



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
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MEMORANDUM

Date: December 17, 2015

To: Heritage Preservation Commission

From: Christine Boulware

Re: 208-210 Bates Avenue, Schacht Block – Dayton's Bluff Heritage Preservation District - REVISED MEMO FOLLOWING REVIEW BY THE CITY ATTORNEY'S OFFICE

BACKGROUND

On February 27, 2014, the HPC reviewed and conditionally approved the demolition of the Schacht Block at 208-210 Bates Avenue with a vote of 6-2 (Mazanec, Trimble) and issued a revised, written decision letter on March 4, 2014.

The conditions for approval were as follows:

1. Stabilize, retain and restore the facade of the building for incorporation into future construction at the property, but stabilization does not need to occur in-situ but can be stored off site. The applicant shall retain the proper qualified preservation professionals to carefully and creatively explore façade preservation in the short-term and for incorporating into future construction. The final outcome and scope shall be brought back to the HPC for final review and approval.
2. The building shall be documented following the Minnesota Historic Property Record (MHPR) archival photo documentation standards prior its removal from the facade, at the owner's expense. Two copies of the 2012 HPC reviewed plans in 11" x 17" format will be accepted in lieu of as-built drawings. Two copies of the documentation shall be forwarded to the HPC (one copy to be delivered to the Ramsey County Historically Society.)

On March 3, 2015, the HRA requested an extension of the HPC decision. HPC staff granted a one year extension on April 9th to allow until March 4, 2016 for a demolition permit to be applied for and issued.

On October 8, 2015, the HPC reviewed documentation submitted by the HRA for the purposes of showing that it had satisfied the conditions in the decision letter dated March 4, 2015.

On October 23, 2015, an appeal regarding the decision to approve the demolition of 208-210 Bates Avenue was filed in which, among other allegations, it was alleged that “the city erred in procedure by allowing heritage preservation staff to approve in April, 2015 one-year extensions of the subject demolition permits. The extensions involve permits for work categorized as major and should have been presented for review and action by the Heritage Preservation Commission.”

The City Attorney’s Office reviewed the appeal allegations and, with respect to the allegation regarding the April 9, 2015 extension decision, concluded that HPC staff did not have the legal authority to grant an extension to the demolition order based on Legislative Code Sec. 73.06(k) which states:

“Permit time limit. No order of the heritage preservation commission or city council approving the issuance of building permits under this section shall be valid for a period longer than one year, unless a building permit is obtained within such period and work is proceeding within the terms of such permit unless the heritage preservation commission grants an extension not to exceed one year. In granting such extension, the heritage preservation commission may decide to hold a public hearing.”

Because the staff-granted extension had no legal basis, the City Attorney advised that the proper remedy was to strike the appeal from the City Council’s agenda and return the HRA’s request to extend the demolition permit to the HPC for its consideration. The City Council subsequently withdrew the appeal for the purposes of sending the matter back to the HPC staff for further proceedings.

In a letter dated November 10, 2015, the City Attorney’s Office advised a representative of the appellants as well as HRA and HPC staff that the basic premise of appellant’s allegation regarding the lack of authority for HPC staff to grant extensions was correct on a technical basis and, in the interests of preserving the processes specified under the City’s ordinances, the issue of determining whether to grant the HRA’s extension request was being returned to the HPC for its decision. The City Attorney’s letter further advised that the only matter properly before the HPC is whether the demolition permit approval should be extended as the period to appeal the decision granting the demolition permit expired on March 17, 2014.

If the HPC denies the extension request, the HRA may file a new demolition permit application or may appeal the HPC decision to the City Council (Leg. Code 73.06(h)). If the City Council denies the HRA appeal, the HRA may file a new demolition permit application. Likewise, if the HPC should grant the extension request, the HPC will again have to determine whether the HRA has met the conditions for demolition originally imposed in February of 2014. The timing and process for rendering that decision is for the HPC to decide.

On November 25, 2015 the HRA renewed its March 3, 2015 request to the Heritage Preservation Commission for an extension of the HPC order and decision conditionally approving the demolition of 208-210 Bates Avenue, HPC File No. 14-015.

PUBLIC HEARING

Under Leg. Code Sec. 73.06(k), the HPC is not required to hold a public hearing regarding requests to extend the effective time of HPC approved permits. Leg. Code Sec. 73.06(k) states only that “in granting such extension, the heritage preservation commission may decide to hold a public hearing.” With respect to the HRA’s extension request, HPC staff, in the interests of efficiency so as not to require two separate hearings on the matter, took the liberty of sending the proper public hearing notices on this matter. Whether the HPC conducts a public hearing on the HRA’s request is the HPC’s to decide.

STAFF RECOMMENDATION

Leg. Code Sec. 73.06(k) does not provide any criteria to guide the HPC’s decision making regarding permit extension requests. The applicant must be given an opportunity to explain the circumstances which bring the applicant before the HPC to seek a time extension. If the HPC decides to grant a time extension, the extension is good for up to one (1) additional year to expire on March 4, 2016.

ATTACHMENTS

1. Request for Extension (received: November 25, 2015)
2. Condition Review (received: December 11, 2015)
3. City Attorney Letter (November 10, 2015)
4. Façade stabilization study and recommendation (September 15, 2015)
5. 2012 HPC reviewed rehabilitation plans (11"x17")
6. Archival photo documentation (July 31, 2015)
7. Extension approval letter (April 9, 2015)
8. HRA request for extension (March 3, 2015)
9. HPC decision letter (March 4, 2014)
10. HPC staff report (February 27, 2014)



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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17 November 2015

Richard Dana, Chair
Saint Paul Heritage Preservation Commission
C/O Department of Planning and Economic Development
25 Fourth Street West, Suite 1400
Saint Paul, MN 55102

RE: Request for extension of demolition approvals for 208-210 Bates Avenue (#14-015) and 216-218 Bates Avenue (#14-014)

Dear Chair Dana,

The Heritage Preservation Commission (the "HPC") conditionally approved the demolition of 208-210 Bates, as Item #14-015, on February 27, 2014, and conditionally approved the demolition of 216-218 Bates, as item #14-014, on that same date. This decision was ratified via an HPC Decision Letter dated March 4, 2014. On March 3, 2015, staff of the Housing and Redevelopment Authority of the City of Saint Paul (the "HRA") submitted a formal Request for Extension of these conditional demolition approvals, in accordance with Section 73.06(k) of the City Code, to HPC staff. A letter approving the extension was received from HPC staff on April 9, 2015. However, it has now been brought to our attention that the approval of extensions is subject to HPC review and the HPC, at its discretion, may schedule a public hearing to consider the matter. Therefore, we respectfully request that the HPC consider this extension request, which should have been taken up by the Commission, not by HPC staff.

HRA staff requested the extension in order to continue work on completing the HPC-imposed conditions and to begin developing demolition plans. Those conditions were satisfied in the summer of 2015 as evidenced by a letter dated August 26, 2015, which was submitted to HPC staff. On October 8, 2015, the HPC voted to accept the documentation and acknowledged that the conditions had been met.

The demolition of these structures is complicated as it involves extensive site stabilization, grading, stormwater and drainage management, and retaining wall construction. HRA staff has been working with a Construction Management Consultant and a Civil Engineer to develop grading plans, civil drawings and a bid specification. Lining up the appropriate contractors and consultants, and developing plans has taken longer than originally anticipated, which led to the delay and the need for an extension.

HRA staff have adhered to the requirements imposed by the Zoning Code and have satisfied all conditions imposed by the HPC. The extension request is reasonable given the complexity of these demolition, site grading and stormwater management engineering projects.

Respectfully,



Jonathan Sage-Martinson
Executive Director, HRA

Enc: HRA request for extension dated March 3, 2015
HRA submission of documentation related to HPC conditions dated August 26, 2015
Approval letter for demolition of 208-210 Bates (#14-015)
Approval letter for demolition of 216-218 Bates (#14-014)

cc: Patty Lilledahl, Director of Housing
Donna Drummond, Director of Planning
Amy Spong, Heritage Preservation Commission Staff
Joe Musolf, Principal Housing Project Manager



**Mattson
Macdonald
Young**
structural
engineers

Bassett Creek Business Center
901 North 3rd Street, #100
Minneapolis, MN 55401

612-827-7825 voice
612-827-0805 fax

24 November 2015

Sarah Zorn
Planning and Economic Development
25 West Fourth Street, Ste. 1100
St. Paul, MN 55102

Project No.: 15688.00
Re: Structural Condition Review of the building at 208-210 Bates Ave.

Dear Sarah:

We visited the existing structure at 208-210 Bates Ave. on Thursday, November 19th, 2015. The purpose of our visit was to form an opinion of the building condition and to identify any areas of damage, deterioration, or deficiency and to assist the owner in planning the future of the house. The following is a summary of our observations and opinions:

Scope

This report concerns only the structural frame and elements that are an integral part of the load resisting system for the building. We did not observe and report on the building electrical systems, mechanical systems, fire protection, egress, and life safety compliance with the building code.

Our review concerned the basement level and the foundation walls that could be observed directly within that space, any visible roof systems, any visible wall structures, and any visible beams or joists. Observations that were performed are considered a cursory "walk-through" of the building. The performance of the structural system and framing elements was judged by visual observation only. This work should not be considered a detailed investigation of the building or of specific elements of the building framing system. During our walk through no finishes were removed to expose structural systems.

Calculations were not performed on the total building system nor were the apparent load capacities of the floor or roof determined as a part of this report.

Qualifications of the Personnel

Joe Cain P.E. is the author of this report, the lead investigator, and the Structural Engineer of Record (SER). Joe has 30 years of experience in the field of structural engineering and has performed condition reviews as the SER on numerous buildings that are similar to the subject building. Travis Stanley E.I.T. and Dave Hadler, engineering technician, have aided in the observation work, analysis, and research and have contributed to the preparation of the report.

Methods of Investigation

The method of investigation was by casual observation and was limited to those structural elements that were exposed to view. However, much of the structural system was covered by finish material, in which case the performance of the finish material was assumed to reflect the performance of the structural elements to which the finish material was attached. No attempt was made to perform an exhaustive investigation of all structural elements. No finish material was removed or damaged to expose the underlying structural elements. No existing as built documents were available for our use. Nor were we made aware of any previous reports related to the structural condition of the building or investigation of building elements.

Building Description

The structure is a two story building with a full basement. The original structure was constructed on or about 1880. The building is divided into three segments. Two of the segments are at the ground level and one is at the second floor. There was an addition to the building in the northeast section sometime after its construction. The roof is assumed to be constructed with hand framed lumber joists which are supported on wood stud bearing walls at the building perimeter.

The foundation walls that could be observed were constructed with rubble limestone masonry below grade in the original section of the house. The first floor is supported at the interior of the basement level with heavy timber beams, supported on timber columns that extend to the basement floor. The basement floor areas that were not covered were observed to be concrete slab on grade. It is assumed that the building walls and interior columns rest on spread footings.

Observed Conditions

In general, the structural elements of the building framing and foundation were judged to be in poor condition. There were conditions of deterioration or damage noted in the observations and will be described below in more detail.

Mold is abundant throughout the building. Picture 1 and Picture 2 show two instances of mold that is growing in the building, which is likely caused by water infiltration. The floor was damp in many places throughout the first level of the building. Dampness to a rug can be seen in Picture 3. Mold was observed on each of the levels including the basement.



Picture 1 – Mold in Building



Picture 2 – Mold in Building



Picture 3 – Dampness to a Rug

Water damage was also observed in the ceiling at the second floor. Picture 4 and Picture 5 show some of the places where the damage is. The water infiltration is most likely due to an extensively damaged roof. A hole through the ceiling and roof was found. Picture 6 shows the opening. The water damage was observed in most rooms throughout the second floor, so it is likely that the roof is damaged in more than one place. It was also noted that there was no insulation above the ceiling in the location that was open.



