

SUMMARY MINUTES OF THE HERITAGE PRESERVATION COMMISSION
CITY OF SAINT PAUL, MINNESOTA
Lower Level – Room 41, City Hall/Court House, 15 West Kellogg Boulevard
July 25, 2013

Present: Richard Laffin, Richard Dana, Robert Ferguson, Michael Justin, David Riehle, Steve Trimble, Diane Trout-Oertel, David Wagner

Absent: Renee Hutter-Barnes (excused), Matt Hill (excused), Matt Mazanec (excused)

Staff Present: Christine Boulware, Bill Dermody, Renee Cohn

PUBLIC HEARING

- I. **Call to Order** 5:04 pm
- II. **Approval of the Agenda** Commissioner Dana moved to approve the agenda; Commissioner Riehle seconded the motion. The motion passed 7-0.
- III. **Conflicts of Interest** Commissioner Wagner recused himself from Item VIII.C.
- IV. **Chair's Announcements** None were stated.
- V. **Staff Announcements** Staff noted the May 9, 2013 meeting minutes had not been submitted for approval.
- VI. **Approval of the meeting minutes** Commissioner Justin moved to approve the submitted minutes; Commissioner Riehle seconded. The motion passed 7-0.
 - A. April 11, 2013 Business Meeting
 - ~~B. May 9, 2013 Business Meeting~~
 - C. June 13, 2013 Business Meeting
 - D. June 27, 2013 Public Hearing/Permit Review
- VII. **Old Business**
 - A. **536 Holly Avenue, Hill Historic District**, by Josh Columb, Vertical Grain Builders LLC, for a building permit to demolish the one-stall garage and construct a 2.5 stall garage with a covered patio (1059 s.f.) at the rear of the property. **File #13-026** (Boulware, 266-6715). **This item was laid over from June 27th in order to assess condition of existing garage and look for ways to preserve existing while building a new garage.**

Commissioner Wagner moved to accept the request that an extension be granted; Commissioner Trout-Oertel seconded the motion. The motion passed 7-0.
- VIII. **Public Hearings**
 - A. **1075 Mounds Boulevard, Indian Mounds Park Mound Group, (21RS10)**, by the Deputy State Historic Preservation Officer, for Certified Local Government Comment on the nomination of the mounds to the National Register of Historic Places. The HPC will allow for public comment and submit to the SHPO. (Spong, 266-6714)

Staff noted that Commissioner Justin and Commissioner Trimble will submit comments in regard to the nomination for archaeology and history, respectively.

A discussion was had in regard to the written nomination.

Chair Laffin opened the item for public comment.

No written testimony was received.

Ellen Stewart, from the Department of Parks and Recreation, requested that the Commission forward any comments to the Department of Parks and Recreation.

Commissioner Trimble moved to forward comments and recommendation of support to the State Historic Preservation Officer; Commissioner Ferguson seconded the motion. The motion passed 7-0.

B. Public alley between 350 Sibley Street and 240 E. 5th Street, Lowertown Historic District, by Ever-Green Energy, for a permit to remove Belgian stone pavers, concrete and asphalt patches and replace with concrete and a smaller amount of salvaged stones. This is an After-the-Fact Review. **File #13-027** (Boulware, 266-6714)

Staff read aloud the report recommending denial of the application as submitted.

Chair Laffin inquired as to the request for final verification of whether these are the last remaining stone pavers; Ms. Boulware described the alleys with historic pavers in Lowertown, identifying this alley as the only one with sandstone pavers that she has seen.

Commissioner Trimble requested confirmation that this is an After-the-Fact review; Ms. Boulware confirmed. Commissioner Trimble inquired as to the process of informing the applicant of the heritage preservation process; Ms. Boulware stated that Amy Spong had been in contact with the applicant.

Commissioner Trout-Oertel inquired as to the permitting process for this type of project; Ms. Boulware explained the process. Commissioner Trout-Oertel requested confirmation that an application had not been previously received by HPC staff; Ms. Boulware confirmed.

Commissioner Dana inquired as to the availability of salvage material; Ms. Boulware stated this research is the responsibility of the applicant.

Commissioner Riehle inquired as to how staff was made aware of this matter; Ms. Boulware stated that Ms. Spong was the contact and received notification from Public Works staff. Chair Laffin clarified that Ms. Boulware is presenting in behalf of Ms. Spong.

