New Business

Election of Officers

Kessloff nominated Shawn Krull for Chairman. The nomination was seconded by Freytag. Shelton moved for nominations to cease for Chairman. The motion was seconded by Rom and Krull was unanimously elected Chairman.

Rom nominated Eric Monroe for Vice Chairman. The nomination was seconded by Shelton. Rom moved for nominations to cease for Vice Chairman. The motion was seconded by Shelton and Monroe was unanimously elected Vice Chairman.

Freytag nominated Jean Kessloff for Secretary. The nomination was seconded by Rom. Kessloff nominated Sally Shelton. Shelton declined the nomination. Monroe moved for nominations to cease for Secretary. The motion was seconded by Shelton and Kessloff was unanimously elected Secretary.

Home Show – March 28-30, 2014

Hanzel reminded the Commission of the upcoming Home Show and provided a copy of the previous year's equipment list and the sign-up sheet to the Commission.

RFP – Resurvey West Boulevard Historic District

Hanzel informed the Commission that the Request for Proposals for the Resurvey of the West Boulevard Historic District was approved by City Council and that it has been sent out to consultants and has been posted on the City's website. She noted that the RFP's are due by noon on February 18, 2014.

HPC Response to Communications Tower

Hanzel reviewed the letter to Terracon regarding a proposed cell phone tower that was drafted by Rom. Krull suggested that this be a standard letter the Commission uses in response to structures being constructed in the Historic District.

Shelton moved to use this letter as a standard response letter for structures being constructed in the Historic District. The motion was seconded by Rom and carried unanimously.

Rom asked if the letters could be submitted to the Commission members prior to meetings. Discussion followed regarding electronic communications with Commission members.

Subcommittees

Property Nomination Subcommittee

Krull asked for volunteers to serve on this subcommittee. Kessloff and Shelton volunteered.

Design Guidelines Subcommittee

Krull informed the Commission that we need to move forward with the Design Guidelines. He added that the contract has been negated and that they will need to be rewritten. He asked for volunteers to work on the Design Guidelines. Monroe volunteered to work with Rom and Kessloff on the Design Guidelines. A brief discussion followed.

West Boulevard Photo Project and the Streamlining Subcommittees

Krull stated that these subcommittees are no longer needed and they can be removed from the list.

Website

Krull reported that the consultant is waiting on the Design Guidelines and the Project Professionals List. He asked for volunteers. Freytag volunteered to serve on the subcommittee with Krull. Horton requested that staff and the Commission be provided the proposed layout of the website. Horton briefly reviewed the grant funds that have been spent and the grant funds that are available for future work on the website. Additional discussion followed.

Work Session

Horton advised that the Commission needs to schedule a work session for the upcoming grant request. A brief discussion followed and a decision was made to hold the work session on February 26, 2014 at 4:00 p.m.

Limbaugh informed the Commission that he has visited with the Mayor about hiring a consultant to look at the consolidation of the Historic Preservation Commission and the Historic Sign Review Committee. He added that the Scope of Services will consist of reviewing the existing processes to ensure the applications are being reviewed in a timely and efficient manner, reviewing staffing needs and include recommendations for the Design Guidelines. He added that he will share the Scope of Services with the Commission at the next meeting. He noted that funding for the project will be determined after the Scope of Services is reviewed.

Kessloff asked if the subcommittee should move forward with the Design Guidelines. Krull responded that the lack of a full Commission has delayed work on them. Freytag suggested that the subcommittee move forward on the Design Guidelines and that the subcommittee work with the consultant once the contact is approved.

Hanzel asked for volunteers to review the Request for Proposals for the Resurvey of the West Boulevard Historic District on February 18, 2014 at 2:00 p.m. Krull, Kessloff and Freytag volunteered.

Kessloff informed the Commission that the Parks Department is repairing the concrete slab of the original power plant across from the creek in Founders Park and that their intent is to install history markers at this location.

Horton reviewed the procedures for the alternates. She noted that if any of the seven members are absent or have a conflict of interest with a particular item, then Alternate 1 can vote. If two or more members are absent, then both alternates can vote. She added that the Chairman needs to identify

Minutes of the March 21, 2014
Rapid City Historic Preservation Commission Meeting

Members Present: Jean Kessloff, Lance Rom, Eric Monroe, Clancy Kingsbury, Shawn Krull and Bill Freytag

Members Absent: Sally Shelton and Alternates Jody Speck and Doug Jones

Others Present: Sarah Hanzel, Jeanne Nicholson, Patsy Horton, Brett Limbaugh, Alex DeSmidt, Greg Wierenga, Tanya Olson, Chad McDonald, Larry Fuss, Vicky Fuss and Brad Estes, City Council Liaison

Krull called the meeting to order at 7:30 a.m.