Picture 4 – Water Damage at 2nd Floor Ceiling



Picture 5 – Water Damage at 2nd Floor Ceiling



Picture 6 – Hole Through Ceiling and Roof

The floors sloped slightly toward the center of the building. The stairs also had a slight sideways slope to them. This is likely due to the settlement of the building along the load resisting system at the center of the building. Most of the joists in the basement appeared to be in good condition. There were a couple of exceptions. One of the joists has a crack in it and another is damaged at the foundation wall. Picture 7 shows the crack and Picture 8 shows the damaged member.



Picture 7 – Crack in Floor Joist



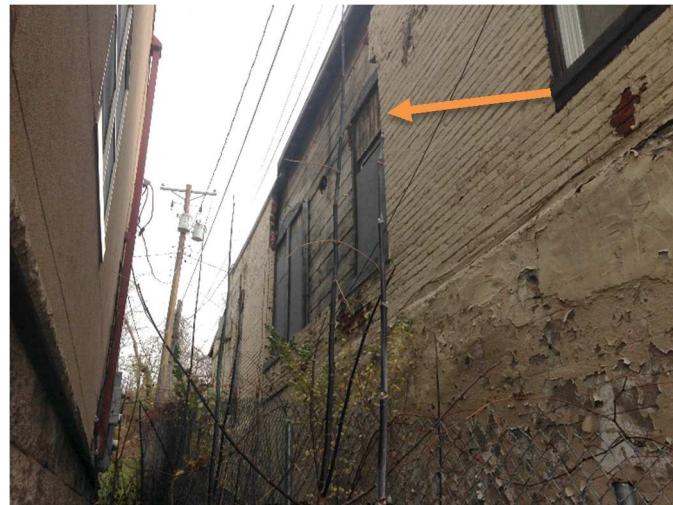
Picture 8 – Damaged Floor Joist

Some of the rooms on the first floor are raised above the rest of the floor by a step. There are many places where the raised flooring is failing. There is significant sagging that can be felt as a person walks through a room that is supported by one of these. It is likely that the OSB and the wood members that support it have extensive water damage. Picture 9 shows one such step up. On the left side of the picture is the standard floor and the right side is the elevated room. The arrow in the picture is pointing at the wood framing that is exposed.



Picture 9 – Raised Flooring

Some of the clay masonry bricks at the northeast face of the building's exterior are missing and some are leaning away from the main structure. Picture 10 shows the northeast face of the building. The missing bricks are apparent in the picture. Picture 11 shows the bricks above the window that are leaning away from the main structure. It is likely that the bricks were improperly tied to the structure or the ties that were used have deteriorated and are no longer functioning properly. The clay masonry bricks at the southwest face of the building have been reinforced to prevent the bricks from falling off the building. Picture 12 shows the bricks at the southeast face along with the reinforcement.



Picture 10 – Northeast Exterior Wall



Picture 11 – Leaning Bricks at Northeast Face



Picture 12 – Reinforced Bricks at Southwest Face

It appears as if a renovation began some time ago in the building, but was never finished. Cabinets, counters, water heaters, and carpeting (in the second floor) all seem nearly brand new. Most of the new material seems salvageable. Picture 13 shows one set of new cabinets that were installed and Picture 14 shows a water heater that appears in good condition.



Picture 13 – Cabinets



Picture 14 –Water Heater

Summary

The building at 208-210 Bates Ave. is in generally poor condition. As stated above, we made no attempt to remove finish material. Our opinions are based on what was in plain sight. The problems that were seen are likely more extensive than what we observed but were covered with finish materials. In addition to what was previously listed, there could be more issues that we could not observe. Repairs are possible, but it would likely be relatively costly. A more thorough structural review would be required in order to give details for the repair of any specific structural system.

Limiting Conditions:

The opinions and recommendations contained in this report are based on a cursory observation of the building. No attempt was made to perform an exhaustive investigation of all conditions and building elements. It is possible that conditions exist that cannot be discovered or judged as a result of this limited nature of investigation. The work provided in the preparation of the report concerns the structural system only and is not intended to address mechanical, electrical or plumbing systems, fire protection, or handicap accessibility. The owner is encouraged to discuss these items with a building official and other design professionals for guidance and recommendations.

If you have any questions concerning the above, please do not hesitate to contact us.

Sincerely

Mattson Macdonald Young, Inc.



Travis Stanley, E.I.T.

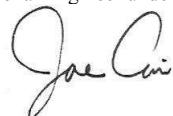


Dave Hadler, Engineering Technician



Joe Cain, P.E.

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



Joe Cain, P.E.

11/24/2015

MN Reg. No. 40119

OFFICE OF THE CITY ATTORNEY
Samuel J. Clark, City Attorney



CITY OF SAINT PAUL
Mayor Christopher B. Coleman

Civil Division
400 City Hall
15 West Kellogg Blvd
Saint Paul, Minnesota 55102

Telephone: (651) 266-8710
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November 10, 2015

Elizabeth Matakis
733 Wilson Avenue
Saint Paul, MN 55106

RE: Application to appeal a Heritage Preservation Commission (“HPC”) determination that conditions imposed in its March 4, 2014 decision and order had been met and that demolition of properties commonly known as 208-210 and 216-218 Bates Avenue may proceed.

Dear Ms. Matakis:

The appeal noted above was brought to my attention. Based upon my review, I have advised the Council President’s Office that this matter should not proceed to a public hearing before the Council until the matter has been revisited by the HPC. The Council President concurs with this advice.

The Appeal letter dated October 23, 2015, alleges that HPC staff erred in procedure when it approved a one-year extension of the subject demolition permits. While I would disagree with the reasons stated in support of the appeal, the allegation of staff error is nevertheless correct on a technical basis.

Under Leg. Code § 73.06(k), a decision and order of the HPC is valid for one year. This period of validity may only be extended where the applicant has “obtained a building permit [within a year of the HPC’s approval] and work is proceeding within the terms of such permit unless the heritage preservation commission grants an extension not to exceed one year.” With respect to this matter, the Housing and Redevelopment Authority (HRA), in a letter dated March 3, 2015, acknowledged that it had not obtained building permits to demolish the structures within the required one-year period. Accordingly, HRA requested an extension. By letter dated April 9, 2015, HPC staff approved the request extending the matter to March 3, 2016. However, Leg. Code § 73.06(k) provides that only the HPC has authority to grant permit extensions. Because HPC staff lacked authority to grant permit extensions, the April 9, 2015 extension was void as a matter of law. On this technical basis, the premise of the appeal is correct.

Elizabeth Matakis
November 12, 2015
Page 2

I have advised the Council President that the proper remedy under the circumstances is to return the permit extension request to the HPC for its consideration. Doing so preserves Leg. Code § 73.06(k)'s processes which provides "[i]n granting such extension, the heritage preservation commission may decide to hold a public hearing." Should the HPC conduct a public hearing, the third allegation raised on appeal will be addressed. However, whether the HPC chooses to conduct a public hearing on the HRA's request to grant an extension will, as also provided under Leg. Code § 73.06(k), be up to the HPC. Likewise, whether the HPC chooses to grant an extension will also be up to the HPC.

The HPC's decision will also impact the first appeal allegation. If the HPC's decision is to deny the extension request, the HRA must again apply for the building permits. Should the HPC grant the HRA's permit extension request, it will be the only decision appealable to the City Council. The time to appeal the HPC's original decision granting the HRA's permit requests in February 2014 is time barred under Leg. Code § 73.06(h)'s requirements that an appeal from an HPC decision must be filed within fourteen days of the decision. The HPC's decision to grant the HRA's permit applications expired on March 17, 2014.

Respectfully yours,



Peter W. Warner
Assistant City Attorney

cc: Council President Stark
Patti Lilledahl, HRA
Christine Boulware, HPC

Robert Roscoe / Design for Preservation

1401 East River Parkway, Minneapolis, Minnesota 55414 612.317.0989 bobroscoe@me.com

September 15, 2015

208 Bates Avenue, Saint Paul, MN
Dayton's Bluff Historic District

Façade (West Elevation) Remediation

Physical description:

208 Bates is a storefront type building two stories in height. The original first floor use was two commercial spaces and the second floor use served as two apartments. Over the years, the building was reconfigured to make the building a multi- units building. During that time a small addition was used as a porch for each unit, as living spaces.

The structural components were basically first floor storefront type wood framing with large window openings with two inset door openings centered on the west façade wall of each commercial space. A doorway at the center of the west façade wall gives access to a stairway to the second floor. Concrete block north, south and east walls at the first floor, second floor walls with single wythe brick veneer on wood framing, concrete slab interior first floor on earth fill, second floor 2x10 floor framing with wood sheathing and plaster ceiling, 2x6 second floor ceiling members with plaster ceiling cover, 2x10 roof framing, semi flat with built-up asphalt roof layer. Both ceiling framing and roof framing member run parallel to the west elevation framing. Two wood framed bay units project from the west elevation wall, with all support functions carried by exterior wall framing.

Of special note: the west end corners of the first floor of the façade are masonry piers, with 1'-8"+- brick and stone face width and presumably of backup double wythe brick.

The general west wall building structural conditions varies from minimally fair to poor that would require significant replacement in various areas if the wall façade would be rehabilitated.

West Elevation dimensions: 40 feet wide by 27 feet in height to top of parapet, assumed concrete foundation to frost depth.

Construction: West Elevation: storefront type framing with first floor 2x4 framing surrounding window and door framing, second floor framing: 2x4 framing with 7/8" thick wood sheathing, 3 5/8" thick face brick, 1" +- plaster.

North and South Elevations: 12" concrete block at first floor; second floor: 2x4 framing with 7/8" thick wood sheathing, 3 5/8" thick face brick, 1" +- plaster.

Roof framing: 2x6, 2x10 members parallel to west wall framing.

Proposed stabilization considerations:

1. The proposed retention of the west façade elevation assumes saving the entire wall in place on the site and braced as required.
2. Retention of the entire west façade wall would require substantial wood framing replacement of existing framing. The entire bottom plate supporting typical wall framing would likely be required, as would collateral repair/replacement of the bottom 12" of the wall framing, partially caused by bottom plate removal.
3. Prior experience with single wythe brick veneer, likely secured with concrete nails, would require removal in its entirety as its existing condition of the units and the apparent insufficient mortar bonding cannot be realistically kept in place as part of any eventual building construction behind the retained façade. The brick shall be stored on site as required, protected from adverse weather.
4. The two bay units will require substantial bracket type bracing to ensure support of the cantilevered framing. Existing plywood boarding at storefront windows will require removal and replacement with minimum ¾" plywood fastened with close nail spacing into secure framing. These measure would provide tighter and more solid structural integrity.
5. Cast iron columns can be kept in place integrated with adjoining wood elements.
6. Retention operations for the west façade wall would require a new secondary interior wood framed wall across the entire width of the west façade wood wall framing to provide back bracing. Without this wall appendment, this façade would be subject to

flexing connections of various parts of the façade structure. This would include the corner masonry piers as described in item #7 below.

Both the façade wall and the secondary backup wall will require plaster and lath removal of the façade wall and cross-bracing to secure both walls with methods that would strictly maintain the plane of the façade without distortion as well as contribute overall stability of the combined wall system.

7. The west end corners of the first floor of the façade masonry piers, 1'-8"+- brick with stone bands face width and presumably of backup double wythe brick very unlikely cannot be kept unified as whole columns in place. The brick units and stone units will require careful disassembly, with mortar removal and reassembly with façade rehabilitation.

8. Construction of the secondary backup façade wall would require removal of all parts of the north, south and east walls with retaining sufficient wood framing approximately one wall stud 1'-4" + - framing section as well as the equivalent second floor and roof sections as a means to maintain sufficient rigidity required for structural stabilization.

