

**SUMMARY MINUTES OF THE HERITAGE PRESERVATION COMMISSION**  
CITY OF SAINT PAUL, MINNESOTA  
Lower Level – Room 41, City Hall/Court House, 15 West Kellogg Boulevard  
**March 27, 2014**

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**Present:** Barbara Bezat, Richard Dana, Robert Ferguson, Matt Hill, Renee Hutter, Michael Justin, William Lightner, David Riehle, Steve Trimble. Diane Trout-Oertel, David Wagner

**Absent:** Matt Mazanec (excused)

**Staff Present:** Amy Spong, Christine Boulware, Bill Dermody, Renee Cohn

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**PUBLIC HEARING/ DESIGN REVIEW**

**I. Call to Order** 5:01pm

**II. Approval of the Agenda** Commissioner Riehle moved to approve the agenda; Commissioner Hutter seconded the motion. The motion passed unanimously.

**III. Conflicts of Interest** None were stated.

**IV. Chair's Announcements**

**A.** Chair Dana announced that the Mayor has appointed Amy Meller as the newest member of the Heritage Preservation Commission; she will join the HPC next month.

**V. Staff Announcements**

**A.** Staff discussed the awards jury and announced the ceremony will now be held in the evening of May 20<sup>th</sup> in City Hall.

**VI. Public Hearing/Permit Review**

**A. 755 Fifth Street East, Dayton's Bluff Heritage Preservation District**, by Brent Megahan, Independent Living Solutions, for a building permit to replace eighteen windows. **File #14-016** (Boulware, 266-6715)

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

Chair Dana inquired to staff if they had had a conversation with the applicant regarding appropriateness; Ms. Boulware stated that she had spoken with the applicant at the counter and had been informed that the windows had already been purchased.

Commissioner Lightner inquired as to the condition of the original windows and if there was evidence that the windows cannot be repaired; Ms. Boulware responded that she did not see any evidence that the wood windows could not be repaired.

Commissioner Bezat inquired as to if there is intention to remove the leaded glass; Ms. Boulware replied that the applicant intended to remove the leaded glass at the time the application was submitted.

Brent Megahan, the applicant, was present to speak on behalf of the application.

Mr. Megahan noted that he would be willing to keep the front windows and explained why the bank approved the window replacement and the windows were purchased.

Chair Dana requested that Mr. Megahan comment on the staff recommendation; Mr. Megahan replied that he would like to use the vinyl windows that have been purchased.

Ms. Spong requested clarification from Mr. Megahan that the bank intends to sell the building after repairs; Mr. Megahan confirmed that they do.

Ms. Spong inquired as to if this property is a vacant building; Ms. Boulware confirmed that the building is not registered as vacant.

Ms. Spong requested confirmation that the bank approved the replacement windows to meet a requirement to sell the property; Mr. Megahan replied that the approval was due to health and safety issues.

Chair Dana requested confirmation that the bank's commitment is to have different windows on the building than are there now; Mr. Megahan replied that it is there commitment to accommodate health and safety concerns.

Ms. Boulware requested clarification as to which windows Mr. Megahan is referencing when speaking about egress and if he intends to remove existing double-hung windows and make the openings larger; Mr. Megahan referenced the side by side double-hung windows and noted the intention to replace them with slider windows. Ms. Boulware stated that this was not included in the application.

Commissioner Trimble discussed the on-going issue of applicants of bank-owned properties not being aware of the location in the historic district; Mr. Megahan noted that he was not aware of the historic designation.

Commissioner Trimble inquired as to if Mr. Megahan had applied for a building permit before purchasing the windows; Mr. Megahan confirmed that he had purchased the windows prior to applying for a building permit.

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

**Commissioner Riehle moved to adopt staff recommendation to deny the application; Commissioner Bezat seconded the motion.**

Commissioner Lightner requested that staff clarify the distinction between the proposed windows and historically appropriate window; Ms. Boulware discussed the design, size, profile, and material differences of the two types of windows.

Commissioner Lightner noted the composite window that had previously seen by the Commission; Ms. Boulware noted that in that instance the applicant was proposing to replace original windows, and the current applicant is proposing to replace non-original windows.

Commissioner Lightner requested clarification that the issue at hand is if the Commission has jurisdiction over replacing non-historic windows; Ms. Boulware confirmed that they do. Ms. Spong commented that the issue is whether the replacement is appropriate and not if the windows should be replaced in this case.

Ms. Spong noted that the staff report does not include the installing of slider windows as they were not proposed. She noted that had staff known there would have been a finding included to support the denial of the slider windows.