Approval of the Meeting Agenda

Kingsbury moved to approve the agenda. The motion was seconded by Rom and carried unanimously.

Dinosaur Park Master Plan Presentation

Alex DeSmidt from Parks and Recreation explained that Dinosaur Park is a prominent and busy park and that a 75th anniversary celebration was held in 2012. DeSmidt briefly identified the improvements that have been made to the park. He added that the park is on the National Register and was originally intended to be a road side attraction for visitors and residents. DeSmidt noted that several of the major concerns are the maintenance of the park and erosion. He added that the Comprehensive Plan prioritizes the improvements that need to be made to the park. He noted that retaining and maintaining the cultural assets and features of the area, providing universal access to the entire park and offering recreational opportunities are main issues that are addressed by the Comprehensive Plan.

DeSmidt advised that the Skyline Drive Wilderness Park Plan has been developed to protect the parkland along Skyline Drive. He added that the plan identifies the trails for bicyclists and hikers that will lead to Dinosaur Park, the improvements to the rock walls, the development of the trailheads and the restoration of the fossil forest. He noted that the first phase will be to design and construct the trail heads and park access at West Fulton. He added that the second phase will be the trail system and that the third phase will be improving Dinosaur Park.

In response to a question from Freytag, DeSmidt advised that approximately 50,000 people visit the park yearly with most of them visiting in the summer months.

Freytag suggested that the developers review the construction and maintenance of Hansen Larson Park. He added that private clubs and sponsors volunteer to maintain areas of the park. Freytag recommended that the designer address the lower laying areas of Dinosaur Park to ensure that drainage issues are addressed.

In response to a question from Rom, DeSmidt explained that the main focus is to build the trail heads and trails first and then improve the parking lot area. He added that safety for the pedestrians and bicyclists is a major concern. He further explained that the current stairs are not adequate but are a historical feature of the park and will need to be improved. He advised that the plans identify the location of a trail off the stairs which will provide access to other features and possible play pods. He noted that the trail will be made of a combination of asphalt, pebble flex materials and concrete and that the play pods will have different apparatuses and features to entertain the children. He stated that the plan also identifies the need to address the erosion that has occurred in the area.

Krull expressed his support for the improvements being made and asked what efforts are being made to preserve the current walls.

DeSmidt advised that Skyline Drive needs to be reconstructed and that the stone wall overlook will be preserved and restored, in addition to the old forest foundations.

In response to a question from Rom, DeSmidt explained that the funding sources are being determined at this time.

In response to a question from Rom, DeSmidt advised that the City has been working with the State on the plan.

DeSmidt explained that the funding will most likely be available in phases and that work will move forward as funding becomes available.

Kessloff expressed concern that the plan was not provided to the Commission during the development stage and requested that the Commission receive regular updates.

In response to a question from Freytag, DeSmidt advised that a consultant was hired, using Park funds, to design the drawings. He added that the design costs for the project was approximately \$14,000.

Krull thanked DeSmidt and the Parks Department for their efforts and requested that the plan be linked on the City's website. DeSmidt stated that the plan is linked on the Parks and Recreation pages of the City website.

11.1 Reviews

1107 Kansas City Street & 703 11th Street (14RS006 and 14RS007)

Hanzel reviewed the request and noted that the structures are tenant occupied. She added that the siding was being replaced at 1107 Kansas City Street until the owners received a stop work order. She advised that the proposed siding is 4" stone gray vinyl siding.

Vicky Fuss apologized stating that they recently purchased the property and did not know a permit was needed and that the property was located in the Historic District. She added that their intent is to preserve the building and to improve the appearance of the neighborhood.

Larry Fuss explained that the proposed siding is the same siding that is on other structures in the area. He also reviewed the proposed front door that will be used on the structure.

In response to comments from Freytag about how much work has been completed, Vicky Fuss stated that most of the sides and that the back of the structure is done. Larry Fuss estimated that 60 to 70 percent of the structure has been resided.

Freytag expressed his opinion that the 11.1 Review will be denied by the Commission and the State Historic Preservation Office. He briefly reviewed the appeal process to the City Council.

Kessloff briefly reviewed the background of the property. She added that she cannot support the 11.1 Review because of the proposed materials and the impact that the siding will have on the historic features of the structure.

Krull pointed out that there appears to be a discrepancy between the National Nomination Resurvey and the Historic Inventory as it relates to the contributing status of the structure. Additional discussion followed.