9. After completion of the combined wall system, the entire assembly shall be shrouded as tight as is possible, with securely closed seams in the sheet material with the thickest membrane material available. Any additional measures to provide a completely tight shrouding envelope shall be performed as field conditions shall provide.

10. The sideway space between 208-10 and the building to the north is approximately seven feet. The sideway space between 208-10 and the property line to the south is approximately eleven feet. Both sites have building walls very close to the property lines.

Overview:

The issue here becomes proper and safe demolition of the side walls, rear wall and roof. These tight conditions due to close by buildings would very likely cause hazardous working conditions for the construction workers if typical mechanized methods become the primary measures to perform necessary removals and post-demolition site preparation. An additional factor could likely be damage caused to the buildings to the north and south.

The only feasible method to demolish the main parts of the building would be to enter the rear of the building to employ mechanical equipment to perform demolition. These measures would require what could be considered excessive earthwork for excavation at the back of the building to an estimated twelve feet depth. Using mechanical vehicles would likely require a runway outside the rear end of the building. If a runway is needed, The site's rear property line, approximately 47 feet away from the building, would require building a retaining wall to protect the property to the east. Access to this area would mean using the rear yard to the building to the north to approach 208-10, likely requiring repair after work is finished at 208-10. One side of the rear yard has a substantial grade that would make driving large construction vehicles, especially when loaded with construction debris, extremely problematic.

Previous investigation of the building's interior gave evidence of subterranean water sources that might complicate earth work operations.

Conclusion:

A few decades ago, in Minneapolis near the University West Bank Campus, the construction of Grandma's restaurant at 1810 Washington Avenue South successfully saved a brick building façade and built a new building behind it. The conditions however, were quite different. The wall was straight and a full three wythe brick wall thickness. The site around the wall was open and flat. The wall's construction itself involved a straightforward process to accommodate new structure.

208-10 Bates presents a different situation. The ten items above indicate physical possibility, though they be very difficult, of retaining the façade wall. However, three aspects provide doubt as to the worth of the exercise – hazardous work conditions, complicated preparation to the façade and extrication from the building behind it needing extensive earthwork, combine to tally the expense to be far greater than the value of the preservation outcome.

Public cost here is a questionable consideration. Another is the issue of saving only the façade of a historic building when the basic structure of the building that gave it recognized historic significance is removed. My conversation with an eminent preservation architect supported my following comment: the term 'facadesectomy' is often applied to these situations, used with dismissive intent. However, façade re-use can sometimes be justified if the adjacent and nearby street possessed a consistent historic character that would be critically harmed.

At this section of Bates Avenue, the surrounding architectural varied streetscape's historic character would not be critically diminished if the façade would not be retained.

A subjective consideration is the potential for a new replacement building possibly serving as a move forward in design of new compatible architecture to express evolving ideas in the heritage of the Dayton's Bluff Historic District.

Based my thorough experience with architectural document preparation for this building, and my extensive knowledge with historic preservation in its many aspects leads me to reluctantly recommend saving this building's façade is not meritorious historic preservation, nor worthy urban design and planning.

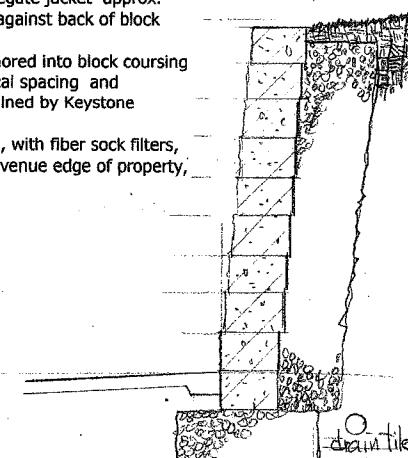
I would be very willing to discuss any aspects of this report.

Bob Roscoe

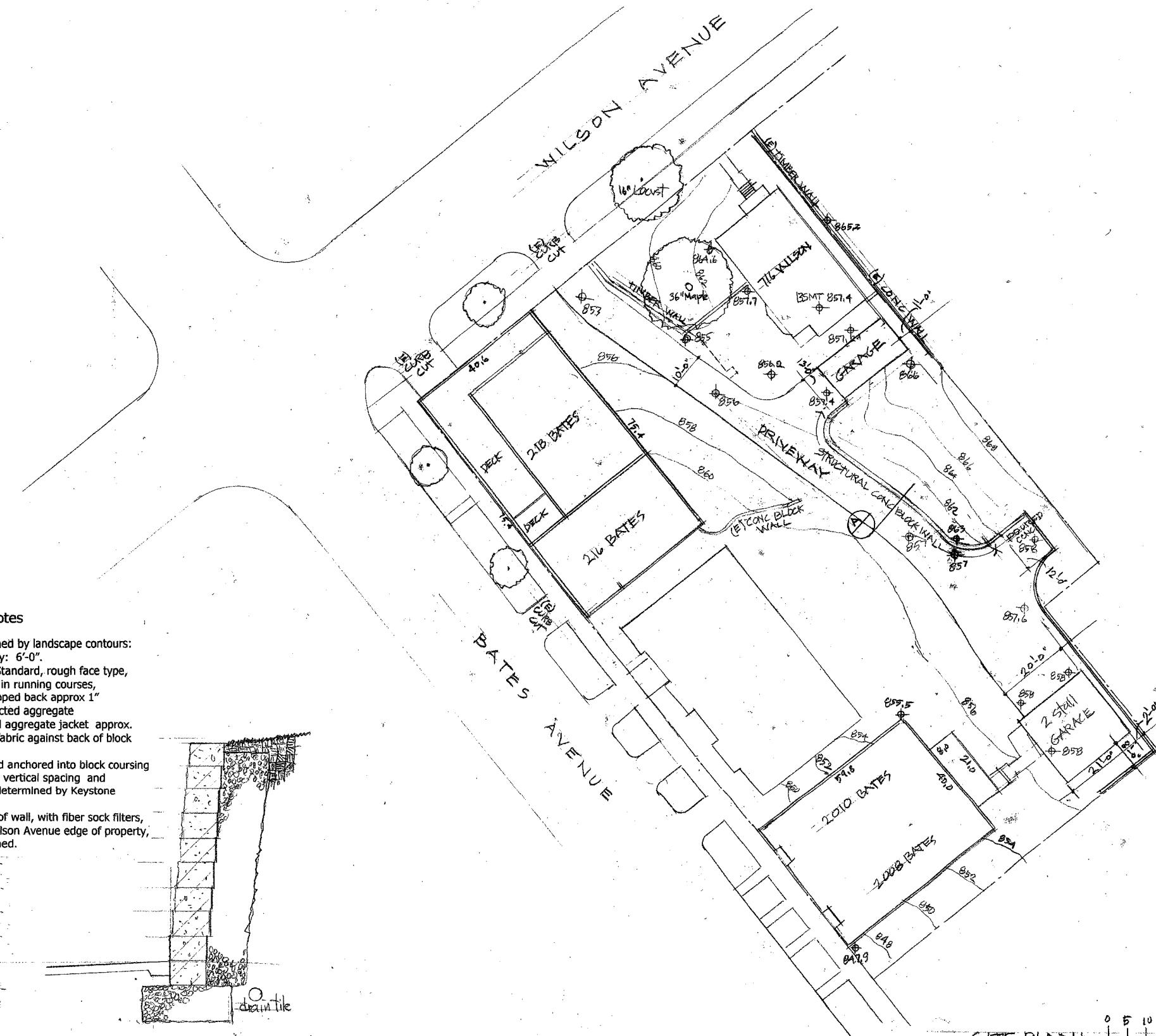
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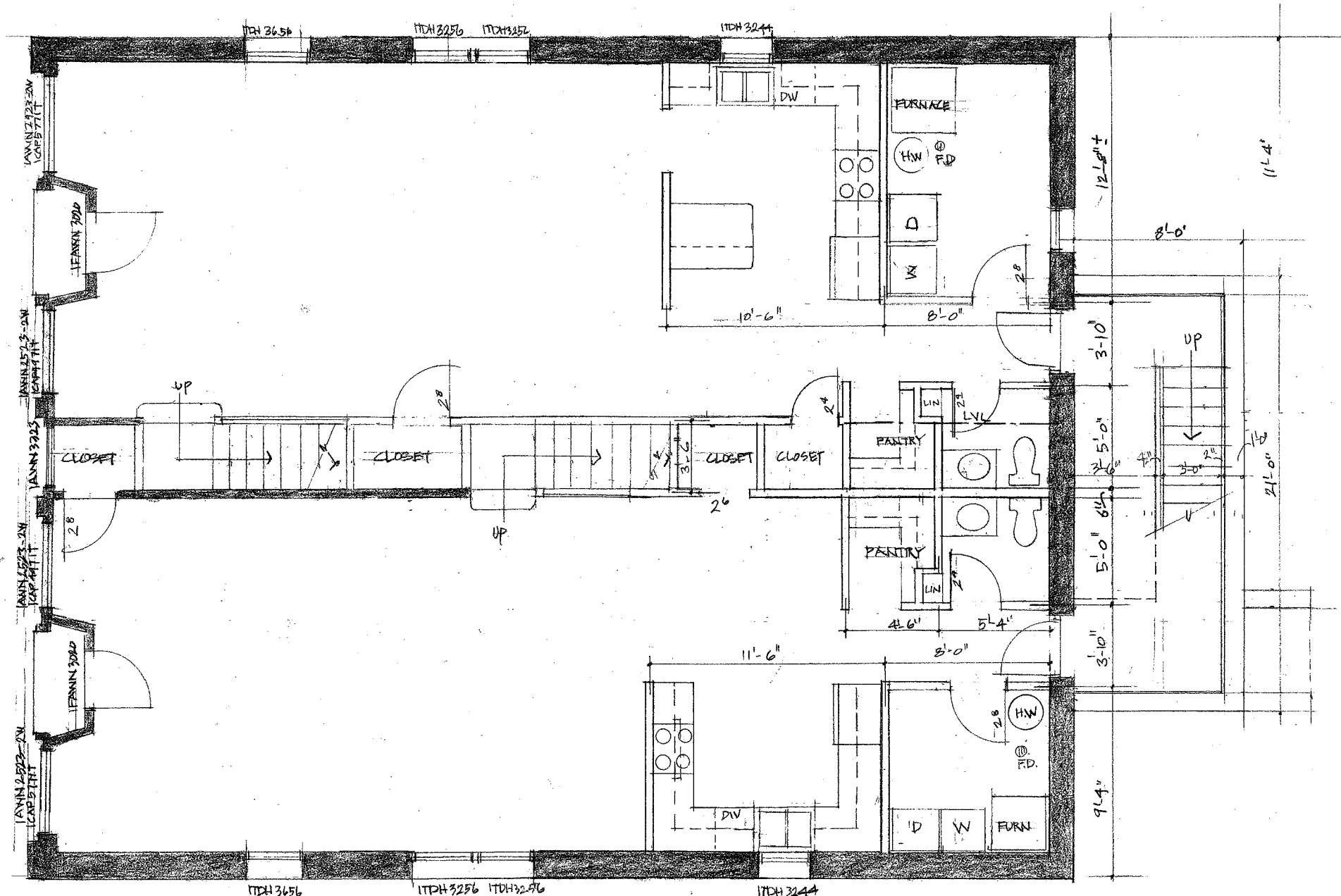
Landscape Retaining Wall Notes

1. Top of wall shall be determined by landscape contours: typical height above driveway: 6'-0".
2. Landscape block: Keystone Standard, rough face type, 8"x16" face dimensions, laid in running courses, interlocked, each course stepped back approx 1"
3. Base for wall shall be compacted aggregate.
4. Back of wall infill: compacted aggregate jacket approx. 16-18: thickness, with filter fabric against back of block coursing.
5. Lateral stabilization: Geo-Grid anchored into block coursing extending into embankment; vertical spacing and embedded dimension to be determined by Keystone landscape engineer.
6. Install pvc drain tile at base of wall, with fiber sock filters, with outflow extending to Wilson Avenue edge of property, exact location to be determined.



