

**CITY OF SAINT PAUL  
HERITAGE PRESERVATION COMMISSION STAFF REPORT**

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FILE NAME: 535 Dayton Avenue  
DATE OF APPLICATION: February 17, 2015  
APPLICANT: Dayton Avenue Presbyterian Church, James Vellenga  
OWNER: same  
DATE OF HEARING: March 12, 2015  
HPC SITE/DISTRICT: Historic Hill Heritage Preservation District  
CATEGORY: Vacant Lots  
CLASSIFICATION: Lot Split – subdivision to create two single-family residential parcels  
ZONING FILE: 15-011329  
ZONING: RT2  
WARD: 1  
PLANNING DISTRICT: 8  
STAFF INVESTIGATION AND REPORT: Christine Boulware  
DATE: March 6, 2015

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**A. SITE DESCRIPTION:**

The subject lot is 18,535 sq. ft. and located on the north side of Dayton Avenue between Mackubin and Kent Streets. The block is primarily residential with the exception of the adjacent parking lot, to the east, which serves the Dayton Avenue Presbyterian Church at the northwest corner of Dayton and Mackubin. The lot rises a few feet from grade at the sidewalk with the eastern two-thirds contained by a stone retaining wall that is a semi-coursed ashlar comprised of mixed stones including sandstone, limestone, and granite. The wall is buttressed on the exterior with prominent, alternating, pentagonal, limestone, sloped buttress caps. There are two notable areas of polygonal stonework. The grade is level with the alley at the rear of the lot.

Currently, the lot serves as a playground. There are mature trees around the perimeter and rows of shrubs and small trees at the front and back of the lot. The neighbor's metal picket fence follows the west property line and a chain link fence along the east. The historic stone retaining wall and steps at the sidewalk is from the early house that once stood on the eastern portion of this lot. A rendered (parged) concrete, serpentine, retaining wall abuts the church parking lot on the east.

The lot is currently listed for sale. The stone retaining wall and steps appears to be the only remaining historic elements on the parcel.

**B. PROPOSED CHANGES:**

The applicant is proposing a lot split that would divide the site into two, single-family, residential parcels.

**C. BACKGROUND:**

The subject property is a combination of the lots historically associated with 527 and 533 Dayton Avenue. 527 Dayton was a two-and-one-half-story, frame residence constructed in 1887 and demolished in 1971. 533 Dayton was a two-story, frame residence constructed pre-1884 and demolished in 1970. It appears that the 533 lot was split and divided between the neighboring properties. Both residences had one-and-one-half story stables in the rear yards. The proposed lots are narrower than the historic lots and the plans indicate that the western, stair portion, of the retaining wall would now be part of the western parcel and the

eastern parcel would have the wall section without stair access.

Lot splits are reviewed and approved by the planning administrator in the City of Saint Paul and there are several conditions that must be met in order for a lot split to be approved. Chapter 69 of the City's Legislative Code states that the administrator "*shall cause the application to be reviewed by the public works department and other affected city departments, if appropriate, and shall notify the applicant of any required modifications.*"

**D. GUIDELINE CITATIONS:**

**The Secretary of the Interior's Standards for Rehabilitation:**

1. *A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.*
2. *The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
3. *Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*
4. *Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.*
5. *Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.*
6. *Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*
7. *Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.*
8. *Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*
9. *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*
10. *New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

**Historic Hill District Guidelines**

1. *Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.*
2. *The distinguishing original qualities or character of a building, structure, or site and its*

*environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*

3. *All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.*
4. *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*
5. *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.*
6. *Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.*
7. *The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.*
8. *Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.*
9. *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.*
10. *Wherever possible, new additions or alterations to structures shall be done in such a manner that if such alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.*

### **Site**

**Setback.** *New buildings should be sited at a distance not more than 5% out-of-line from the setback of existing adjacent buildings. Setbacks greater than those of adjacent buildings may be allowed in some cases. Reduced setbacks may be acceptable at corners. This happens quite often in the Historic Hill area and can lend delightful variation to the street.*

**Landscaping.** *Typically, open space in the Historic Hill District is divided into public, semipublic, semiprivate and private space. The public space of the street and sidewalk is often distinguished from the semipublic space of the front yard by a change in grade, a low hedge or a visually open fence.*

*The buildings, landscaping elements in front yards, and boulevard trees together provide a "wall of enclosure" for the street "room". Generally, landscaping which respects the street as a public room is encouraged. Enclosures which allow visual penetration of semipublic spaces, such as wrought-iron fences, painted picket fences, low hedges or limestone retaining walls, are characteristic of most of the Historic Hill area. This approach to landscaping and fences is encouraged in contrast to complete enclosure of semipublic space by an opaque fence, a tall "weathered wood" fence or tall hedge rows. Cyclone fence*

