

SUMMARY MINUTES OF THE HERITAGE PRESERVATION COMMISSION
CITY OF SAINT PAUL, MINNESOTA
Lower Level – Room 41, City Hall/Court House, 15 West Kellogg Boulevard
November 21, 2013

Present: Richard Laffin, Richard Dana, Renee Hutter Barnes, Barbara Bezat, Robert Ferguson, Matt Hill, Michael Justin, Bill Lightner, David Riehle, Steve Trimble, Diane Trout-Oertel, David Wagener

Absent: Matt Mazanec (excused)

Staff Present: Amy Spong, Christine Boulware, John Beaty

PUBLIC HEARING/DESIGN REVIEW

- I. **Call to Order** 5:09pm
- II. **Approval of the Agenda** Commissioner Dana moved to approve the agenda; Commissioner Trout-Oertel seconded the motion.
- III. **Conflicts of Interest** None were stated.
- IV. **Chair's Announcements** None were stated.
- V. **Staff Announcements** None were stated.
- VI. **Old Business** None was stated.
- VII. **Public Hearing/Permit Review**
 - A. **1979 Summit Avenue, Summit West Historic District**, by Renewal by Andersen, for a building permit to replace windows on the front elevation. **File #14-007**. *This is a revised application based on a denial by the HPC on October 24th.* (Spong, 266-6714)

Staff presented the updated staff report recommending conditional approval for a building permit to replace windows on the front elevation.

Staff presented additional information provided by the applicant.

Commissioner Trout-Oertel requested confirmation on the one-inch detail described in the new information; Ms. Spong clarified that the details described the side rails. A discussion was had regarding the rail condition around the window.

Commissioner Trimble inquired as to the current finish condition of the existing windows; Ms. Spong noted that some are painted and some are stained. She noted that there is some visible deterioration, but it is difficult to view the entire window.

Commissioner Trimble noted that the guidelines suggest that windows not be replaced if they can be repaired.

Bryan Horton, from Renewal by Anderson, was present to represent the application.

Mr. Horton noted the additional storm windows in the updated application.

Ms. Spong inquired as to if the additional storm windows will also be Hunter Green; Mr. Horton confirmed.

Ms. Spong inquired as to the possibility of installing a full-screen in the proposed storm windows; Mr. Horton stated that this is not possible.

Ms. Spong noted to the Commissioners that there is a similar example of a full-screen on the Coney Island building; Mr. Horton noted that they have used this product many times.

Commissioner Wagner inquired about the proposed material; Mr. Horton described the Fibrex material proposed, and noted that the proposed storm windows are aluminum.

Commissioner Wagner inquired as to why the original windows were deemed irreparable; Mr. Horton responded that he does not know.

Commissioner Wagner inquired as to whether a full sample has been submitted for review; Mr. Horton responded that it had not.

Commissioner Wagner inquired about the storm windows and screens are interchangeable, and noted a fault with this system; a discussion was had regarding the attachment method to the frame and brickmould and the appropriateness based on the guidelines.

Commissioner Wagner inquired as to if there is sufficient information to justify replacement; Ms. Spong expressed an opinion that there is not, and noted that this review for a specific proposal. She also noted that one of the conditions addresses future applications for repair or replacement.

Chair Laffin inquired as to if Fibrex can be painted; Mr. Horton responded that it can be. Chair Laffin noted that the owner might be able to paint the Fibrex windows to match the existing windows.

Commissioner Trimble inquired as to if Mr. Horton noted any deterioration; Mr. Horton responded that this is not something the company reviews, but did note a personal observation of some deterioration.

Mr. Horton stated that necessary repair would happen when the review takes place; Ms. Spong noted that this condition is to inform staff of the deterioration and type of repair around the new windows.

Ms. Spong referenced the described conditions and noted that there is little mention of rot.

Commissioner Trimble expressed belief that the windows do not need to be replaced.

Commissioner Wagner suggested that staff make a comparison to a previous application; staff discussed the differences of the previous application.

Commissioner Hutter-Barnes requested confirmation as to if the Commission previously required the owner to submit a cost proposal for repair; Ms. Spong stated that they had not, but did mention this with the applicant regarding repair.

Commissioner Dana inquired as to if these types of windows have been approved previously; Ms. Spong responded that they had, but they are on a case-by-case basis.

Commissioner Wagner and Ms. Spong discussed the possibility of setting a precedent for the property; Mr. Horton stated that the owner intends to follow HPC procedure for future projects.

Commissioner Wagner requested clarification of the sill detail; Mr. Horton described and clarified the detail of the sill. A discussion was had regarding this detail.

No written testimony was received and the public hearing was closed.