(A) RETAINING WALL SECTION
1/2" = 1'-0"



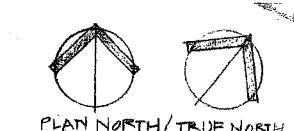


Wilson/Bates Renovation
Dayton's Bluff Historic District
Saint Paul, MN

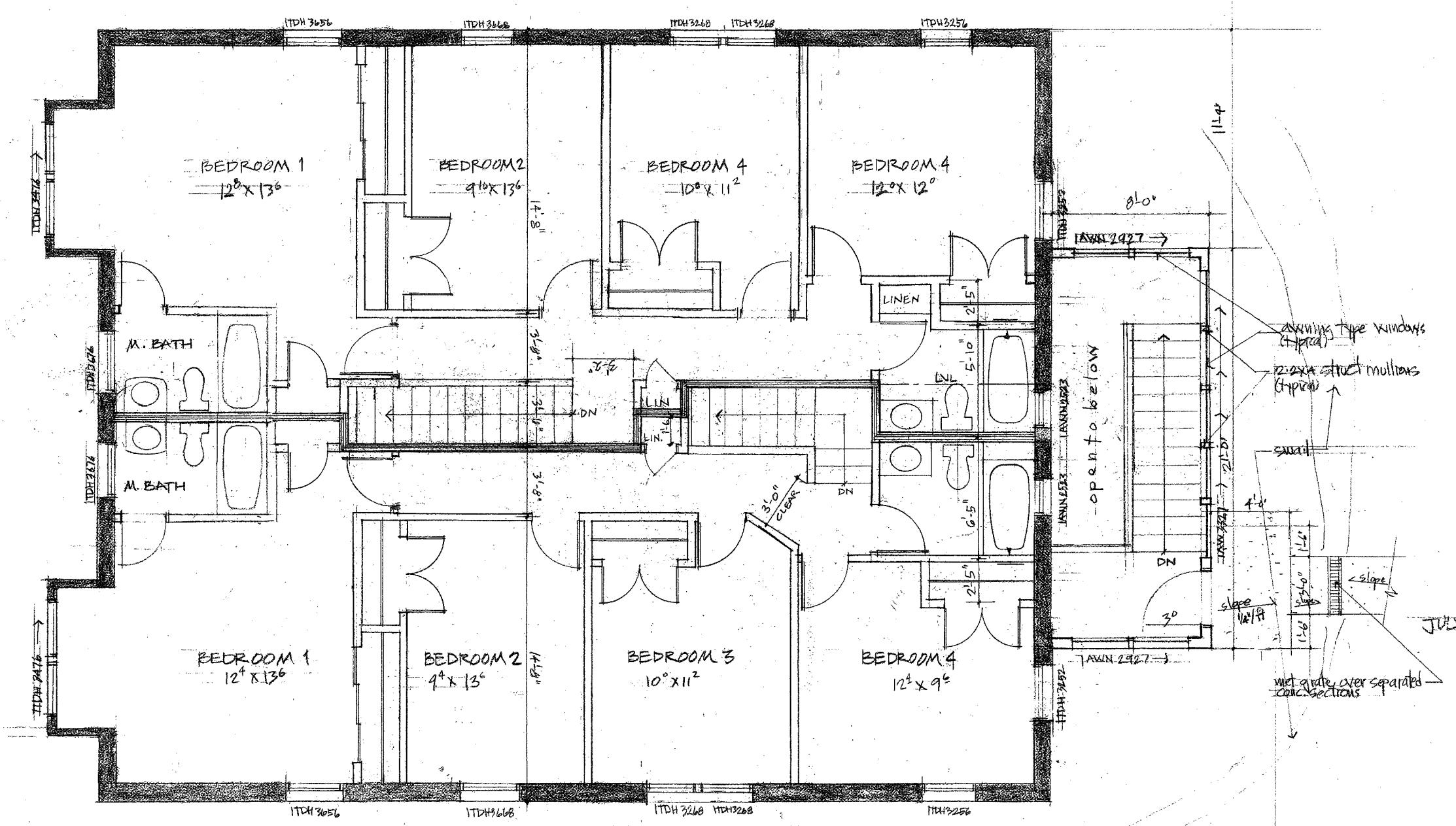
Karen Gjerstad, Architect
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Design for Preservation
1401 East River Parkway
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FIRST FLOOR PLAN: 1/4" = 1'-0"



PLAN NORTH / TRUE NORTH



SECOND FLOOR PLAN: $\frac{1}{4}'' = 1'-0''$



PLAN NORTH/TRUE NORTH

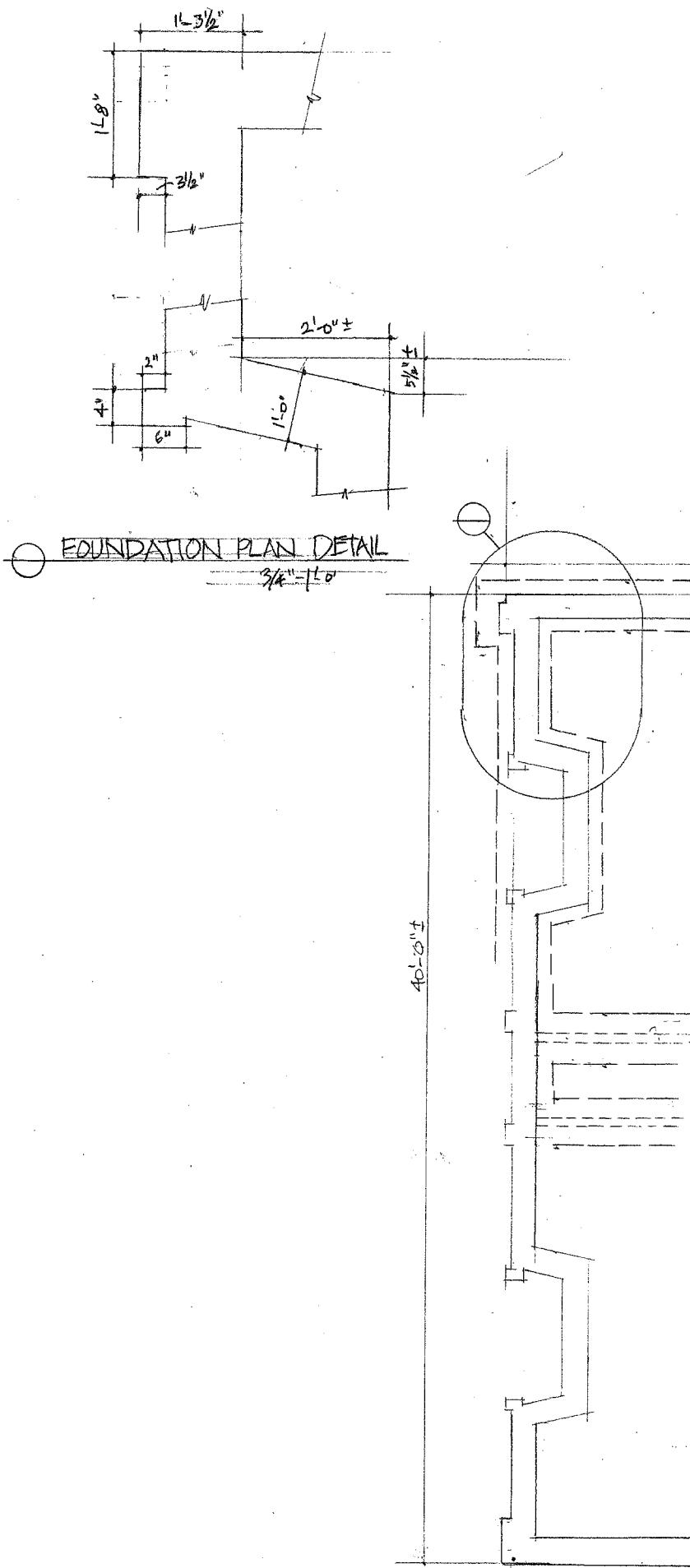
Wilson/Bates Renovation
Dayton's Bluff Historic District
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612-317-0989

Foundation Construction Notes:

1. Concrete footings: 1'-8" wide by 10" deep reinforced with 2 #4 steel reinforcing rods set 1 1/2 " above bottom with continuous connection; adjust footing depth to provide top of block and floor framing to align as required with existing finish floors.
2. Before footings are built, General Contractor shall determine exact location of footings by extending plumb lines from outside face of framing, accounting for veneer brick, to exact location for proper foundation bearing on footings. Plumb lines shall be extended from all building corners, angled inset entries and midpoints of wall lengths.
3. Concrete block foundation: 12 course, 12" block, install rockface type at 8 " minimum below where exposed above grade. Reinforce with duowall every 2 courses vertical. Install bond beam at top course with 2 #4 rods in concrete filled cavity; install sill anchors every 6 '.
4. Set exact location of foundation per note above for plumb lines alignment.
- Provide proper foundation wall bracing after foundation walls are laid and before floor building structure is lowered to foundation.

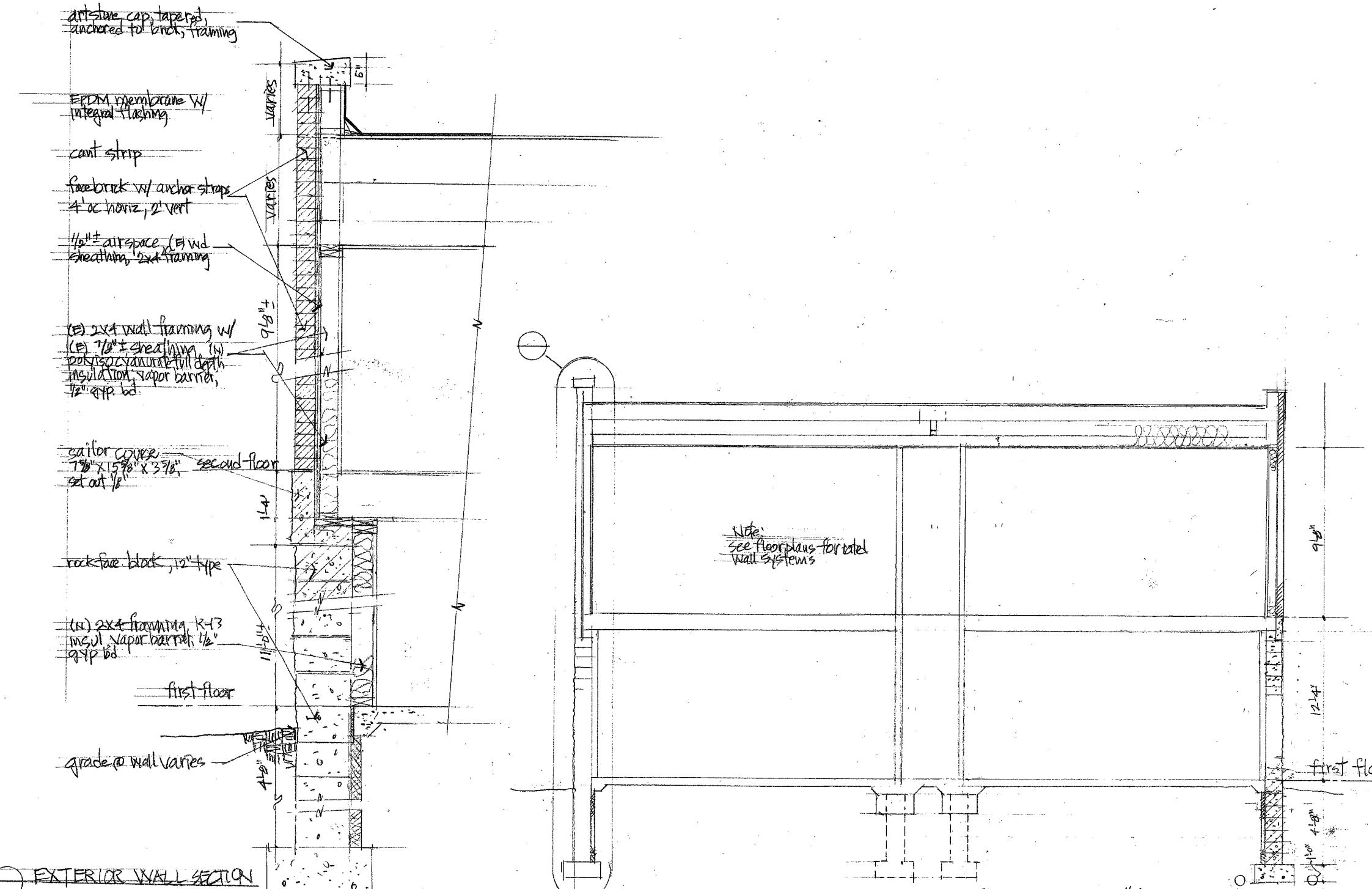


JULY 30, 2012
AUGUST 2, 2012

Wilson/Bates Renovation
Dayton's Bluff Historic District
Saint Paul, MN

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Minneapolis, MN 55406
612-724-7258