In response to a question from Rom, Vicky Fuss advised that the existing siding is delapidated and is unrepairable. She added that the window trim is rotting and will be wrapped. Larry Fuss added that there is also dry rot under the peaks.

Rom asked if there are any pictures showing the condition of the siding and windows. He also asked if the owners would be eligible for tax credits to do the repairs to the siding and windows.

Vicky Fuss informed the Commission that the original material is underneath the new materials.

Rom commented that the National Register takes precedence over a resurvey.

Kessloff commented that the actual nomination is what stands when conflicts arise. She added that wood can always be restored.

Estes reminded the property owners that a building permit is required for replacing siding on properties located in the boundaries of the Historic District.

Krull requested staff to verify if a previous 11.1 Review was approved for this property.

Freytag moved to recommend a finding that covering the existing original 4” wood siding with 5” vinyl siding and replacing the front entry door will have no adverse effect on the historic property located at 1107 Kansas City Street and at 703 11th Street. The motion died due to a lack of a second.

Rom moved to recommend a finding that covering the existing original 4” wood siding with 5” vinyl siding and replacing the front entry door will have an adverse effect on the historic property located at 1107 Kansas City Street and at 703 11th Street. The motion was seconded by Kessloff and carried with Kessloff, Monroe, Rom, Krull and Kingsbury voting yes and Freytag voting no.

616 Sixth Street (14CM002)

Hanzel stated that she will be representing the applicant. She noted that the old City Hall building is located on this property and is a contributing structure. She added that the property owner would like replace the wooden shake shingles with wooden shake shingles but the fire department will not approve them.

Rom recommended that the 11.1 Review be continued to the next meeting because the applicant is not at the meeting.

Kingsbury moved to continue the 11.1 Review for 616 Sixth Street to the next meeting. The motion was seconded by Freytag and carried unanimously.

Speaker Request Form

Chad McDonald of 1725 9th Street requested clarification as to why a stop work order was issued. He added that he was under the impression that he was doing what the Commission required through the approval of the 11.1 Review.

Krull reminded the applicant that a ribbon course pattern was approved by the Commission.

McDonald stated that there was no set pattern in the old siding and that he looked online for examples. He added that he did not know that he was supposed to follow the same pattern.

Freytag reminded the applicant that the Commission specifically asked you about the ribbon course siding and that you communicated that you could do it. He advised that the applicant could submit a new 11.1 Review and identify the different siding pattern that you would want to use. He added then the Commission's recommendation would be forwarded to the State for their approval.

McDonald stated that he could not find a set ribbon pattern.

Freytag advised that if the property owner would have followed the approval of the previous 11.1 Review, the stop work order would not have been issued.

Additional discussion followed regarding the ribbon course siding and the scalloped trim.

McDonald indicated that he would remove the siding that has been put back on the house and install the ribbon course siding and the scalloped trim as approved by the Commission and the State.

In response to a question from Estes, Krull advised that the building inspector will look at a picture showing ribbon course siding and will work with the property owner to remove the stop work order.

Approval of Minutes

Rom moved to approve the March 7, 2014 meeting minutes. The motion was seconded by Freytag and carried unanimously.

Treasurer's Report

Budget Information – February 28, 2014

Hanzel informed the Commission that the budget has been updated through February 28, 2014.

New Business

Update on Lehe Historic Preservation Program Development

Limbaugh reported a contract has been executed with Lehe Planning, LLC to review the Historic Preservation Commission and the Historic Sign Review Committee. He added that Mr. Lehe will be reviewing the function of each committee and will provide an independent study for each committee. He stated that Mr. Lehe will also review the consolidation of the two committees and associated ordinance amendments. Limbaugh noted that the funding for the contract will come from the Community Planning and the Mayor's office budgets. He advised that Mr. Lehe will be scheduling interviews with the Commission members approximately around April 13 through April 19.

Home Show

Kessloff stated that she is looking for a display cabinet for the Home Show to protect old items that will be displayed at the Home Show.

Hanzel added that there are empty slots on the sign-up sheets and reminded the Commission that the booth needs to be covered during the hours of the Home Show.

Subcommittee to form ideas about accountability for historic review violations

Kessloff expressed concern about the dialogue at some of the meetings as it relates to the process and code violations. She requested that this item be added to subcommittees.

Subcommittees Updates

Website

Freytag informed the Commission that he sent a notice to the Attorney's office requesting clarification about whether members that attend pre-application meetings can vote on the 11.1 Reviews. He added that he has not received a reply from the Attorney's office. He added that a pre-application meeting has been scheduled for Monday with the representatives from Aby's. He noted that the names have not been added to the website yet and suggested that they be added after a response has been received from the Attorney's office. A brief discussion followed.