Commissioner Wagner questioned the amount of stone present at the site versus the amount of stone removed; Ms. Boulware discussed this condition.

Nina Axelson and Steve Wachter were present to represent Ever-Green Energy.

Ms. Axelson confirmed the Right-of-Way permit had been received by the applicant on May 15th and noted an HPC application had not yet been required of them.

Ms. Axelson shared photos of the site and discussed ideas for preserving stone in the alley.

Commissioner Trimble questioned the claim that no stone has been lost; Ms. Axelson clarified that some stone has been damaged, but no stones have been removed from the site.

Mr. Wachter stated an assumption was made on the ability to cut the stone based on previous projects. Chair Laffin requested confirmation that the stone was cut to remove the existing concrete; Mr. Wachter discussed the conditions of the alley that led to cutting the stone.

Ms. Axelson discussed the configurations of other alleys in the area; Ms. Boulware discussed the circumstances of these configurations. Ms. Boulware noted that previous work may have been done to the alley in question without HPC review or approval.

Ms. Axelson discussed the option for stamped concrete to be used in the alley along with re-installing as many stones as possible; Mr. Wachter confirmed that as many stones as possible would be used, and noted that some have been discarded. Ms. Axelson noted some inquiries had been made to the supply of other stone.

Commissioner Trimble inquired as to the possibilities of flagging applications as requiring HPC review; Ms. Boulware described the system in place and discussed possible issues in communication regarding flagging.

Commissioner Trimble inquired as to the level of knowledge of HPC sites by the applicant; Ms. Axelson discussed their level of knowledge and willingness to be aware.

Mr. Wachter noted that it was always their intention to re-install the stone and follow the guidelines.

Commissioner Wagner noted Finding 7 and questioned whether this was another case of improper HPC notification; Ms. Boulware noted that follow-up research would be needed.

Commissioner Dana inquired as to if stone pavers could be acquired from a private source; Ms. Axelson and Mr. Wachter discussed the cost limitation. Chair Laffin discussed the value of the pavers for the public versus the cost.

Chair Laffin inquired as to if the existing stone on site could be protected against theft; Mr. Wachter responded that it could.

Commissioner Riehle inquired as to the role of Ever-Green Energy in this project; Ms. Axelson described the relationship of Ever-Green Energy to the project and District Energy.

Commissioner Riehle inquired as to the ownership of pavers beneath the 3rd Street Bridge; Ms. Boulware confirmed they are owned by the Department of Public Works.

Commissioner Trimble encouraged the applicant to rehabilitate the alley; Ms. Axelson discussed the desire for rehabilitation, but noted the financial considerations.

Chair Laffin inquired as to the timeline for the project; Mr. Wachter stated that the project is near complete. Chair Laffin inquired as to the effects of a delay; Mr. Wachter discussed several effects that have already occurred.

Commissioner Trout-Oertel inquired as to if the applicant agreed with the staff recommendation; Ms. Axelson confirmed.

Mr. Kuebler presented photos of the alley in question and other alleys in the area. He discussed the current condition of the alley, mitigation that has occurred in other alleys, and future concerns of the reliability of the alley structure. Mr. Keebler discussed several options to complete the alley in question.

Chair Laffin inquired as to a typical base for this type of stone to support the alley traffic; Mr. Keebler discussed the possible requirements for the base.

Mr. Keebler and Mr. Hehn discussed a previous situation in another alley and suggested several solutions for the alley in question.

Chair Laffin inquired if Mr. Kuebler was comfortable with a combination of stone and concrete; Mr. Keebler confirmed that he would be if layering is utilized and noted that only structurally sound stone would be used.

Ms. Boulware referenced the previously discussed alleys and noted the circumstances surrounding the approval of the condition.

Commissioner Dana inquired as to if the Department of Public Works has ownership of the stockpile of pavers; Mr. Keebler confirmed that they are and noted the person in charge as Dan Haak. Ms. Boulware noted that there is currently a depletion of pavers as many are accounted for to use in other projects.

Mr. Kuebler referenced the previous discussion in regard to the permit process and noted a desire to improve the process to notify HPC.