Robert Roscoe
Design for Preservation
1401 East River Parkway
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JULY 30, 2012
AUGUST 2, 2012

Wilson / Bates Renovation
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Saint Paul, MN

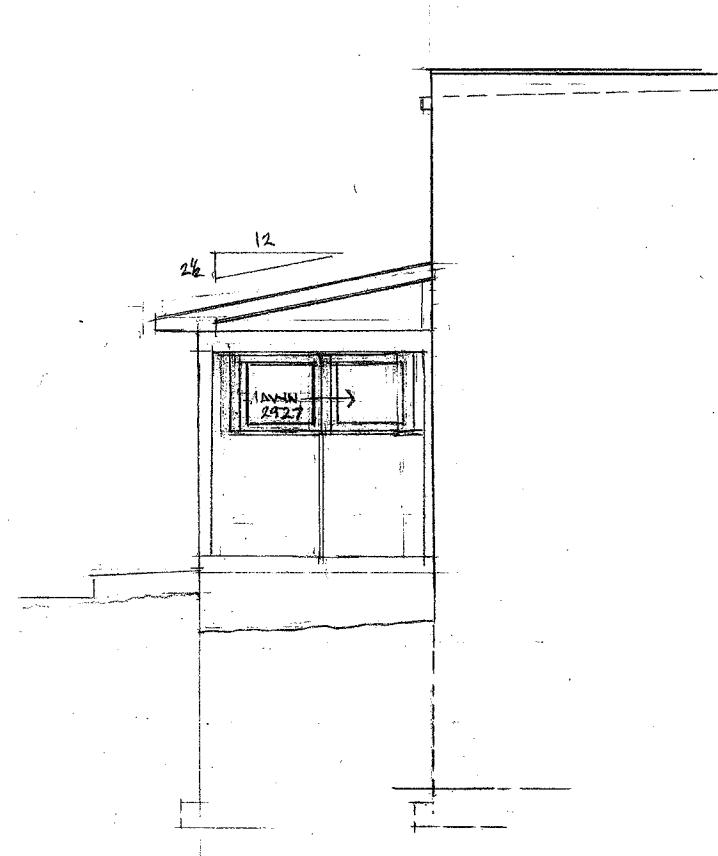
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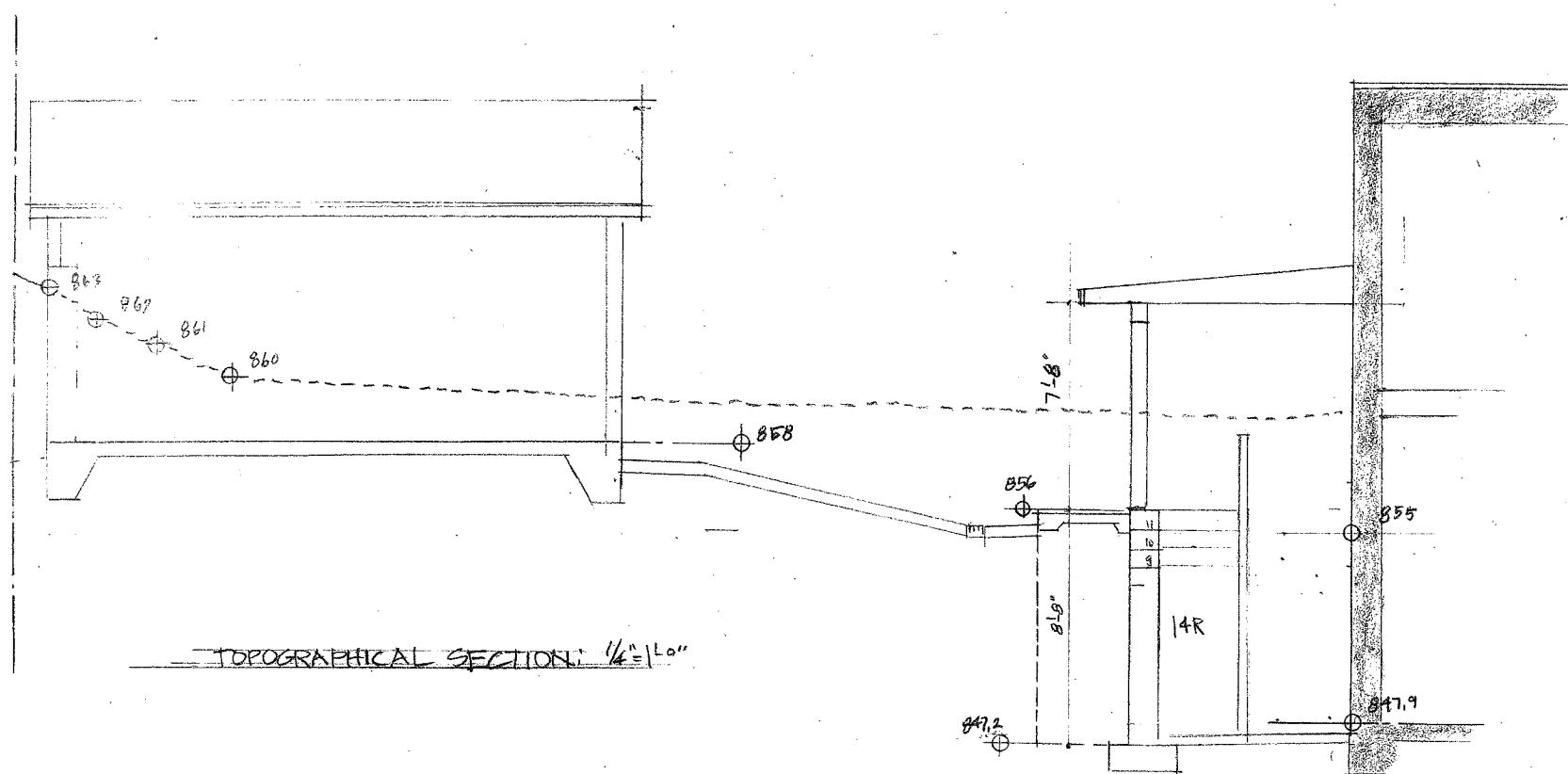
C4



EAST ELEVATION: $1/4''=1^{\circ}0'$



NORTH STAIRWAY ELEVATION
 $1/4''=1^{\circ}0'$



TOPOGRAPHICAL SECTION: $1/4''=1^{\circ}0''$

SECTION @ STAIRWAY: $1/4''=1^{\circ}0''$

JULY 30, 2012
AUGUST 1, 2012

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Dayton's Bluff Historic District
Saint Paul, MN

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208-210-Bates

General Construction Notes:

1. Site shall be prepared as required for construction, including removal of existing materials and construction interfering with new construction.
2. Remove rear addition; remove brick from all exterior walls; perform house lifting operation to remove and replace foundation.
3. Install 4 exterior lighting fixtures.
4. Note: Historic Designation: The building is listed as a contributing property in the Dayton's Bluff Historic District, as administered by the Saint Paul Heritage Preservation Commission. Any work performed affecting exterior architectural surfaces, features and details shall require approval by the Saint Paul Preservation Commission or its staff. This application procedure, including the public hearing session, will be performed by the Architects in coordination with the Owner and Construction Manager.

Exterior Elevation General Notes:

1. Exterior walls: Build new rockface block foundation/first floor walls. Install new brick at second floor north, west, south and east walls. Brick shall be modular, selected with reddish color to contribute to historic district. All masonry joints shall be drugged (tooled joints not acceptable).
2. All windows shall be new double-hung units except for Façade first floor units, Marvin Integrity in new openings. See Drawing Details for window and door conditions.
3. Replace Façade first floor door/window assemblies, wall framing as required to achieve storefront design character. Install Hardi-trim where noted on plans. Note: all Hardi material shall be smooth-faced type (no imitation wood grain pattern), prepare for paint finish.
4. Roof: Install 56 mil Carlisle EPDM roofing membrane at all surface, with all necessary integral flashing, curbs, accessories, termination strips, etc.
5. Façade Parapet: restore and repair as required to maintain original design character.
6. Window and door casing shall be 5/4 x 4 Hardi trim, with 5/4 arched window heads at double-hung window openings. Windows: Marvin Integrity, double-hung, awning and fixed units per elevation references.
7. Miscellaneous trim: Hardi material cut and shaped as required.
8. New stairway addition at rear of existing building: see plan references; all siding and trim shall be Hardi trim and Hardi-panel. Windows shall be awning type: Door shall be fiberglass with high security locks, extra heavy frame.
9. Front Doors: Bayer Built, fiberglass, painted per construction manager's instruction; front combination door: Andersen Emco 400 series, aluminum enameled (black) finish.
10. Garage: new structure at rear of property: wood wall framing with 4" Hardi lap siding with Hardi trim; overhead doors (2) shall be custom fabricated, shall be panel type wood, Overhead Door Company - model to be selected.
11. Caulk all joints between Hardi trim and other adjacent materials, other gap or crevice conditions.
12. Painting: exterior, Hardi surfaces only: apply paint per construction management's color selections: Hardi siding shall be color A; all other trim color shall be color B; window sash shall be black.