Horton commented that Mr. Lehe will be reviewing the processes and the Commission's concerns as part of the study.

Hanzel added that a Section 106 filing has been received for 1900 N. Maple and noted that she can request more information if necessary. Rom commented that the standard letter should be sent requesting additional information.

New Business

Subcommittee to form ideas about accountability for historic review violations (continued)

Freytag expressed his opinion that everyone has a right to speak at public hearings before any decisions are made.

Krull commented that educating the public about historic preservation should be reviewed by the consultant to see if he has any ideas about how this can be accomplished. He expressed his opinion that historic district information should be included on real estate forms. He added that another item that the consultant should review is the appeal process.

Estes expressed his opinion that fairness is an issue and everyone should be treated equally. He added that another concern is the discrepancies in the documentation for contributing and non-contributing structures. He noted that another process that should be reviewed by the consultant would be the building inspection process.

Rom explained that the survey is an opinion of the surveyor but the National Register is the official documentation. He added that if there are discrepancies, a formal letter should be sent to the State for their opinion.

Kingsbury inquired as to what limitations the Commission has on making changes or corrections to the applications.

Horton responded that the motions could include more specific information.

Freytag expressed concern about the building inspectors having to interpret the minutes. He advised that he previously submitted a form to staff for the building inspectors to use which would identify the Commission's action on a 11.1 Review. He requested that this item be added to the next meeting agenda.

Freytag moved to adjourn the meeting at 9:15 a.m. The motion was seconded by Rom and carried unanimously.

the alternates at the beginning of the meeting and that the alternates can comment but are not able to vote if all members of the Commission are in attendance.

There being no further business, Freytag moved to adjourn the meeting at 8:54 a.m.