*should not be used in front yards or in the front half of side yards. Landscape timber should not be used for retaining walls in front yards.*

*For the intimate space of a shallow setback, ground covers and low shrubs will provide more visual interest and require less maintenance than grass. When lots are left vacant, as green space or parking area, a visual hole in the street "wall" may result. Landscape treatment can eliminate this potential problem by providing a wall of enclosure from the street. Boulevard trees mark a separation between the automobile corridor and the rest of the streetscape, and should be maintained.*

**Garages and Parking.** *If an alley is adjacent to the dwelling, any new garage should be located off the alley. Where alleys do not exist, garages facing the street or driveway curb cuts may be acceptable. Garage doors should not face the street. If this is found necessary, single garage doors should be used to avoid the horizontal orientation of two-car garage doors.*

*Parking spaces should not be located in front yards. Residential parking spaces should be located in rear yards. Parking lots for commercial uses should be to the side or rear of commercial structures and have a minimum number of curb cuts. All parking spaces should be adequately screened from the street and sidewalk by landscaping. The scale of parking lots should be minimized and the visual sweep of pavement should be broken up by use of planted areas. The scale, level of light output, and design of parking lot lighting should be compatible with the character of the district.*

### **District/Neighborhood**

#### **Recommended:**

*-Identifying, retaining, and preserving buildings, and streetscape, and landscape features which are important in defining the overall historic character of the district or neighborhood. Such features can include streets, alleys, paving, walkways, street lights, signs, benches, parks and gardens, and trees.*

*-Retaining the historic relationship between buildings, and streetscape and landscape features such as a town square comprised of row houses and stores surrounding a communal park or open space.*

#### **Alterations/Additions for the New Use**

*-Designing required new parking so that it is as unobtrusive as possible, i.e., on side streets or at the rear of buildings. Shared parking should also be planned so that several businesses' can utilize one parking area as opposed to introducing random, multiple lots.*

*-Designing and constructing new additions to historic buildings when required by the new use. New work should be compatible with the historic character of the district or neighborhood in terms of size, scale, design, material, color, and texture.*

*-Removing nonsignificant buildings, additions, or streetscape and landscape features which detract from the historic character of the district or the neighborhood.*

#### **Not Recommended:**

*-Removing or radically changing those features of the district or neighborhood which are important in defining the overall historic character so that, as a result, the character is diminished.*

*-Destroying streetscape and landscape features by widening existing streets, changing*

*paving material, or introducing inappropriately located new streets or parking lots.*

*-Removing or relocating historic buildings, or features of the streetscape and landscape, thus destroying the historic relationship between buildings, features and open space.*

*-Failing to undertake adequate measures to assure the preservation of building, streetscape, and landscape features.*

*-Replacing an entire feature of the building, streetscape, or landscape such as a porch, walkway, or streetlight, when repair of materials and limited replacement of deteriorated or missing parts are appropriate.*

*-Using a substitute material for the replacement part that does not convey the visual appearance of the surviving parts of the building, streetscape, or landscape feature or that is physically or chemically incompatible.*

*-Removing a feature of the building, streetscape, or landscape that is unrepairable and not replacing it; or replacing it with a new feature that does not convey the same visual appearance.*

### **Design for Missing Historic Features**

*-Introducing a new building, streetscape or landscape feature that is out of scale or otherwise inappropriate to the setting's historic character, e.g., replacing picket fencing with chain link fencing.*

*-Placing parking facilities directly adjacent to historic buildings which cause the removal of historic plantings, relocation of paths and walkways, or blocking of alleys.*

*-Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the district or neighborhood.*

*-Removing a historic building, building feature, or landscape or streetscape feature that is important in defining the overall historic character of the district or the neighborhood.*