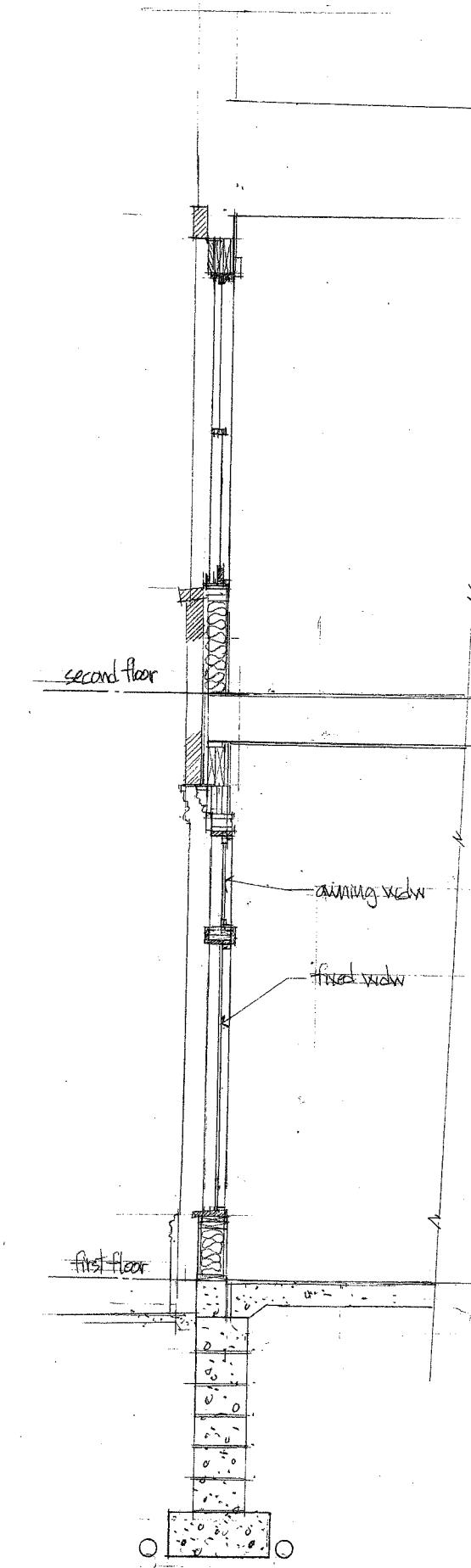
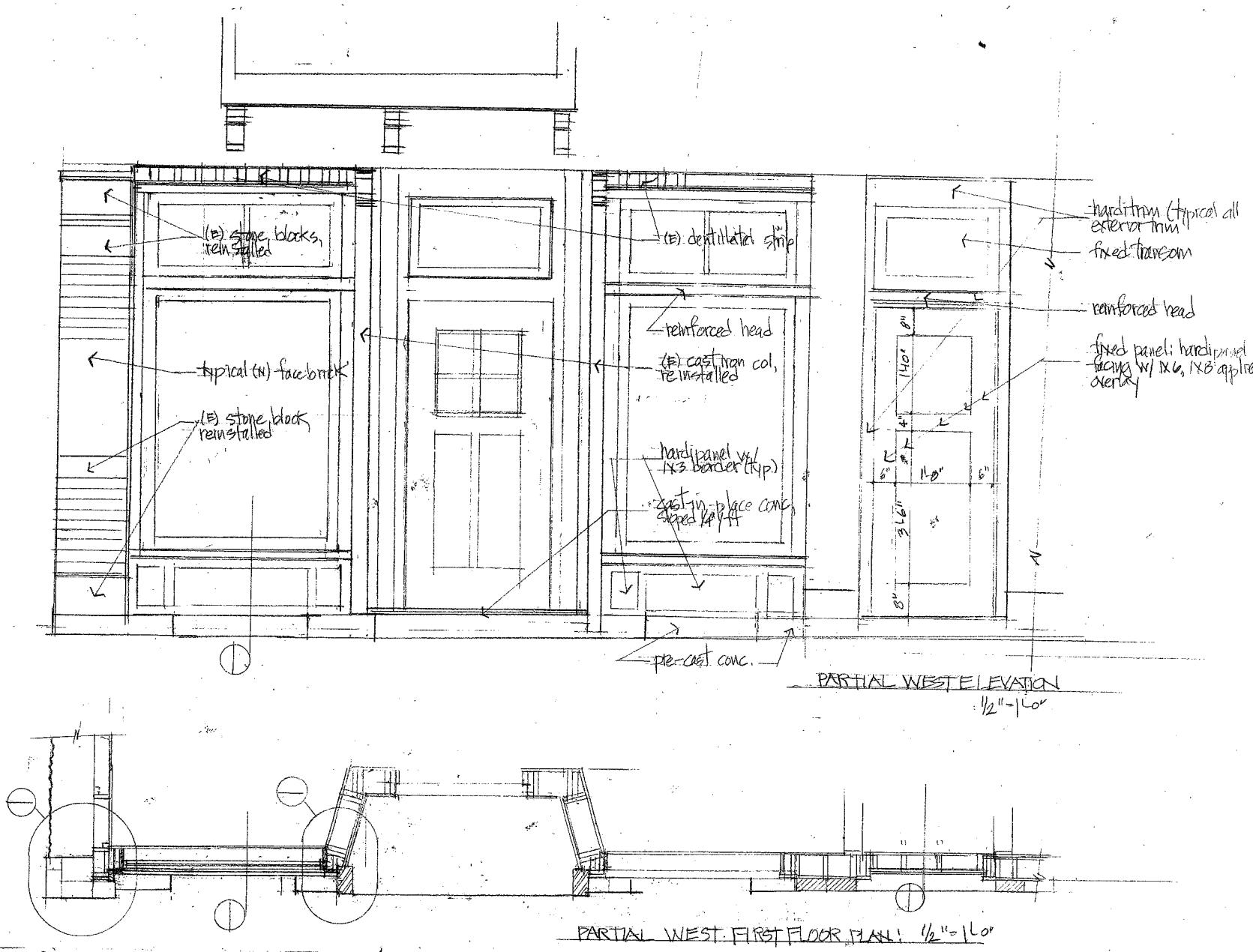


Wilson / Bates Renovation
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C6



JULY 30, 2012
AUGUST 2, 2012

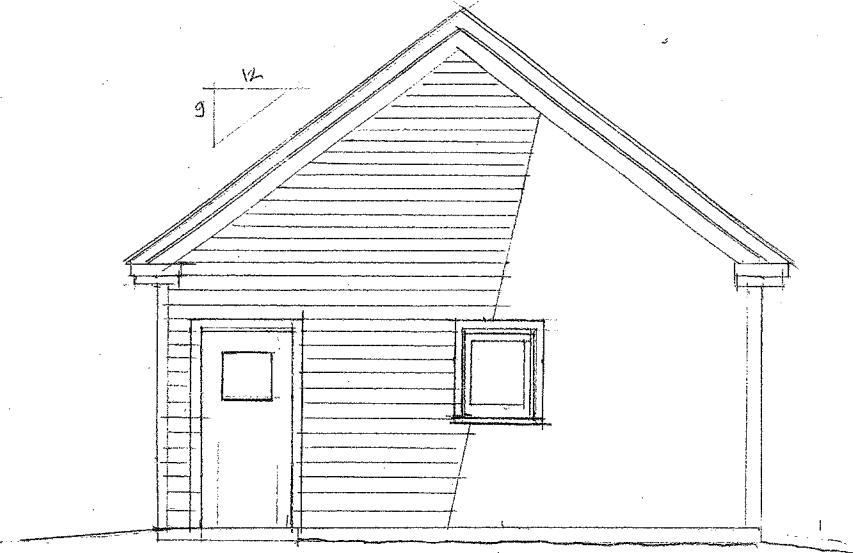
Wilson / Bates Renovation
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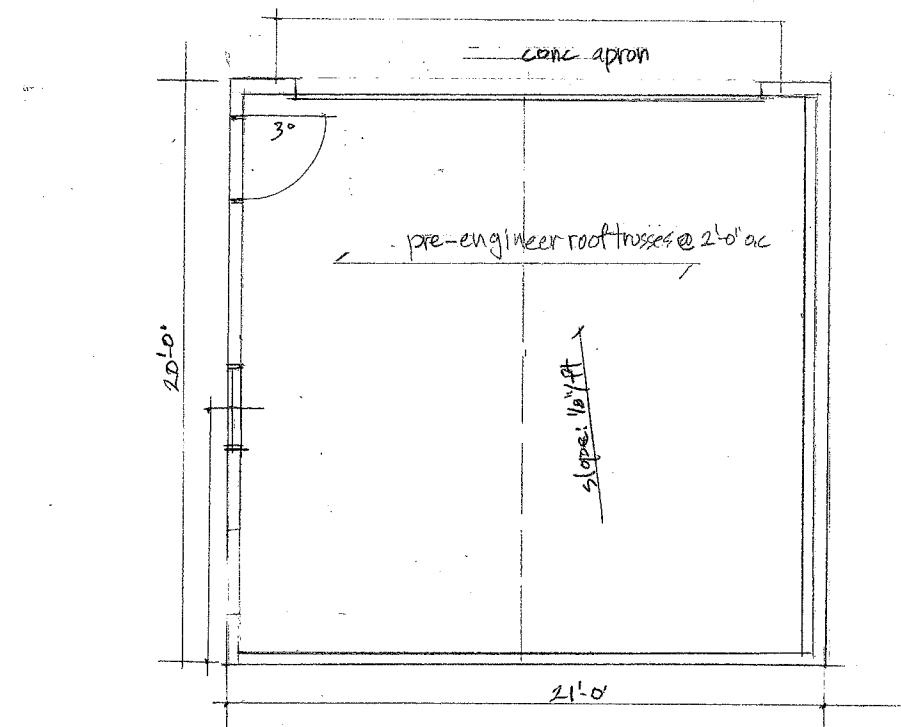
Robert Roscoe
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WEST WALL SECTION: 1/2" = 1'

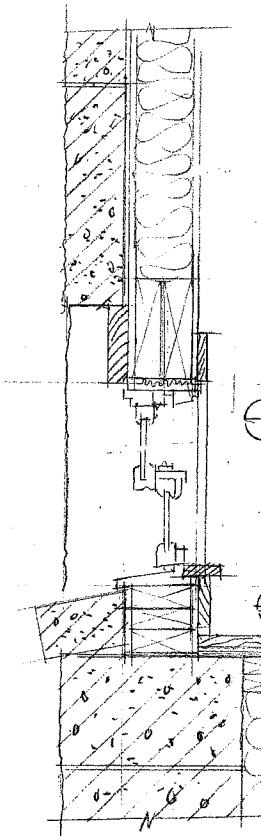
G 7



GARAGE WEST ELEVATION - $1/4''=1'0''$



GARAGE FLOOR PLAN - $1/4''=1'0''$



HEAD: $1\frac{1}{2}''=1'0''$
SILL: $1\frac{1}{2}''=1'0''$
JAMB: $1\frac{1}{2}''=1'0''$

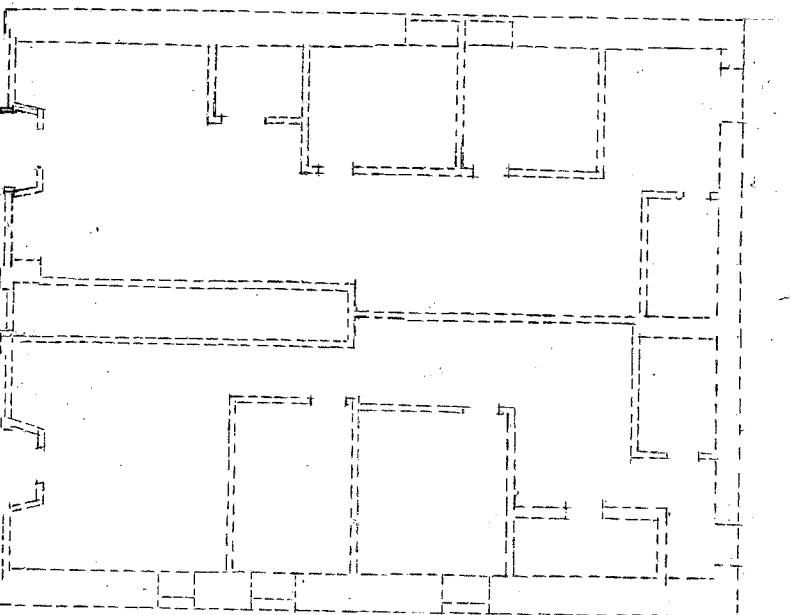
HEAD: $1\frac{1}{2}''=1'0''$
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JULY 30, 2012