Exhibit 2: Location of 1725 9th Street in the West Boulevard Historic District

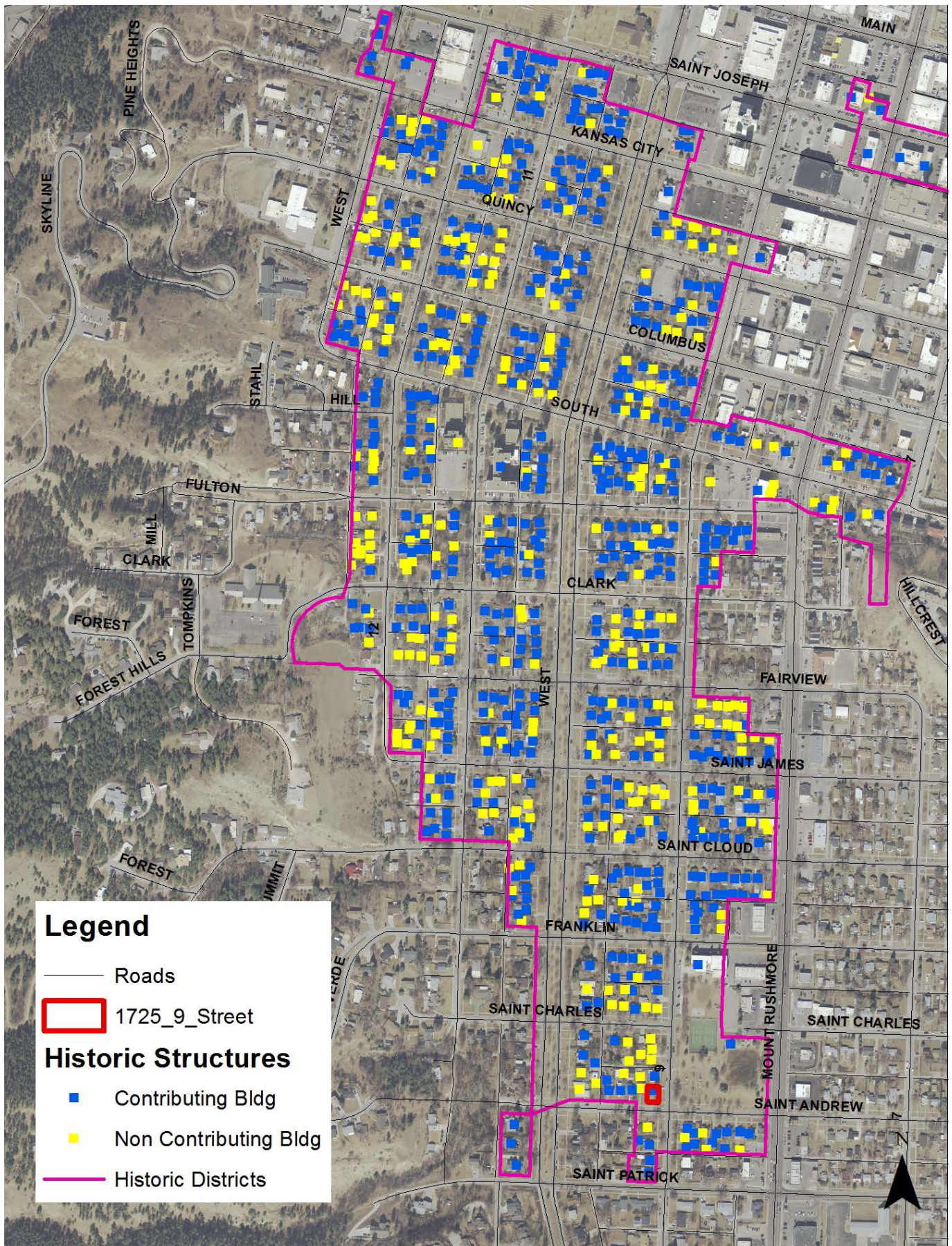


Exhibit 3: Aerial View of 1725 9th Street

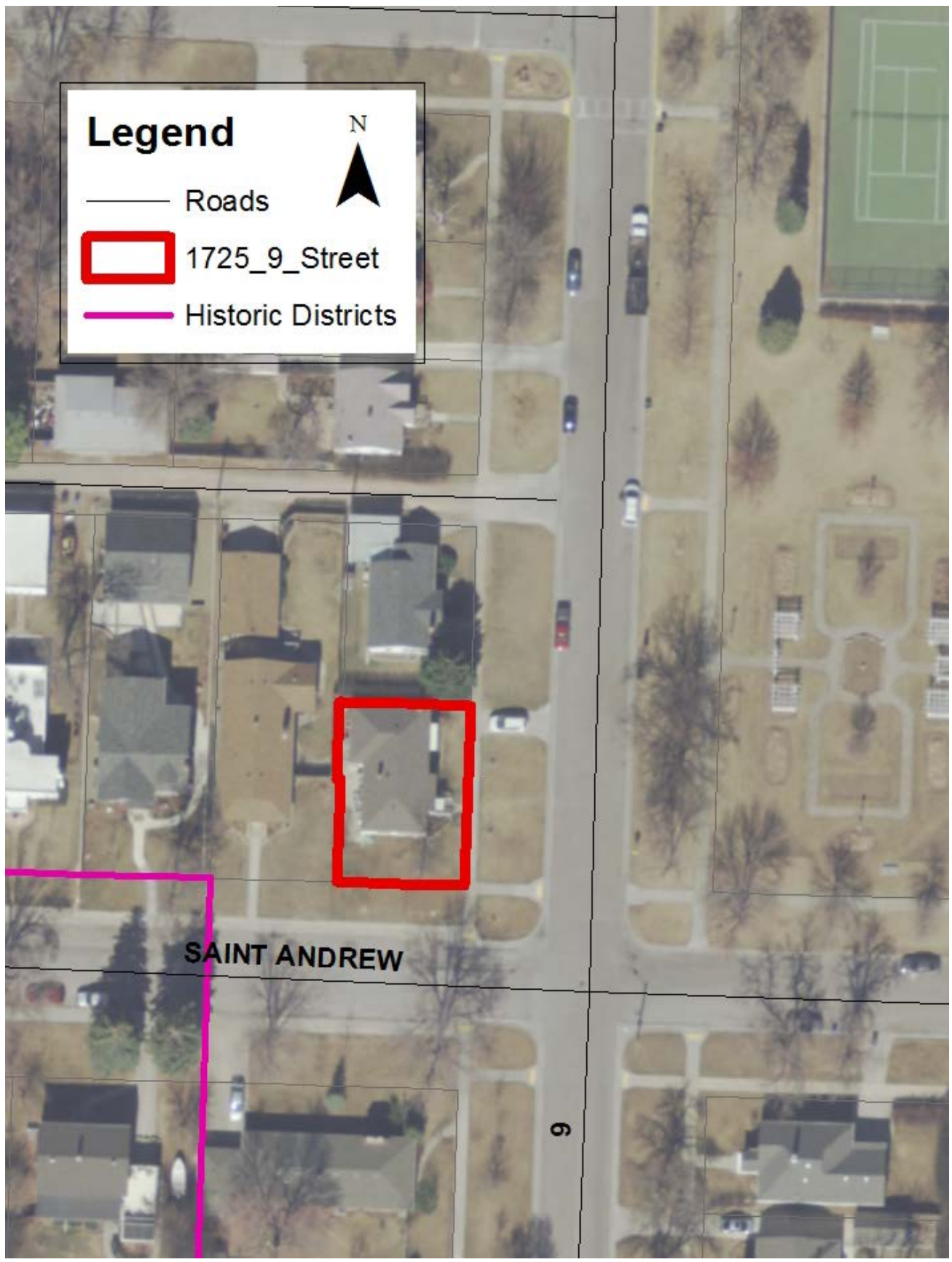


Exhibit 4: Historic Sites Inventory/Architectural Evaluation

SOUTH DAKOTA HISTORIC SITES INVENTORY

Site Number

Historic Name _____

Address/Location 1725 9TH

Common Name _____

Historic Function _____

Historic Context(s) _____

Owner's Name _____

Owner's Address _____

Owner's Phone # _____

Date(s) of Construction _____

Photographer _____

Roll # _____ Frame #'s _____
(Attach Photographs Below)

PN	RC	RC	WB	531
CTY	TWP	CIT	NBH	NUM

DBASE _____

U.S.G.S. Quad Map Name _____

Legal Description

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Q1	Q2	SEC	TWP	RNG

Urban LOT _____ BLK _____
Only ADD _____

Surveyors _____

Date _____

NR Eligible Yes _____ No _____
Future NR Yes _____ No _____