Commissioner Wagner moved to deny the application pending review of the existing window condition; Commissioner Trout-Oertel seconded the motion.

Commissioner Bezat inquired as to if there is precedent to request a bid for repair; Ms. Spong responded that there is.

Commissioner Trout-Oertel inquired as to if staff has specifically required a bid previously; Ms. Spong responded that they had not.

Commissioner Hutter-Barnes proposed a friendly amendment for a condition to require that a repair bid be submitted.

There was discussion regarding the friendly amendment.

Commissioner Wagner and Commissioner Trout-Oertel accepted the friendly amendment.

Commissioner Trimble discussed feasibility.

Ms. Spong requested clarification that the motion would require staff to review the windows in-person and require the applicant to submit a repair bid. Commissioner Trout-Oertel confirmed and clarified that the person to complete the bid shall be qualified to do so.

Commissioner Dana clarified that the repair bid should include a proposed scope of repair, and not necessarily a cost estimate.

Ms. Boulware requested that the request for a bid be clarified.

Commissioner Wagner restated the motion to layover the decision pending staff review of the condition of the windows and a repair estimate provided by the owner.

Chair Laffin inquired as to if there is concern for the timeline of the application; Ms. Spong noted that there is not.

Commissioner Bezat seconded the motion.

The motion passed 11-0 with one abstention (Riehle).

Commissioner Trout-Oertel reiterated concern for who will complete the bid.

B. 563 Laurel Avenue, Hill Historic District, by Schiller Construction Services, for a building permit to replace two windows. **File #14-008** (Boulware, 266-6715)

Staff read aloud the report recommending denial of the application for a building permit to replace two windows.

Commissioner Lightner inquired as to whether staff considers it best to return to the historic style window with inconsistency versus staying consistent with the current casement windows; staff responded that it is favorable to have a master plan for the condo association.

A discussion was had regarding standards and procedures for the condo association to establish a master plan.

Commissioner Dana requested confirmation that the reason for requesting a master plan for the association is to ensure conformity and give power to staff to make approvals; Ms. Boulware added that this was a multiple step process to ensure that some or all the windows could be an appropriate style over time.

Chair Laffin requested that the letter from the association be summarized; Ms. Boulware summarized the letter. Ms. Spong noted that this letter was brought to the Commission at the time it was written, but no formal decision was made.

Commissioner Trout-Oertel inquired as to whether the owner was involved in the discussion of the windows at the time that the letter was written; Ms. Boulware noted that no current staff members were present at the time and could not answer the question. Commissioner Trout-Oertel requested confirmation that there are no minutes from the conversation; Ms. Boulware confirmed that there are written notes, but no official record.

Commissioner Trout-Oertel inquired as to the approvals made after 1999; Ms. Spong stated that one approval was due to the 60-day rule, and continued from there. Commissioner Trout-Oertel noted a 2010 approval that was inconsistent; Ms. Boulware discussed the inconsistencies and the reason for bringing this decision to the Commission.

Commissioner Bezat requested confirmation on the timeline of the correspondence and a presumption of the association that their proposal was accepted; Ms. Boulware confirmed the timeline.

Commissioner Wagner requested confirmation on a point of background information; Ms. Boulware confirmed.

Paul Schiller, the contractor hired to replace the windows, was present to represent the owners.

Commissioners Riehle and Dana questioned the contractor about the condition and brand of the existing windows and if cold weather would cause problems with the installation.

No written testimony was received and the public hearing was closed.

Commissioner Lightner inquired as to if there has been communication with the association who were to create the master plan; Chair Laffin replied that the plan was to come to staff two years ago. Commissioner Lightner requested clarification as to if the applicant was then responsible for contacting the association for the master plan; Ms. Boulware confirmed.

Commissioner Wagner moved to accept staff recommendation to deny the application; Commissioner Dana seconded the motion.

Commissioner Bezat requested confirmation on the condition that no windows can be replaced until a master plan has been approved; Chair Laffin replied that those present at the previous meeting understood the process, but no further action was taken.

Commissioner Riehle stated that HPC was at fault for not responding. HPC should now have communication with the condo association. Two more replacement casement windows would not be an issue since it will take several years for the windows at the property to be brought into conformity.

Ms. Boulware clarified the staff position and noted that staff needs a timeline of window replacement at the property and a plan for future window replacement.

Ms. Spong noted that the Commission must be very specific to require a window style that is more compatible with the building. She also noted the lack of information available in photo documentation.

Commissioner Dana noted that this application is the same owner who made the last application and knows that HPC requested a plan, but could believe that the owner could think their letter was sufficient as a plan.

Commissioner Wagner noted that the association received notice of the hearing, but did not attend.