Wilson / Bates Renovation
Dayton's Bluff Historic District
Saint Paul, MN

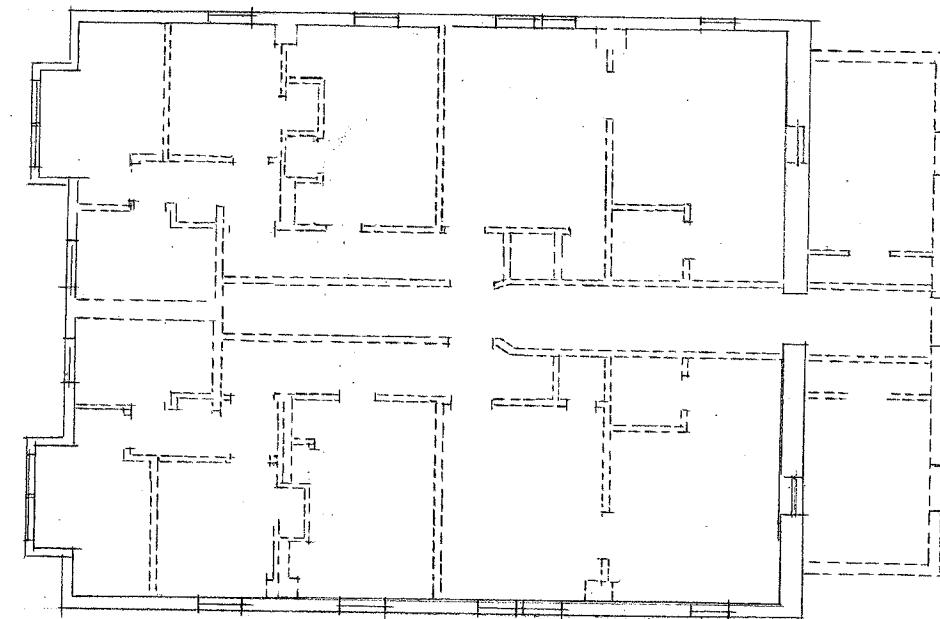
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DEMOLITION PLAN: FIRST FLOOR

1/4"=1'-0"



DEMOLITION PLAN: SECOND FLOOR

1/4"=1'-0"

AUGUST 2, 2012

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208-210 Bates Avenue Archival Photographs – July 31, 2015



208-210 Bates Avenue Archival Photographs – July 31, 2015





208-210 Bates Avenue Archival Photographs – July 31, 2015



208-210 Bates Avenue Archival Photographs – July 31, 2015





208-210 Bates Avenue Archival Photographs – July 31, 2015







CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6700
Facsimile: 651-266-6549*

April 9, 2015

Jonathan Sage-Martinson, Executive Director
Saint Paul Housing and Redevelopment Authority
25 West 4th Street, 1300 City Hall Annex
Saint Paul, MN 55102

Re: 208-210 Bates (HPC File #14-015) and 216-218 Bates (HPC File #14-014), Dayton's Bluff Heritage Preservation District

Dear Mr. Sage-Martinson:

We have received and reviewed your request for an extension of the Heritage Preservation Commission (HPC) decisions conditionally approving demolitions at 208-210 Bates and 216-218 Bates Avenue in the Dayton's Bluff Heritage Preservation District. An extension, not to exceed one year, shall be granted and will expire on March 3, 2016 if no permits have been issued.

Please feel free to call staff at 651-266-9078 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "AS".

Amy Spong
Historic Preservation Specialist

cc: Patti Lilledahl (via email)
Joe Musolf (via email)
Sarah Zorn (via email)
Donna Drummond (via email)
File

March 3, 2015

Donna Drummond, Planning Administrator
City of Saint Paul Department of Planning and Economic Development
25 West Fourth Street, Suite 1400
Saint Paul, MN 55102

RE: Conditional demolition approvals for 208-210 Bates Avenue and 216-218 Bates Avenue

To Ms. Drummond:

One year ago the Heritage Preservation Commission granted the Housing and Redevelopment Authority of the City of Saint Paul (HRA) conditional approvals for the demolition of property located at 208-210 Bates Avenue (#14-015) and 216-218 Bates Avenue (#14-014). The HRA has yet to pull a permit for the approved activity and is therefore requesting an extension of both approvals.

Staff has been in contact with the parties that will be involved in fulfilling the HPC's conditions and anticipates seeking demolition permits from the Department of Safety and Inspections in the spring or summer of this year. HRA staff will be in close contact with HPC staff throughout the process and will provide the requested information and seek the appropriate staff-level and Commission approvals prior to proceeding with demolition.

Please feel free to contact Sarah Zorn or Joe Musolf with any questions or if any additional documentation is required.

Respectfully,

Jonathan Sage-Martinson
Executive Director, HRA

Enc: Approval letter for 208-210 Bates (#14-015)
Approval letter for 216-218 Bates (#14-014)

cc: Patty Lilledahl, Director of Housing
Amy Spong
Christine Boulware
Joe Musolf
Sarah Zorn
File



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6700
Facsimile: 651-228-3220*

March 3, 2014 revised March 4, 2014

Roxanne Young
Saint Paul Housing & Redevelopment Authority
25 W 4th Street, Suite 1100
St. Paul, MN 55102

Re: 208-210 Bates Avenue –Daytons Bluff Heritage Preservation District
Public Hearing/Permit Review, February 27, 2014 - Agenda Item VI.F. - HPC File #14-015

Dear Ms. Young:

The Heritage Preservation Commission (HPC) considered at its February 27, 2014 meeting your application for a **demolition permit to raze the Schacht Block** at the property listed above. **The HPC voted 6-2 (Mazanec, Trimble) to conditionally approve your proposal.** This decision was based on the discussion at the public hearing, public testimony and findings adopted by the HPC.

The application will be approved provided the following condition(s) are met:

1. Stabilize, retain and restore the facade of the building for incorporation into future construction at the property, but that stabilization does not need to occur in-situ but can be stored off site. The applicant shall retain the proper qualified preservation professionals to carefully and creatively explore façade preservation in the short-term and for incorporating into future construction. The final outcome and scope shall be brought back to the HPC for final review and approval.
2. The building shall be documented following the Minnesota Historic Property Record (MHPR) archival photo documentation standards prior its removal from the facade, at the owner's expense. Two copies of the 2012 HPC reviewed plans in 11" x 17" format will be accepted in lieu of as-built drawings. Two copies of the documentation shall be forwarded to the HPC (one copy to be delivered to the Ramsey County Historically Society.)

You or any aggrieved party has the right to appeal the Heritage Preservation Commission's decision to the Saint Paul City Council under Chapter 73 of the Saint Paul Legislative Code. Such an appeal must be filed within 14 days of the date of the HPC's order and decision. Chapter 73 states:

(h) Appeal to city council. The permit applicant or any party aggrieved by the decision of the heritage preservation commission shall, within fourteen (14) days

of the date of the heritage preservation commission's order and decision, have a right to appeal such order and decision to the city council. The appeal shall be deemed perfected upon receipt by the division of planning of two (2) copies of a notice of appeal and statement setting forth the grounds for the appeal. The division of planning shall transmit one copy of the notice of appeal and statement to the city council and one copy to the heritage preservation commission. The commission, in any written order denying a permit application, shall advise the applicant of the right to appeal to the city council and include this paragraph in all such orders.

Please note, an HPC approval or conditional approval does not obviate the need for meeting applicable building and zoning code requirements, nor is it a permit to allow for work to commence. An HPC approval or conditional approval expires after one year if no permit has been issued. If revisions to the approved plans are made, be aware that additional HPC and/or staff review will be required.

Please contact me at 651.266.6715 with any questions you may have.

Sincerely,

Christine Boulware,
Historic Preservation Specialist

cc: Todd Sutter, DSI
File

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

FILE NAME: 208-210 Bates Avenue

DATE OF APPLICATION: February 6, 2014

APPLICANT: Saint Paul Housing and Redevelopment Authority (HRA)

OWNER: HRA

DATE OF PUBLIC HEARING: February 27, 2013

HPC SITE/DISTRICT: Dayton's Bluff Historic District

CATEGORY: Pivotal

CLASSIFICATION: Demolition Permit

STAFF INVESTIGATION AND REPORT: Christine Boulware

DATE: February 24, 2014 revised Februry 26, 2014 HPC February 27, 2014

A. SITE DESCRIPTION: The Schacht Building, at 208-210 Bates Avenue, is a two-story commercial building with a stone, brick and iron first story storefront and a wood frame with brick veneer second story. It was designed by architect Charles Neuhausen and constructed as a store and flats in 1885. A wide cornice with simple brackets lines the front of the parapet that hides the flat roof. The two, squared oriel windows rest on heavy brackets set in the sign panel, interrupting the storefront cornice. A corrugated metal panel runs across and between the fronts of the oriels. The doubled windows in the oriels are currently horizontally-divided two-over-two double hung, and the two single windows between the oriels and vertically-divided two-over-two double-hung. The first story facade is divided by four square brick Doric columns into two separate storefronts with a central door to the upstairs. Fluted cast iron posts with molding details divide each storefront into two display windows with transoms and an inset entry with a transom. All transoms and display windows are currently filled with plywood, and plywood covers the bulkheads except for some inset panel bulkheads surviving in the inset entries. The entry doors are currently metal, paneled contemporary doors. The stone walls on the other three sides are rendered (stuccoed) and struck to look like ashlar stone. All windows on the secondary elevations have segmental arched openings appear to have double-hung windows. There is a frame, shed addition at the rear of the building, and some of the brick veneer ties have failed on the north side of the building, leading to a partial collapse of the veneer. The property is categorized as pivotal to the Dayton's Bluff Heritage Preservation District.

B. PROPERTY HISTORY AND CONTEXT: As evidenced by the 1903-1925 Sanborn Fire Insurance Map and the 1934 Saint Paul City Directory, Bates Avenue between Wilson (was Hudson Ave.) and Hudson (was Hastings Ave.) had many commercial businesses. Hastings Avenue was an important thoroughfare to the east and it ended at a five-way intersection at Plum Street and Bates Avenue. A sample of the immediate businesses and occupants on Bates Avenue during the period of significance included:

200 Bach & Brown - feed store

211 Fredrick C Kicherer - barber

201 Mounds View Market - grocery

213 Fred H Bigler - potato chips (store)

202 Bates Avenue Tire Shop

216 Schornstein Garage/Pothoff Bros Garage

203 Butcher Shop

217 Louis McGowan - shoes/store & dwelling

204 Bates Avenue Garage

Harold Eliason

207-09 Joseph F. Ryan (Hamm's) - bev.

Adwell S McGowan

208 J Dzikiewicz - furniture & dwellings

219 Carl E Johnson - grocer

210 Mrs. Helen Bley

Mrs. Harriet T Miller

The Schacht Building is the only surviving Victorian-Era building on the block.

C. PROPOSED CHANGES: The applicant proposes to raze the building; there are no current plans for new construction. The lot would be graded and seeded.

D. TIMELINE:

April 16, 2002 - the property became a Category 2 vacant building

October 2005 - the HRA approved the acquisition of the Schacht Building through eminent domain. The acquisition cost was \$325,000.

2010 - The HRA partnered with Dayton's Bluff Neighborhood Housing Services (DBNHS) to evaluate the property

August 2, 2012 - Karen Gjerstad, architect, and DBNHS, stated owner, applied for HPC review to rehabilitate the property into two, four-bedroom, rental units

August 23, 2012 - the HPC held a public hearing and reviewed and conditionally approved the rehabilitation of the property

November 15, 2012 - the project went out to bid as a package with 716 Wilson and 216-218 Bates Avenue

December 2012 - bids received

February 2013 - proposal from DBNHS to PED for subsidy

April - September 2013 - PED Housing staff discussed options to reduce the cost of the project with DBNHS

October 2013 - PED Housing staff begin discussing rehabilitation vs. demolition scenarios with HPC staff

February 6, 2013 - The HRA applied to the HPC for demolition of the property

E. GUIDELINE CITATIONS:

Dayton's Bluff Historic District Guidelines

Leg. Code § 74.87. General principles.