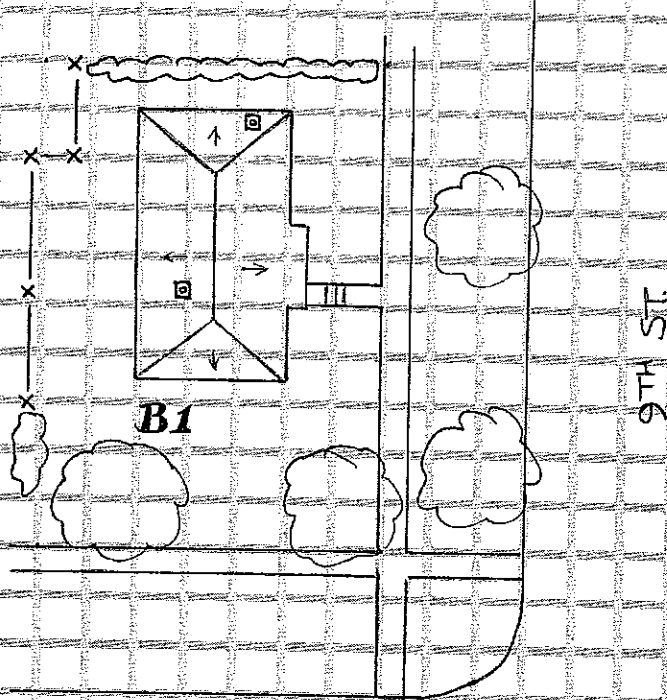
Significance

HIST ARCH ARCE
 NATL STAT LOCL

Site Plan: Indicate all door and window openings, roof shapes, and landscape features.



Indicate North



ST. ANDREW ST.

PLANNING

Site No. _____

Preservation Strengths of the Site

- _____ In Use and Not Threatened
- _____ In Good Structural Condition
- _____ Owners Protecting Site
- _____ Appreciated by Public
- _____ Valuable to Research

Preservation Threats

- _____ Abandonment
- _____ Deterioration Through Lack of Resources
- _____ Vandalism or Looting
- _____ Inappropriate Alterations
- _____ Inappropriate or Poor Maintenance
- _____ Fragile or Deteriorating Construction Materials
- _____ Unsound Condition
- _____ Lack of Support (Specify by Whom)

- _____ Environmental Situations Effecting Site (Specify What: May Include Mining, Flooding, Erosion, Pollution, Acid Rain, Weather, Isolation, Development, Ect.)