Commissioner Dana inquired as to if the Department of Public Works will be involved in the final proposal for the alley configuration; Mr. Keebler confirmed that they will.

Commissioner Trout-Oertel thanked Mr. Kuebler for addressing the permitting process; Mr. Kuebler noted it may not be immediate.

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

Commissioner Riehle discussed the complexity of the project and noted the structural and historic requirements.

Commissioner Riehle moved to adopt the staff recommendation to deny the application as submitted.

Commissioner Wagner suggested approval of the permit with the condition that staff assists with the final design.

Commissioner Dana seconded the motion.

Commissioner Wagner discussed the previously stated circumstances of the project and encouraged conditional approval of the application.

Chair Laffin requested confirmation that Commissioner Wagner is speaking against the motion; Commissioner Wagner suggested that the statement be a friendly amendment. Ms. Boulware clarified that the friendly amendment would be to give staff more direction

in the final approval.

Commissioner Dana inquired as to if staff could administratively approve the complete re-surfacing of one end of the alley; Ms. Boulware stated that this may be done with an additional condition in the motion from the Commission.

Commissioner Wagner discussed the historic integrity of retaining as large a continuous field of pavers as possible.

Chair Laffin requested confirmation that Commissioner Wagner would prefer a different configuration of pavers and concrete than that proposed; Commissioner Wagner confirmed that he would.

Commissioner Trimble supported the motion made by Commissioner Riehle and noted several reasons.

Chair Laffin accepted additional input from the applicant.

Ms. Axelson confirmed the lack of supply of pavers and discussed the company relationship with the City of Saint Paul.

Mr. Hehn stated that the contractor was informed of the company that has the stone, and confirmed that the company was contacted. Chair Laffin requested confirmation that the supply of stone is not sufficient; Mr. Hehn confirmed and discussed other projects.

Commissioner Dana expressed support for the motion provided staff can administratively approve another application.

Commissioner Wagner inquired as to the timeline of a staff review; Ms. Boulware stated that an approval would be difficult without clear direction from the Commission and encouraged a decision to be made at the current public hearing.

A discussion was had to produce a friendly amendment in regard to the configuration of the stone pavers and concrete and the historic integrity.

Commissioner Wagner put forth a friendly amendment to allow staff to work with District Energy to resolve the re-laying of existing paving and not require that like material to be installed.

Commissioner Riehle rejected the friendly amendment.

Commissioner Wagner discussed the timeline of the decision.

The motion passed 6-1 (Wagner).

Chair Laffin noted the possibility of a delay.

Ms. Boulware suggested to the applicant that they contact Amy Spong.

Ms. Axelson invited the Commission to contact her regarding Ever-Green Energy.

C. 1472-74 Summit Avenue, Summit Avenue West Historic District, by Phil and Stephanie Martineau, for a building permit to demolish the existing one-story duplex and construct a new two-story single family residence. **File #13-028** (Dermody, 266-6617)

Commissioner Wagner joined the audience.

Staff presented photos and drawings from the application, noting several elements of interest to the Commission decision and discussion.

Mr. Dermody read aloud the findings and the recommendation to conditionally approve the application to demolish the existing one-story duplex and construct a new two-story single family residence.

Mr. Dermody summarized two written testimony from neighboring property owners.

Commissioner Dana inquired as to when the existing building was categorized as non-contributing to the Heritage Hill Historic Preservation District; Ms. Boulware stated that this happened at the time of survey in the late-1980s or early-1990s.

Commissioner Dana inquired as to the construction date and condition of the existing structure; Mr. Dermody confirmed the construction date as 1957 and stated that he was unsure of the condition of the existing structure.

Chair Laffin requested that Commissioner Wagner sit with the audience.

Stephanie and Phil Martineau were present to represent themselves. Dale Mulfinger, SALA Architects, was present as the project architect.

Chair Laffin inquired as to the intent for a traditional design versus a contemporary design; Mr. Mulfinger addressed this intent. Chair Laffin discussed other new construction projects.

Ms. Martineau expressed a desire to compliment the neighborhood. Chair Laffin complimented the design direction.

A discussion was had regarding the chosen materials for the new house design.

Mr. Mulfinger expressed a desire to comply with the guidelines.