(1) All work should be of a character and quality that maintains the distinguishing features of the building and the environment. The removal or alteration of distinctive architectural features should be avoided as should alterations that have no historical basis and which seek to create an earlier appearance. The restoration of altered original features, if documentable, is encouraged.

(2) 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.

(3) Deteriorated architectural features should be repaired rather than replaced whenever possible. In the event of replacement, new materials should match the original in composition, design (including consideration of proportion, texture and detail), color and overall appearance.

(4) New additions or alterations to structures should be constructed in such a manner that if such additions or alterations were to be removed in the future, the form and integrity of the original structure would be unimpaired.

(5) The impact of alterations or additions on individual buildings as well as on the surrounding streetscape will be considered; major alterations to buildings which occupy a corner lot or are otherwise prominently sited should be avoided.

(6) New construction should be compatible with the historic and architectural character of the district.

§ 74.90. – New construction and additions.

(j) *Demolition.* Demolition permits will be reviewed on a case-by-case basis and will be determined by the category of building (pivotal, contributing and noncontributing) and its importance to the district, the structural condition of the building and the economic viability of the structure.

§ 73.06(i)(2): Demolition

When reviewing proposals for demolition of structures within the district, the Heritage Preservation Commission refers to § 73.06 (i)(2) of the Saint Paul Legislative Code which states the following:

In the case of the proposed demolition of a building, prior to approval of said demolition, the commission shall make written findings on the following: the architectural and historical merit of the building, the effect of the demolition on surrounding buildings, the effect of any proposed new construction on the remainder of the building (in case of partial demolition) and on surrounding buildings, and the economic value or usefulness of the building as it now exists or if altered or modified in comparison with the value or usefulness of any proposed structures designated to replace the present building or buildings.

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

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.

-Protecting and maintaining the historic masonry, wood, and architectural metals which comprise building and streetscape features, through appropriate surface treatments such as cleaning, rust removal, limited paint removal, and reapplication of protective coating systems; and protecting and maintaining landscape features, including plant material.

-Repairing features of the building, streetscape, or landscape by reinforcing the historic materials. Repair will also generally include the replacement in kind - or with a compatible substitute material - of those extensively deteriorated or missing parts of features when there are surviving prototypes such as porch balustrades, paving materials, or streetlight standards.

-Replacing in kind an entire feature of the building, streetscape, or landscape that is too deteriorated to repair - when the overall form and detailing are still evident - using the physical evidence to guide the new work. This could include a storefront, a walkway, or a garden. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.

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 business' 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 non-significant 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.

-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.

-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

Alterations/Additions for the New Use

-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.

F. FINDINGS:

1. On July 23, 1992, the Dayton's Bluff Heritage Preservation District was established under Ordinance No. 17942 (Council File #92-900). 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)**.
2. **Leg. Code § 74.90.(j)** - The Preservation Program for the Dayton's Bluff Heritage Preservation District states that consideration of demolitions will be determined by the category of building (pivotal, contributing and non-contributing), its importance to the district, the structural condition of the building and the economic viability of the structure.
3. **The category of the building.** The Schacht Building is categorized as pivotal to the Dayton's Bluff Heritage Preservation District. Although openings on the facade have been altered, it still retains character defining details such as the iron columns, oriel windows, bracketing and dentiled cornice. Staff considers the building's historic integrity to be good; it can still be read in the historic commercial context of that block of Bates Avenue. The architectural integrity of the Schacht Building facade is fair-to-good; the aluminum and plywood sheathing is a reversible condition. The architectural integrity of the non-primary elevations of the building is poor. The limestone first floor has been parged and the brick veneer along the second floor has been separating from the wood sheathing and falling from the building. According to the 2010 structural assessment identified significant differential settlement of the foundation that has created sloping floors and bowed walls.

4. **The importance of the building to the district.** The Schacht Building was constructed in 1885 during the period of significance for the Dayton's Bluff Heritage Preservation District. The Dayton's Bluff Handbook states the following:

Most of the commercial buildings within the District are of masonry construction and date from the 1880s through the 1920s. Groceries and a variety of buildings housing small shops were concentrated along E. Seventh and near Maria and E. Third, and others occupy prominent corner locations. Many provided apartments above the retail space.

Each Commercial building has a distinctive style or character which is associated with its primary period of construction. Each building is unique, but most share a two-part horizontal division with glazed (or once-glazed) storefronts at the first story. Brick or stamped metal details at the cornice or a parapet often deserve special attention and should not be covered over.

In the 1880s, and particularly during the peak years 1882-1884, Dayton's Bluff became a densely-built urban neighborhood. The construction of a series of bridges and the extension of streetcar service brought a new and diverse population to the bluff. Factory and railroad workers purchased small lots and erected a great variety of single and multiple-family houses. The newly-arrived settlers included recent immigrants from Sweden, Ireland, and Germany, but German-Americans were the predominant group. They joined a large contingent of well-established German-American business owners...

The number of the commercial buildings still extant in the Dayton's Bluff Historic District from this time period is unknown, and several have been removed since the adoption of the District in 1992. This is especially evident in reviewing historic maps of East Third and East Seventh Streets. Several of the small commercial corner stores still exist, but in a mostly residential use. The three corner, commercial buildings identified on the 1903 Sanborn Fire Insurance Map at the intersection of Bates and Wilson are extant.

Staff conducted some research on historical associations with this property that may have contributed in some way to Saint Paul's history and development. Staff briefly searched the Minnesota Territorial and U.S. Census' and Saint Paul directories for information about August Schacht and architect Charles Neuhausen and were not successful. The 1989 Dayton's Bluff inventory form did not identify any other individuals.

The Sanborn Insurance map for this site indicates the footprint of the building has not changed since 1925. There is no alley on this block and the grade rises steeply to the east. Historically, there was a driveway to the south of the building that led to a garage and a small barn/shed at the back of the lot. The outbuildings and driveway were removed prior to the adoption of the District.

This block of Bates Avenue has seen several changes over the past several decades. A vacant lot historically sat between the Schornstein Garage and the Schacht Block on the eastern side of the street. In 2001, Dayton's Bluff Neighborhood Housing Services received conditional approval from the HPC for the construction of a three-unit townhome at 212-214 Bates Avenue and the construction of a six-unit townhome at 207 Bates Avenue. The stores and businesses that were located at northeast and northwest corners of Bates and Plum Street appear to have been demolished prior to the adoption of the Dayton's Bluff Historic District.

The remaining historic buildings on the east and west sides of the block are: 209-213 Bates, 217-219 Bates, 204 Bates, 208-210 Bates and 216-218 Bates. All have varying degrees of historic integrity. The Schacht Building at 208-210 Bates Avenue is the only Victorian Era storefront remaining on the block and the facade retains architectural character defining details.

5. **Structural condition of the building.** A Code Compliance Report was not ordered for the Schacht Building, the building deficiency list was sent with the revocation of the Certificate of Occupancy on August 24, 2009, and there have not been any further inspections conducted by DSI. The list of deficiencies is not necessarily all the deficiencies present at the time and would

not substitute for a team inspection and Code Compliance Report.

During a June 7, 2011 site inspection, HPC staff observed interior conditions which included mold, water damage, and an uneven floor. There were no original or early architectural or decorative features observed on the interior. The stone exterior along the first floor of the building has been parged and the brick veneer on the second floor is separating and falling from the substrate, as water has entered the walls and the brick ties have disintegrated. There are broken and boarded windows and openings on the facade have been infilled. Original trim and detailing on the facade does remain. After observing the property and reading the engineering report HPC staff concurs that the overall condition of the Schacht Building is poor.

6. ***The economic viability of the structure.*** The HRA estimates the demolition costs to be \$10,000 to \$30,000. The cost range to rehabilitate the building into two, side-by-side, up-down, four bedroom residences, based on the bids received in 2012 were \$607,281 to \$760,264 which included: removal of the rear addition, removal of the brick from the exterior walls, lifting the building to remove the foundation walls, filling in the basement and constructing new foundation and first-floor walls, installing new brick at the second floor walls, installing new windows and doors, installing a new roof overlay, restoring the facade and storefront design, constructing a new stairway addition at the rear of the building, constructing a two stall garage at the rear of the lot, site work including retaining walls and a driveway to be accessed from Wilson Avenue. Additional bids exploring ways to reduce costs were not submitted for review.

Ramsey County estimates the land value at \$90,000 and the building value at \$10,000. The HRA acquired the property through eminent domain in 2005 for the cost of \$325,000. The property is sited on the east side of Bates Avenue in the middle of the block and the parcel size is .12 acres.

The property is currently zoned RTI with the former use as Legal Non-Conforming - Three/Four Family. Historically, the building was mixed use with commercial on the ground floor and residential above. The HRA posted an RFP for rehabilitation of the building into two, four bedroom, residential units, both in order to meet the funding requirements, but also because the current zoning for the property is residential.

7. In general, the Secretary of the Interior's Standards for Rehabilitation recommend against removing buildings that are important in defining the overall historic character and destroying historic relationships between buildings and open space. Despite the alterations to the primary elevation of the building, the facade retains integrity and reinforces the District's architectural and historic character, especially the commercial store and flats character that has been lost over time. Given the alterations to the non-primary elevations of the building and its poor structural integrity, the building behind the facade would require nearly complete replacement, thus leaving no historic fabric intact.
8. The proposed demolition of the Schacht Building at 208-210 Bates Avenue will not adversely affect the Program for the Preservation and architectural control of the Dayton's Bluff Heritage Preservation District (Leg. Code §73.06 (e)). However, the loss of the historic facade will adversely affect the District as it is the last remaining decoratively detailed Victorian-era façade on this block of Bates Avenue and this property type is pivotal in maintaining the early commercial character of the Dayton's Bluff neighborhood.

A vacant lot will have a negative impact on the historic district and the loss of historic fabric is irreversible. Future construction at the site shall comply with the new construction guidelines for the Dayton's Bluff Historic District, specifically Leg. Code § 74.90.

G. STAFF RECOMMENDATIONS HPC DECISION:

Based on the findings staff recommends partial approval of the demolition permit application provided the following condition(s) are met:

1. Stabilize, retain and restore the facade of the building for incorporation into future construction at the property. The applicant shall retain the proper qualified preservation professionals to carefully and creatively explore façade preservation in the short-term and for incorporating into future construction. The final outcome and scope shall be brought back to the HPC for final review and approval.
2. The building shall be documented following the Minnesota Historic Property Record (MHPR) archival photo documentation standards prior its removal from the facade, at the owner's to expense. Two copies of the 2012 HPC reviewed plans in 11" x 17" format will be accepted in lieu of as-built drawings. Two copies of the documentation shall be forwarded to the HPC (one copy to be delivered to the Ramsey County Historically Society.)

H. ATTACHMENTS

1. HPC Design Review Application
2. August 23, 2012 HPC public hearing:
 - A. Decision Letter
 - B. Public Hearing Minutes
3. Applicant Submittals:
 - A. *Letter from Hess Roise*
 - B. *Letter from Load Bearing, Inc.*
 - C. *Structural Analysis & Mold Evaluation of 208 Bates*
 - D. *Photographs and background information regarding project analysis*
4. 2005 HRA Report re: Authorization to acquire 208-210 Bates Avenue
5. Ramsey County Property Information
6. 2012 Bid Specifications
7. 2012 Bid Submission Tally
8. Aerials, Photographs, and Historic Map

Copies of the 2012 HPC Staff Report will be available at the meeting or by request.