

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
HERITAGE PRESERVATION COMMISSION MEETING

Tuesday, July 21, 2015

7:00 p.m.

1. CALL TO ORDER

Chair Schmidt called the meeting to order at 7:00 p.m.

2. ROLL CALL

Commissioners Present: Carlson, Finch, Nelson and Schmidt

Commissioners Absent: Brabec, Macpherson

Also Present: City Planner Smith and Advisor Caron

3. APPROVAL OF MINUTES

a) Heritage Preservation Commission Meeting of June 16, 2015

Commissioner Carlson moved, Commissioner Finch seconded, to approve the minutes as presented. Motion carried 4/0.

4. CITIZEN REPORTS OR COMMENTS

None

5. NEW BUSINESS

a) Contributing vs. Non-Contributing Structures in the Excelsior Downtown Historic District (HPC No. 14-09)

The Commission reviewed the list of structures in the staff report and staff's recommendation that the Hess Roise designations be retained. Nelson stated that she is concerned about the lack of awareness of the boundaries of the historic district, as residents seem to expect that all of the downtown area should be historic and are concerned that the new Kowalski's site does not reflect that historic character. Finch suggested that the Commission consider establishing a historic advisory overlay district that might encompass all of the historic village, which would not be regulatory.

Commissioner Carlson moved, Commissioner Nelson seconded, that all buildings categorized as contributing by Hess Roise be retained as contributing structures in the downtown historic district. Motion approved 4/0.

6. UNFINISHED BUSINESS

a) Draft Historic Preservation Ordinance and Design Manual (HPC No. 14-09)

The Commission continued its review of the new draft ordinance and the section on demolition. Schmidt stated that he is concerned about a hazardous property where the owner does not have the financial ability to remediate the structure and would be

forced to sell. Smith stated that an option would be for the City to do the repair and place a lien against the property. Commissioners discussed how to approach a request for demolition before a plan for replacement of a structure has been prepared. Finch stated that the City has better leverage if a plan for reuse is required prior to approving demolition. The Commission discussed the meaning of no reasonable alternatives to demolition. They noted that economic hardship cannot be due to an owner's actions in paying too much for a property for the purpose of tearing down a historic resource. Smith stated that hardship is defined in the draft ordinance.

The Commission discussed the requirement of a public hearing before the HPC. Finch stated that the issue is getting a completed application before the clock starts to run. He would suggest 90 days for action rather than 60 days from the submission of a complete application as well as having clarity in the application requirements. Smith pointed out that the state law for land use limits the time period for action, but it can be postponed for 180 days. Smith suggested a sketch plan process for any demolition or relocation proposal prior to the 60 day review period beginning to run.

Regarding appeals, the Commission discussed which decisions of the HPC should be appealable. The applicant should bear any cost of an engineering study. Smith stated that he would check for other general requirements for land use decisions that should be added. There should be a proposed structure and a site engineering study, and a reuse study at the owner's expense. The ordinance should clarify those matters that may need to be studied within the initial review period or any period of postponement. Schmidt stated that he wants to preserve flexibility on timing.

Schmidt noted that the Commission has spent 2 ½ hours and has discussed only several sections of the ordinance so far. Carlson stated that only some sections are important for detailed review and others can be left mostly to staff with only minor comments. Smith stated that he would schedule another special meeting for further review of the ordinance.

#### 7. COMMUNICATIONS AND REPORT

- a) Site Alteration Permits Approved Administratively  
None
- b) Next Planning Commission Meeting – August 10, 2015
- c) Next City Council Meeting – August 3, 2015
- e) Next HPC Meeting – Tuesday, August 18, 2015

#### 8. MISCELLANEOUS / COMMISSIONER'S COMMENTS

- a) Recent City Council Actions

Smith reported that the first reading of the rooftop additions and rooftop decks ordinance revisions was approved by the City Council. The Council also approved

applying for a grant to complete the residential design standards manual for designated structures.

9. ADJOURNMENT

Commissioner Finch moved, Commissioner Nelson seconded, to adjourn at 9:30 p.m.  
Motion carried 4/0.

Respectfully submitted,

Tim Caron  
Recording Secretary