### **E. FINDINGS:**

1. The site is currently used as park; it is comprised of what historically was two residential lots, on the north side of Dayton Avenue near the middle of the block bounded by Mackubin Street to the east and Kent Street to the west. The original lots were both 75' wide and the proposed lots will be 54.7' and 55' wide. The block is primarily residential. The property is located within the Historic Hill Heritage Preservation District.
2. On April 2, 1991, the Hill Heritage Preservation District was established under Ordinance No. 17815, § 3(II). The Heritage Preservation Commission shall protect the architectural character of heritage preservation sites through review and approval or denial of applications for city permits for exterior work within designated heritage preservation sites §73.04.(4).
3. The Secretary of the Interior's Standards for Rehabilitation state "*New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize a property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*" The site is currently used as a park and there are no historic buildings remaining, as the two residences that occupied the lots were demolished in 1970 and 1971. The proposed lot split will create narrower parcels than were historically present, allowing for single-family, residential construction. Currently, there are no plans for new construction. The size of the lots produced by the lot split would not be out of character with adjacent and

nearby residential lots. According to PED staff, the zoning for the parcel is RT2. New construction would need to be reviewed by the Heritage Preservation Commission, meet the Secretary of the Interior's Standards, and comply with the Historic Hill Heritage Preservation District Guidelines.

4. **Sec. 74.64 (a)(1)** The Hill District Guidelines state, "*Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.*" Historically, there were two houses on two lots at the property. Other than the retaining wall and stairs at the front of the lot, staff did not observe any other historic resources at the site that would be impacted. Future construction at the site should allow for green-space on the lot, preserve and maintain the retaining wall and stairs, and have parking accessed through the alley to minimize the impact of new construction on the District and historic features.

The historic retaining wall defines the 75' lot width of the original eastern parcel, but will now straddle the two new lots. The wall is a semi-coursed ashlar with mixed stones including sandstone, limestone, and granite. The wall is buttressed on the exterior with prominent, alternating, pentagonal, limestone, sloped buttress caps. The retaining wall and steps will need to be incorporated into any new development.

5. While the specific requirements in Section 69.304 of the Zoning Code for planning administrator approval of a lot split are met, Section 69.406 of the Zoning Code also requires seven more general findings prior to the approval of a lot split or subdivision, including "1) *all the applicable provisions of the Legislative Code are complied with; and 2) the proposed subdivision will not be detrimental to the present and surrounding land uses.*" The impact of the proposed lot split on the surrounding historic land uses is addressed in the following findings.
6. Any new construction will need to comply with the Hill Historic District Design Review Guidelines and applicable zoning standards. The lot size will inform the massing, siting and setback along with adjacent historic precedent. Without a proposed design, review of full compliance to applicable guidelines is not feasible.

**F. STAFF RECOMMENDATION:** Based on the findings, staff recommends the HPC support the application for the lot split provided the following condition is met:

1. The stone retaining wall and stairs shall be preserved and incorporated into any new construction.

A copy of the HPC review and condition shall be forwarded to the Planning administrator for final review and approval.

**G. ATTACHMENTS:**

1. Lot Split application and supporting materials
2. Photographs
3. 1903 Sanborn Fire Insurance Map



**SUBDIVISION REVIEW APPLICATION**

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning office use only  
File # \_\_\_\_\_  
Fee: 300.00  
Tentative Hearing Date: \_\_\_\_\_  
*Adm Decision*

*pd=8*

*012823220014*

**APPLICANT**

Name Dayton Avenue Presbyterian Church  
Address 217 Mackubin St  
City St. Paul St. MN Zip 55102 Daytime Phone \_\_\_\_\_  
Name of Owner (if different) \_\_\_\_\_  
Contact Person (if different) James Vellenga Phone 651-689-0994

**PROPERTY LOCATION**

Address / Location 535 Dayton Avenue  
Legal Description see attached  
Current Zoning Residential (RT2)  
(attach additional sheet if necessary)

**TYPE OF SUBDIVISION:**

- Lot Split
- Lot Split with Variance
- Reg. Land Survey
- Preliminary Plat
- Final Plat
- Combined Plat

**STAFF USE ONLY**

Planning District \_\_\_\_\_ Land Use Map \_\_\_\_\_ Tax Map \_\_\_\_\_ Zoning \_\_\_\_\_

Plans Distributed \_\_\_\_\_ Return by \_\_\_\_\_ Reviewed by \_\_\_\_\_

Comments:

**RECEIVED**  
FEB 17 2015  
BY: \_\_\_\_\_

(attach additional sheets if necessary)

DocuSigned by: \_\_\_\_\_  
Applicant's Signature Marcia Maermond Date 1/27/2015 City Agent \_\_\_\_\_  
DC20EDF39DF9472...