Commissioner Ferguson inquired as to the intent for the seating wall; Ms. Martineau discussed the design intent.

The discussion was continued regarding material choices for the new house design.

Commissioner Trout-Oertel complimented the new house design.

Chair Laffin inquired as to the intent of the window inconsistency on the east elevation; Mr. Mulfinger noted this is due to interior features.

Commissioner Riehle inquired as to the timeline for completion; Ms. Martineau stated they intend for the project to be completed by May 2014.

Ms. Martineau noted previous attempts to contact the neighbors and Mr. Mulfinger addressed the concerns from the public testimony.

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

Commissioner Dana moved to adopt the staff recommendation to conditionally approve the application; Commissioner Trout-Oertel seconded the motion.

The motion passed 6-0.

Commissioner Wagner returned.

D. 262 E. Fourth Street, Lowertown Historic District, by Historic Window Works, LLC, for a revision to a conditionally approved Certificate of Approval to raise the originally proposed height of the planter boxes along the storefront. File #13-176438. (Boulware, 266-6715).

Staff read aloud the report recommending approval the original administrative Certificate of Approval with the combined findings and conditions as stated in File #13-176438 dated May 17, 2013 and the staff report. Staff also recommend discussion regarding a timeline for correcting the completed work if the HPC adopts staff findings and recommendation. Staff did not recommend approval of the revision.

Staff presented photos of the existing site condition and photos before any work was completed.

Chair Laffin questioned the intent of the applicant to mimic the original paneling; Ms. Boulware noted the paneling is intended, but has not yet been installed.

Commissioner Riehle inquired as to the current height of the planter boxes in relation to a standard sitting height; Ms. Boulware described the current height and discussed possible sitting heights.

Chair Laffin noted a failing piece of the current planter.

Commissioner Wagner inquired as to if the current planter projects beyond the wall; Ms. Boulware confirmed that it does not.

Commissioner Dana inquired as to if staff believed the originally proposed drawings would emulate the original planters; Ms. Boulware confirmed that they did.

Chair Laffin discussed the possibility or recreating features of historic Lowertown; Ms. Boulware noted staff research.

Roger Nielson, co-owner of the building, and Dave Potter, contractor/applicant, were present to represent the project.

Mr. Potter noted the construction of the planters has not been completed yet.

Mr. Nielson discussed an original intent to discourage loitering by including a chain, and raising the planter boxes when the chain was not approved. Mr. Potter confirmed the intent to build the planter boxes taller, and noted the lack of measurements on the originally proposed plans.

A discussion was had regarding the design intent of the new planter boxes to compliment the existing storefront and discourage loitering. Commissioner Dana inquired as to a timeline for completion; Mr. Nielson stated this is a part of a larger project to be completed in October.

Written testimony was read aloud from Gerry McInerney & Jerry Blakey in support of the revised application.

The public hearing was closed.

Commissioner Trimble moved to accept the staff recommendation and findings; Commissioner Trout-Oertel seconded the motion.

Commissioner Dana proposed a friendly amendment to allow for a proposal to install an iron topper to the planters in a second application; Commissioner Trimble accepted the friendly amendment.

Commissioner Riehle commended the applicants' efforts.

Commissioner Dana suggested a required timeline for project completion to be September 30, 2013.

Ms. Boulware suggested that the Commission include a condition to require measurements in the final application drawings.

A discussion was had regarding the possible heights of the planter boxes, existing site issues regarding the planter boxes and option for mitigation.

Bill Hahn was present and discussed the planting concerns of the planter boxes.

The public hearing was re-opened.

The discussion was continued regarding the possible height of the planter boxes and design intentions.

The public hearing was closed.

Ms. Boulware requested clarification that the motion is to adopt the staff recommendation, to not approve the revision, and require that the current planter boxes be lowered and a metal topper be installed with final review and approval by staff.

The motion passed 7-0.

IX. Committee Reports

A. Commissioner Trimble discussed the presentation he had made for the Dayton's Bluff Hospital Linen Site at a community meeting. He noted that it was well attended.

B. Commissioner Dana, Commissioner Trout-Oertel, and staff briefly discussed the NAPC Camp they had attended and suggested a future presentation to the HPC regarding what was learned.

X. Motion to Adjourn 7:47 pm

Submitted by: R. Cohn