SOUTH DAKOTA HISTORIC SITES INVENTORY

Historic Name Russell & Margaret Loban House

Address/Location 1725 9th Street

Common Name

Historic Function House

Historic Context(s) VI. The Great Depression

Owner's Name Robert & Georgia Phillips

Owner's Address 1725 9th Street
Rapid City, SD 57701

Owner's Phone # (605) 348-5180

Date(s) of Construction 1940

Photographer M. McCormick
Roll # 13 **Frame #'s** 24 & 25
(Attach Photographs Below)

Site Number
PN -RC -RC -WB -00531
CTY TWP CIT NBH NUM

DBASE 0000000000

U.S.G.S. Quad Map Name

Legal Description
0
Q1 Q2 SEC TWP RNG
Urban Only BLK 18
LOT S70' L31-32
ADD West Boulevard

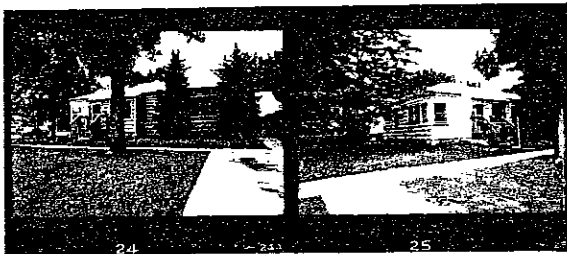
Surveyors
M. McCormick/RTI

Date 07/06/1992

NR Eligible Y

Future NR Y

Significance HIST, ARCH
LOCL



Preservation Strengths of the Site

- In Use and Not Threatened
- In Good Structural Condition
- Owners Protecting Site
- Appreciated by Public
- Valuable to Research

Preservation Threats

- Abandonment
- Deterioration Through Lack of Resources
- Vandalism or Looting
- Inappropriate Alterations
- Inappropriate or Poor Maintenance
- Fragile or Deteriorating Construction Materials
- Unsound Condition
- Lack of Support (Specify by Whom)

Environmental Situations Effecting Site (Specify What: May Include Mining, Flooding, Erosion, Pollution, Acid Rain, Weather, Isolation, Development, Etc.)

Dates:

Founding of Institution or Settlement 1876
Town and Addition Plated 1877 1886 Initial Construction of Structure 1940

Original Owners:

Name (Include Spouse if Known) Russel & Margaret Loban
Place of Origin
Date Arrived in S.D. 0000 In USA 0000

Occupation(s) Russel: salesman, Puritan Oil Co.

Religious Affiliation
Social/Fraternal Affiliation

Other Previous Owners:

Names and Dates of Occupation

Structural History:

Architect's Name and
Date of Commission

Builder's Name
Pattern, Book and Number/Name

Historic Uses of the Site House

Changes in Use

Statement of Historical Significance: (Including Relation to Historic
Context Topics and Study Units)

The Russell & Margaret Loban House has the potential to contribute to the West Boulevard Historic District. It is significant for its association with the development of the West Boulevard neighborhood in Rapid City from 1878 to 1942. Built in 1940, the house corresponds to the Great Depression, a time of economic uncertainty across the nation. Rapid City experienced limited construction in the early Depression years. In the mid 1930s, however, its construction industry revived largely because of the city's relatively healthy and diverse economy; many new homes were built in the West Boulevard neighborhood. This house helps to illustrate the economic vitality of the city during the Depression, as well as the varied social and economic status of those living in the West Boulevard neighborhood. It also serves as a representative example of a vernacular style built in the neighborhood during this period.

Miscellaneous Historical Information:

This house was originally owned and occupied by Russell & Margaret Loban.

Bibliography:

Oral Interview (Name, Date & Relationship to Site)

Atlas (Date & Publisher)

County History (Title & Pages)

Deed Abstract

Tax Records Assessors' Card: 1940

Sanborn-Ferris Maps (Dates)

No coverage

Census Records

Historical Photos (Description & Date)

Manuscripts (Name & Date)

Directories (Type & Date)

R.L. Polk: 1941, lists the Lobans at this address

Other Sources Rapid City Public Works, Water Permit #3029:
Russell Loban, August 1940

General Information:

Building # 1

Site No. PN-RC -RC-WB-00531 Date of Construction 1940 Photos 24 & 25

Function House Plan Form Rectangular Height (Stories) 1
 Style Vernacular Method of Construction Wood-frame Overall Condition E

Additions & Alterations (Types & Dates)
 Modern wooden stoop at front vestibule (east)

Evaluation of Specific Elements:
 Foundation: Materials Concrete Condition E

Walls: Cladding Alternating 2" & 6" clapboard Condition E

Windows: General/ Unique	Type	Glazing Pattern	Condition	Location
G	Double-hung, wood-sash	1/1	E	
U	Casement	1x1	E	North
U	Large fixed	Single	E	Vestibule

Doors: Type	Glazing Pattern	Condition	Location
Not visible Wood-paneled	None	E	North Vestibule

Roof: Form Hip Materials Asphalt shingles Condition E

Dormer: Type Condition
 Location(s)

