

Amended Case Report

SDCL 1-19A-11.1 Consultation

Project: 420-422 Main Avenue

Brookings, SD

Dated May 4, 2020

Standards for Case Report (ARSD 24:52:07:03): Standards for case report. If a state entity or a political subdivision of the state is required by law or rule to report possible threats to the historical integrity of a property on the state register, the threat must be reported by means of a case report that meets the requirements of this section.

Case reports must provide the Office of History 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. They must contain the following:

(1) A description of any impending project which may adversely affect historic property;

The project involves two buildings at 420 and 422 Main Avenue which are non-contributing resources in the Downtown Commercial Historic District. The project involves a two-story addition to allow for residential units on the upper floors. The BHPC agreed with the findings of the case report for the proposed project improvements on September 27, 2018 and the decision was reaffirmed on March 21, 2019. The applicant made several changes at the time of construction. The approved plans show several windows and a walk-through door at 420 Main Avenue. A roll-up garage door was installed in-lieu of the three (3) windows shown on the plans. In addition, the plans show an alcove main entrance as the main storefront doors at 422 Main Avenue which are not constructed according to the approved plans. While SHPO has recently approved the amendments as constructed, staff is requesting further BHPC review based on the significance of the changes.

(2) Photographs, maps, or drawings showing the existing project site, the extent of projects, and details of the proposed projects, which may include three-dimensional models or accurate computer-generated representations of proposed new construction. Models or representations must clearly show the visual impacts of new construction on surrounding neighborhood or landscapes;

A revised elevation drawing and photos of the buildings as-constructed are attached.

(3) The planning and approval schedule for projects which may adversely affect historic property;

The project revisions are completed. The applicant is proposing to replace the roll-up garage door with windows within two (2) years.

(4) A statement explaining how projects adversely affecting the historic property were brought to the attention of a state entity or political subdivision;

The BHPC agreed with the findings of the case report for the proposed project improvements on September 27, 2018 and the decision was reaffirmed on March 21, 2019. On January 16, 2020, the applicant submitted revised plan to vertically extend the window on 422 Main Avenue. SHPO approved the window changes on January 17, 2020. Staff determined these changes were minor and did not require BHPC approval.

Furthermore, the applicant made several changes at the time of construction which were brought to the attention of City staff recently. The approved plans show several windows and a walk-through door at 420 Main Avenue. A roll-up garage door was installed in-lieu of the three (3) windows shown on the plans. In addition, the plans show an alcove main entrance as the main storefront doors at 422 Main Avenue which are not constructed according to the approved plans. SHPO approved the changes as-constructed on April 14, 2020. Due to the substantial nature of the changes to the front façade, formal action on the project changes is being requested at the BHPC meeting on May 14, 2020.

(5) A description of potentially affected historic property with any relevant physical, economic, or situational information on the property;

See attached I.I.I application prepared by property owner.

(6) A description of the potential effects of a proposed project on historic property and the basis for the determinations of effect;

The applicant does not feel there has been a negative effect on the district as the properties are classified as non-contributing resources. The State Historic Preservation Office (SHPO) reviewed and approved the changes as-constructed on April 14, 2020.

(7) A historic preservation plan or description and evaluation of all feasible and prudent alternatives which a state entity or political subdivision proposes in order to minimize adverse effects of a project on historic property and alternatives which the state entity or political subdivision has examined and rejected. The reasons for rejection must be included. This section of the case report must clearly substantiate that all possible efforts to minimize harm to

the historic property have been undertaken. Alternatives to aspects of the project which may adversely affect the historic property must:

- (a) Receive consideration based on factual reports, research, tried methods, and professional and lay preservation advice;**
- (b) Explore alternatives beyond the immediate project, taking into account broad community or regional issues in which the historic resources may play a contributing role;**
- (c) Take into account the impact of potential adverse effects on surrounding historic resources, community preservation plans, and long-range community opportunities;**
- (d) Be based on professional assessments 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 historical preservation work; and**
- (e) Provide adequate periods of time for information to be prepared and for preservation options to be attempted;**

The changes have already been constructed.

- (8) Documentation of consultation with the Office of History regarding the identification and evaluation of historic properties, assessment of effect, and any consideration of alternatives or mitigation measures;**

See #4 above.

- (9) A description of the efforts of a state entity or political subdivision to obtain and consider the views of affected and interested parties;**

The BHPC will hold a minimum of one public hearing pertaining to the current case review to solicit public comments. The City will make announcements over local public media and the website as to the hearings. The City will also accommodate any interested party, person, or organization who wishes to make inquiries or offer comments on the affected site and the proposed project. All relevant comments and suggestions will be noted for future reference and considered.

- (10) Documentation that a local historical preservation commission constituted under SDCL 1-19B with jurisdiction in the city or county where the affected historic property is located was provided a specified period of time to examine plans for proposed projects. Official comments of the commission**

must be included. The Office of History shall specify periods of time not to exceed 180 days to be given local historical preservation commissions to examine plans and may specify such periods for each set of revised plans submitted for a project. The commission shall:

- (a) Agree with the findings of the case report;**
- (b) Disagree with the findings of the case report; or**
- (c) Decline to comment on the findings of the case report;**

The Brookings Historic Preservation Commission (BHPC) is scheduled to review the project changes on May 14, 2020.

(11) Copies of written views submitted by the public to the state entity or political subdivision concerning the potential adverse effects of projects on historic properties and alternatives to reduce or avoid those effects.

No public comments have been received at this time of the case report. SHPO has approved the project changes and the documentation is attached.

Source: 16 SDR 239, effective July 9, 1990; 21 SDR 50, effective September 21, 1994; 24 SDR 73, effective December 4, 1997.

General Authority: SDCL 1-19A-5, 1-19A-11, 1-19A-29.

Law Implemented: SDCL 1-19A-5, 1-19A-11.1.