*add  
2/17/15*

**ADVANCE SURVEYING & ENGINEERING CO.**  
 5300 S. Hwy. No. 101 Minneapolis, MN 55345 Phone (952) 474-7964 WWW.ADVANCEUR.COM  
**SURVEY FOR: BOLD MARKETING**

SURVEYED: December 18, 2014 DRAFTED: January 27, 2015

LEGAL DESCRIPTION OF ENTIRE PARCEL:  
 The Eastern 10 feet of Lot 16, and all of Lot 17, all in Block 1, Woodland Park Addition to the City of St. Paul, Ramsey County, Minnesota.

AND  
 Lot 18, Block 1, Woodland Park Addition to St. Paul

PROPOSED LEGAL DESCRIPTION OF THE EASTERLY PARCEL:  
 The East 55 feet of the following described parcel:

The Eastern 10 feet of Lot 16, and all of Lot 17, all in Block 1, Woodland Park Addition to the City of St. Paul, Ramsey County, Minnesota.

AND  
 Lot 18, Block 1, Woodland Park Addition to St. Paul

PROPOSED LEGAL DESCRIPTION OF THE WESTERLY PARCEL:  
 The Eastern 10 feet of Lot 16, and all of Lot 17, all in Block 1, Woodland Park Addition to the City of St. Paul, Ramsey County, Minnesota.

AND  
 Lot 18, Block 1, Woodland Park Addition to St. Paul;

Except the East 55 feet thereof.

**SCOPE OF WORK:**

1. Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as easements, that you wish shown on the survey, have been shown.
2. We show a proposed division of the property. Please review the proposal to see that it is what you intend and submit to those governmental agencies that have jurisdiction to obtain their approvals, if you can, before making any decisions regarding the property.
3. Lot split corners will be set once the city council agrees to the proposed lot split.
4. The subject property resides in Residential (RT2), medium density residential district of the St. Paul zoning code. The front setback is described as being 125 feet unless 50% of the block is built up in which case the average front setback is used for future construction projects. This information is from a zoning letter dated February 6, 2015 from Jerome B. Banner II.
5. While we show the building setback lines per information supplied to us, we suggest you show this survey to the appropriate city officials to be sure that the setback lines are shown correctly. Do this BEFORE you use this survey to design anything for this site.

**STANDARD SYMBOLS & CONVENTIONS:**

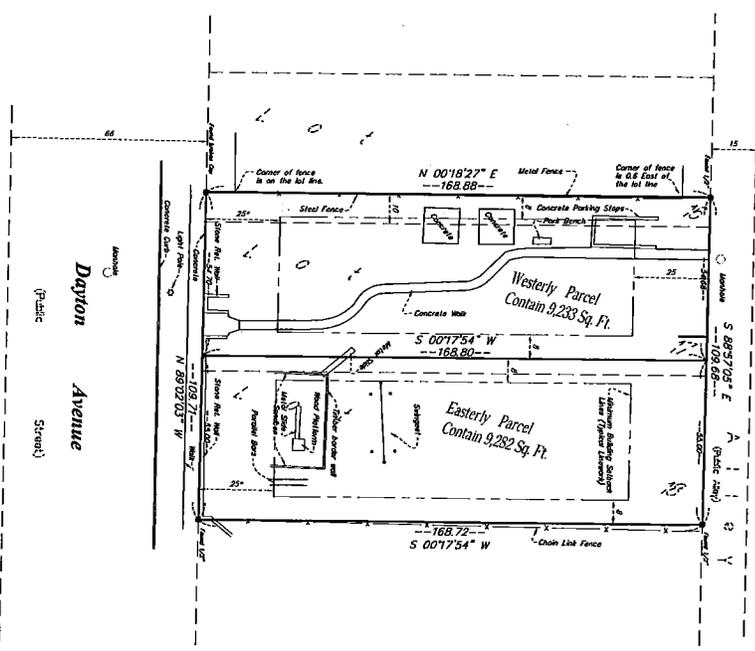
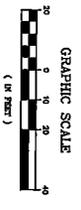
- 1/2" Inside Diameter Iron pipe 1/4" in length with plastic plug bearing State License Number 9235, set, unless otherwise shown.