Chimneys/Ventilators: Materials Brick chimney; metal vent Condition E
 Location(s) Interior: north; interior: west

Porches: Materials	Condition	Height (Stories)	Roof Configuration	Location
Vestibule: clapboard siding	E	1	Shed	East

Bays/Towers: Form Condition Height (Stories) Location(s)

Significant Exterior Details:

Roof: low pitch; narrow, boxed eaves; and scalloped fascia

Vestibule: front by modern wooden stoop with post rails

Significant Interior Details:

Not accessed

Exhibit 5: Previous Appearance of Property with Ribbon Siding and Scallop Fascia



View from 9th Street



View from Saint Andrew



Exhibit 5, Continued: Photos of material removed prior to 11.1 Review



ESR NO

SN NO: 3468











WRAPTOR
ESR No. 3468

WRAPTOR
ESR No. 3468

WRAPTOR
ESR No. 3468

Insulation Solutions

Insulation Solutions

Insulation Solutions

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HOLMES

908



**Exhibit 6: Photograph of Property Presently with New Siding,
No Scallop Trim**



Exhibit 7: Quote Provided to Fabricate New Scalloped Trim

From: Chad McDonald [<mailto:chadmcdonald@hotmail.com>]
Sent: Tuesday, September 09, 2014 9:59 AM
To: Hanzel Sarah
Subject: FW: Scalloped Molding

Sarah

This is the only quote I have (see below) he is the only guy that called me back. I figure I would need at least 200 ft.

I also want to point out that no matter how this turns out, I would have to remove all the gutters in order to reinstall the scalloped fascia which would most likely lead to me having to replace the gutters again. I have had numerous water problems (that I can document) so there was no way I could have waited on the gutters. I just installed my 3rd sump pump in the last 3 years only this time I replumbed the whole thing so it moves more water and gets it further from the house.

Date: Mon, 8 Sep 2014 09:26:52 -0600
Subject: Re: Scalloped Molding
From: jdwoodworks@gmail.com
To: chadmcdonald@hotmail.com
Chad cedar is 2.59 and redwood would be 2.99

JIM

On Thu, Sep 4, 2014 at 11:04 AM, Chad McDonald <chadmcdonald@hotmail.com> wrote:
Jim

What about cedar or some other wood that stands up to moisture well?

Date: Thu, 4 Sep 2014 10:43:43 -0600
Subject: Scalloped Molding
From: jdwoodworks@gmail.com
To: chadmcdonald@hotmail.com

Hi

Scalloped molding is available in 8ft lengths. 1 x 6 is 1.85 per lineal ft.

Thanks

Jimbo

Exhibit 8: Comments from Property Owner

To Whom It May Concern:

In regards to my rental house located at 1725 9th St I would like the following to be taken into consideration:

I did agree to put the scalloped trim back up because I felt if I did not agree to this point... the HPS would find "adverse effect" and I would not get the permit. I did not have much time to waste since my house no longer had any siding or much house wrap so timing was a serious issue. At the time I did not realize that scalloped trim would not be readily available at any local store and like most home repair projects, I thought it would have been done months sooner. The reality is, it was not done when I expected and when the siding was done... it was at the point I needed to get gutters up before we started to see a month of rain. This house does not have the traditional soffits or roof overhang so putting up the scalloped trim is not as easy as I once thought now that the gutters are up and I did not have time for this process to play out.

I have never had to go through a process like this so this has been an educational experience to say the least. I understand why this process is in place but it still amazes me a select group of people can dictate what kind of materials I use, the manner I install them, and the pattern I want for installation on a property I own. It also bothers me that this house was allowed to go into disrepair and no one said a word until I started to fix it up. My small simple house that looks like a dozen others across town sits on the wrong side of a line on a neighborhood map.

I feel I made an effort to do what I agreed to. At this point, I do not feel it is worth the effort it would take to give the house a piece of decorative trim I have never wanted, just to please a select few. I have spent a lot of extra money to comply and I have done more to preserve the historical character of the house than any other person in the last 20 years.

I have put on a new roof, new siding, new gutters, painted windows and installed a new front screen door, refinished the wood floors, removed the downstairs bath to be up to code, brought most of the electrical up to code, updated the upstairs bath, new dishwasher, and replaced the sump pump 3 times and this last time I replumbed the whole system to move more water further away from the house. I live a few blocks from this house and my kids either attended or attend Wilson School so we care about this neighborhood and the quality of homes in it.

I would also like to note that the current renter wants to purchase the home in the spring and she also does not want the scalloped trim.

Thank you for your time and understanding

Sincerely
Chad McDonald