Commissioner Trimble requested confirmation on whether the association is being required to have a master plan, or whether the plan needs to be approved by the Commission; a discussion was had regarding examples of such plans.

Commissioner Riehle discussed the procedural consideration that should take place regarding the previous conversation had by the Commission and that the misunderstanding with the association should be resolved.

Commissioner Trout-Oertel noted the first condition put forth by the Commission and stated that the Commission can deny the application on this basis.

Commissioner Justin requested clarification that the current staff recommendation was the same and the condition adopted in 2011; Ms. Boulware confirmed that it was altered.

Commissioner Trout-Oertel suggested that the staff recommendation be changed to reflect the original condition.

Commissioner Riehle offered a substitute motion to contact the condo association and owners and pick-up where the 2011 decision left off.

Commissioner Riehle asked Commissioner Wagner to withdraw his motion and consider the substitute.

Commissioner Bezat inquired as to Commissioner Riehle's intention for the new motion; Commissioner Riehle responded with his concerns regarding the priorities of the Commission.

Ms. Spong clarified that layovers have been used when people are not present at the discussion.

Commissioner Wagner withdrew the motion; Commissioner Dana accepted.

Commissioner Riehle moved to layover and have staff connect with the appropriate party to involve the condo association in the conversation.

Ms. Spong requested confirmation that the motion is to require staff to meet the owner representatives and the condo association representatives and inquired as to if they should be invited to attend the next HPC meeting; Commissioner Riehle confirmed.

Commissioner Bezat seconded the motion.

Commissioner Trimble requested confirmation that the association will be contacted prior to the meeting; staff confirmed.

Commissioner Dana noted that staff is obligated to contact the association, but not to meet with them with this information; Ms. Spong noted that this will be explained in a decision letter.

Commissioner Lightner requested clarification on types of acceptable windows for this building; Ms. Boulware noted that more information can be provided.

The motion passed 12-0.

VIII. Historic Resource Review

A. 838-840 Goodrich Avenue, *Historic Resource Review* on a nuisance property declared by the Department of Safety and Inspections, Division of Code Enforcement. The property is a Vacant Building Category 3 and has been issued an order to abate. The property is located in the NRHP Historic Hill District. (Boulware, 266-6715).

Ms. Spong explained the nature of this review.

Mr. Beaty noted that the property is not located in the local district, but is in the Hill National Register Historic District. Ms. Spong noted that the State Historic Preservation Office has stated that the demolition of the property would have an adverse affect on the district.

Mr. Beaty presented the staff report noting architectural significance and the current condition of the building. Mr. Beaty and Ms. Boulware discussed the background of the property regarding the local district and survey process.

Commissioner Dana inquired as to the reason the city wants to demolish the building; Ms. Spong noted that the interior is completely gutted for rehabilitation and the project has been delayed based on various reasons given by the owner.

Ms. Spong summarized the resolution given at the hearing and noted that the owner still intends to rehabilitate the property. She summarized the process that the owner is currently undergoing to continue to rehabilitate the property.

Commissioner Dana requested confirmation that the reason for demolition is the current un-inhabitable condition; Ms. Spong noted that there can be various reasons for the decision to demolish.

Ms. Boulware read aloud the resolution.

Commissioner Dana moved to adopt the resolution; Commissioner Riehle seconded the motion.

Commissioner Riehle noted a language change.

Chair Laffin noted the significance of the property.

Commissioner Hutter-Barnes inquired as to which designation came first and why this area was not included in the local designation; staff stated that the national designation came first and described why the boundaries were made for the local district.

The motion passed 12-0.

IX. New Business

A. Establish a Nominating Committee to recommend officers for the 2014 calendar year. The officers will be approved during the Annual Meeting in January 2014.

Commissioner Hutter-Barnes stated her willingness to stay on as secretary.

Chair Laffin, Commissioner Wagner, Commissioner Hill, and Commissioner Bezat volunteered to join the Committee.

B. Commissioner Hill noted that the new City Council Member, Dai Thao, was sworn in today and inquired as to a procedure for the Commission to reach out; Ms. Spong noted this usually does not happen, but there is a briefing with various city staff.

Ms. Spong stated that Public Works intends to reconstruct Maiden Lane with brick and discussed the item with the City Councilmember Carter.

C. Commissioner Dana noted several changes to be made on the meeting minutes from November 7th. Chair Laffin called for a vote to approve the meeting minutes from November 7th. The motion passed 12-0.

X. Committee Reports

A. Commissioner Trimble announced that the Ramsey County Historic Society will hold their Annual Meeting on December 10th at Union Depot.

XI. Motion to Adjourn 7:40pm