**CERTIFICATION:**

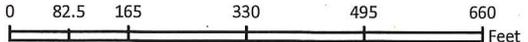
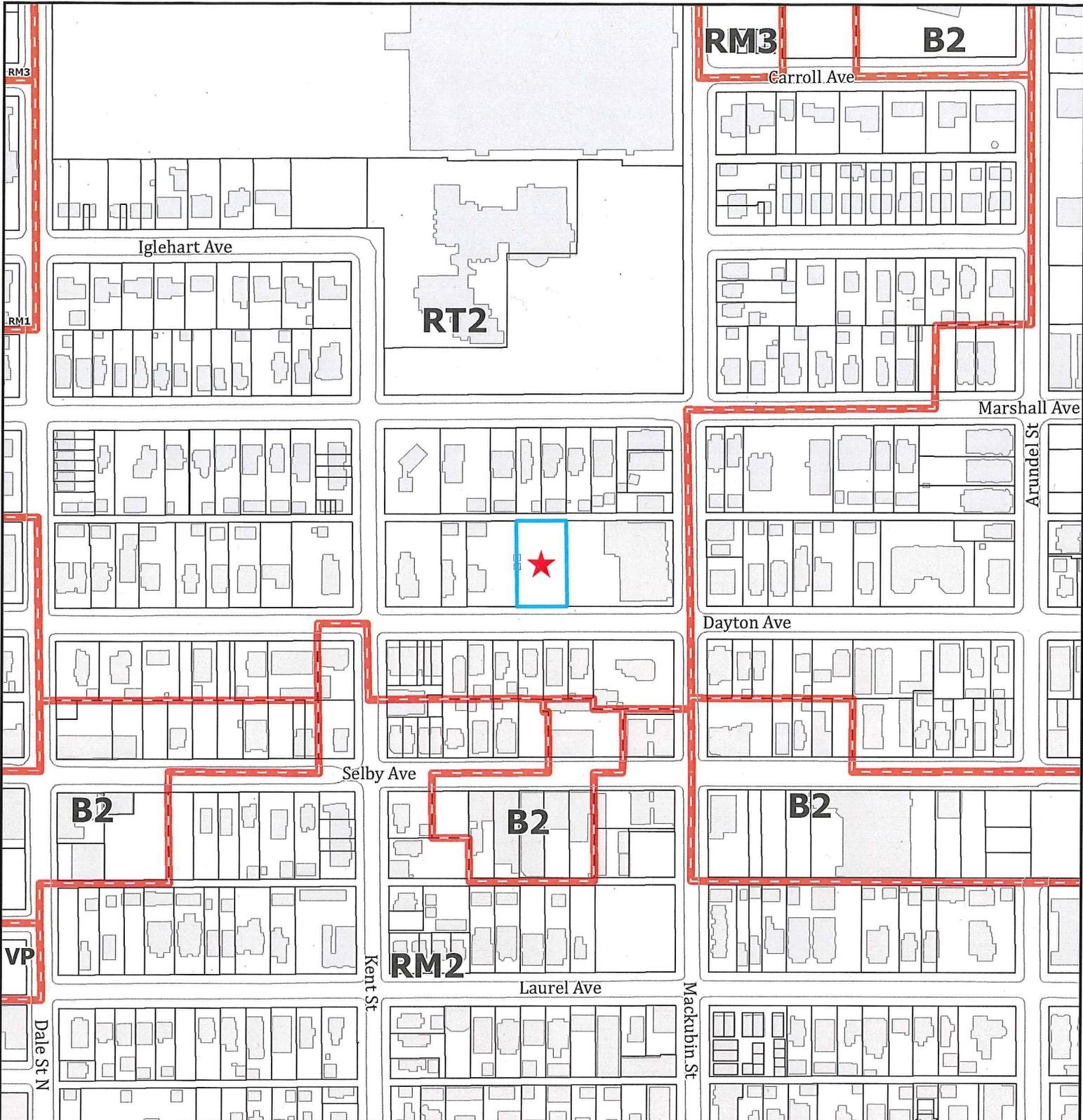
I hereby certify that this plan, specification, report or survey was prepared by me or under my direct supervision and that I am a licensed Professional Engineer and Professional Surveyor under the laws of the State of Minnesota.

Signature: James H. Parker Typed Name: James H. Parker

Date: February 9, 2015 Reg. No. 9235



D/W. No. 140987 2015 01 27 TB A LOTSPILT



APPLICANT: Dayton Ave. Presbyterian Church

APPLICATION TYPE: \_\_\_\_\_

FILE #: To Be Assigned      DATE: 2/18/2015

PLANNING DISTRICT: \_\_\_\_\_

ZONING PANEL: \_\_\_\_\_

- ENS**
- RT2 Townhouse
  - RM1 Multiple-Family
  - RM2 Multiple-Family
  - RM3 Multiple-Family
  - B2 Community Business
  - VP Vehicular Parking







Cathy 4/11/87  
Rebin Love Ya  
James  
Domingo  
Mitchelk  
Thomas  
BUDDY Mon 27

EXIT ONLY  
DO NOT  
ENTER