Commissioner Bezat inquired as to if the additional finding should be included; staff agreed that an additional finding would be appropriate

Commissioner Justin inquired as to whether there would be a double-hung window available that would meet egress requirements; Mr. Megahan stated that there is not.

Ms. Boulware requested that Mr. Megahan provide the existing sizes of the windows where slider windows are intended to be installed; Mr. Megahan stated that the window openings are 53-inches by 57.5-inches in "bedroom one".

Ms. Spong requested clarification of the location of the intended slider windows; Mr. Megahan noted that all three paired windows are intended to have slider windows. Ms. Boulware noted that this was not included in the application.

Ms. Boulware calculated that the opening could accommodate egress and clear opening requirements if double-hung windows are installed.

Chair Dana summarized staff's conclusion that appropriate windows can be installed that meet egress requirements; Mr. Megahan stated that such a window is not available.

Ms. Spong noted that staff has worked with the Department of Safety and Inspection for options that are both historically appropriate and meet the requirements.

**Commissioner Bezat moved for a friendly amendment to include a finding stating that slider windows are not appropriate; Commissioner Riehle seconded the motion.**

Commissioner Ferguson requested confirmation that the original window has been addressed; Ms. Boulware confirmed that it will be included in the final report.

**The motion passed 10-0.**

Chair Dana addressed the applicant and noted that the windows can be replaced with another type of window.

Commissioner Trimble inquired as to if it has been communicated to Wells Fargo that they should be aware of historic designation; staff noted that there has not been, but that the information should be readily available.

Commissioner Trimble suggested that there should be a general notification to banks; staff noted that applicant notification letters were sent.

**B. 612 Selby Avenue, Historic Hill Heritage Preservation District**, by David Fischer, Buell Consulting Inc., for a building permit to mount six cellular antennas on the roof top and install a metal platform and telecommunications equipment at the southeast side of the building. **File#14-017** (Dermody, 266-6617)

Staff read aloud the report recommending conditional approval of the application for a building permit to mount six cellular antennas on the roof top and install a metal platform and telecommunications equipment at the southeast side of the building and presented photos.

Staff presented photo simulations of the proposal provided by the applicant.

Chair Dana requested confirmation that the 6-foot measurement is taken from “view one”; staff confirmed that it is.

Chair Dana inquired as to if “view two” is showing the same 6-foot-2 exposure; Mr. Dermody noted that it would be in the winter, but not the summer when the trees are full.

Ms. Spong inquired as to if the State Historic Preservation Office (SHPO) has commented on the project; Ms. Boulware responded that they had not.

Commissioner Bezat noted a grammatical error in the staff report and inquired as to whether the wiring will have an impact on the view; Mr. Dermody noted that this would be a question for the applicant.

Commissioner Lightner requested clarification that the condition is to paint the equipment screen and not the equipment itself; Mr. Dermody confirmed.

Dave Fischer, from Buell Consulting, was present to represent Verizon Wireless and speak on the proposal.

Mr. Fischer noted that the reduction of the height and painting the antennas to match is undesirable, but possible and is willing to comply.

Commissioner Bezat inquired as to if the antennas could be moved back; Mr. Fischer responded that they likely could not be moved back. A discussion was had regarding placement of the antennas to achieve the coverage objective.

Ms. Spong noted that the adjacent Mississippi Market building is not in the historic district and inquired as to whether the applicant had considered installing the antennas on this building; Mr. Fischer responded that he was not involved in the project at the time and would like to proceed with the review of the installation on this building.

Chair Dana requested clarification of the historic district boundaries; Ms. Boulware clarified the boundaries.

Chair Dana inquired as to the timeline of the project; Mr. Fischer responded that the timeline is to complete the project as soon as possible.

Ms. Boulware noted that SHPO may provide conditions that the HPC or staff may have to review.

Commissioner Riehle requested clarification of the owner of the building; Mr. Fischer stated that the owner is Verizon Wireless.

Chair Dana inquired as to if the decision could be delayed for confirmation that the antennas could not be installed on another building; Mr. Fischer noted the preference to move forward as is with the proposed location.

Ms. Boulware inquired to Mr. Dermody if this proposal requires a Conditional Use Permit; Mr. Dermody responded that it likely does not, but will confirm.

Commissioner Ferguson inquired as to the expected life expectancy of the equipment; Mr. Fischer responded that he does not know, but that technology changes usually occur before the equipment reaches the end of its life.

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

**Commissioner Trimble moved to accept the staff recommendation to conditionally approve the application; Commissioner Hutter seconded the motion.**

**The motion passed 10-0.**

**VII. Motion to Adjourn 6:04pm**

Submitted by R.Cohn