

City of Excelsior
Heritage Preservation Commission
Minutes
Tuesday, September 20, 2011

1. CALL TO ORDER

Chair Sanders called the meeting to order at 7:01 p.m.

2. ROLL CALL

Commissioners Present: Bolles, Finch, Meyer, Sanders, Mueller, Roden,

Commissioners Absent: Bipes, Advisor Caron

Also Present: City Planner Fuchs

3. APPROVAL OF MINUTES

a. Heritage Preservation Commission Meeting August 21, 2011

Correction moved by Commissioner Bolles, "On page 5, paragraph 5, replace the word 'vertical' with the word 'horizontal'.

It was moved by Commissioner Bolles, seconded by Commissioner Roden, to approve the minutes as corrected. Approved unanimously.

4. CITIZEN REPORTS or COMMENTS

None.

5. MISCELLANEOUS/COMMISSIONER'S COMMENTS

Chair Sanders stated that she has heard that Commissioner Bipes has submitted his resignation from the Commission, but she has not been directly informed of that fact.

a. Recent City Council Actions

Councilmember Caron, who was in the audience, briefed the Commission on:

- Council determined to seek ideas to generate revenue from the Commons and is asking someone from the Minneapolis Park System to come address the Council.
- Council is looking at the issues of outdoor music and its volume at the Gables, Maynards, and Bayside area of the City.
- Council is discussing a proposed microbrewery with proposed operators. Operators are asking the City to consider allowing them to begin business in the old Fire Hall in City Hall. They need a large space with tall ceilings. Council is continuing the discussions with the potential operators.
- Council approved a 5% preliminary levy and will have two more meetings before the budget is approved.

5. MISCELLANEOUS/COMMISSIONER'S COMMENTS

a. Recent City Council Actions – (Continued)

- Council approved some general signage changes recommended by the Planning Commission.
- Council approved the Excelsior Fire District operating and capital budgets.
- Council approved a Planned Unit Development for Minnesota Inboard Marine at 712 and 734 Galpin Lake Road.
- Council required the applicant for 278 Water Street to defend why they should apply stucco over the brick on the southeast wall, second story of the building. Council asked for a second opinion on the necessity of covering the brick rather than leaving it as the exterior surface on the wall. Council approved use of the stucco.
- Council approved a series of ordinances concerning the hours at which Public Works may commence work in the mornings.
- Council discussed parking in the Fire Lanes and throughout the City.

6. NEW BUSINESS

a. Site Alteration Permit for removal of all buildings at 339 Water Street – Paul Bourgeois, Executive Director for Business Services and Mike Condon, Supervisor of Buildings and Grounds, representing the applicant, Minnetonka School District

Minnetonka School District (the District) has purchased the portion of the property not owned by Hennepin County as a library site and intends to convert it to a parking lot to accommodate the needs of Excelsior Elementary School. During the twenty five minute period from 7:45 to 8:10 AM on weekdays during the school sessions the entrances to the school property is very busy. The District is working on plans to access the parking lot site from Water Street and other streets, pending Hennepin County approval to help alleviate the morning congestion. A number of traffic studies of the accesses to the site are being done in concert with the City of Excelsior. The District's plan is to provide access to the parking lot from multiple streets. The District wants to clear the buildings from the site, cover it with gravel and begin using it as a parking lot as soon as possible. It has acquired a 20 month easement through Xcel Energy's property to access the site. The District is in discussions with the City of Excelsior about leasing portions of the site to the City of Excelsior to provide parking for future downtown development. The District is in discussions about using the site to provide parking for National Hockey Day, which is a major national event approved by the City of Excelsior to be held using the Commons and adjacent Lake Minnetonka ice for a Hockey Tournament. The District has a working agreement with Hennepin County to remove all the buildings on the site,

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including those on the property owned by Hennepin County as well as those owned by the District. The site alteration permit being applied for would cover all the barns/building on the entire site regardless of ownership.

HPC Commissioners inquired about the following issues:

- Retention of trees on the site
- Use of the site for a Farmer's Market
- Use of the site to have the future library access their parking through the site rather from Water Street
- Seeking to access the site from the George Street extension east of Water Street
- Adequate safety management of pedestrian, bicycle, motor vehicle crossing, entering, exiting on Water Street to/from the Regional Trail, gas station, Excelsior Mill property, future library and District Parking lot.
- Retaining some records of the historical use of the site

Bourgeios and Condon's responses were:

- Large trees on the borders of the site would be retained, except for those on the border between the current school district property, which would be removed. Smaller trees on the site will be removed. The arbor vitae trees along the trail immediately adjacent to the existing buildings will be either preserved in situ or relocated on the site. The final Site Master Plan, which is currently being refined, will include all tree treatment of the site. The District is aware of Excelsior's requirement to replace trees removed by development and will fully comply.
- The District is in discussions with City Officials to have mixed use of the site. Uses such as Farmer's Market, Christkindlsmarkt, Flea Markets, etc. are all within the realm of possibility and should be included in planned uses for the site.
- This fall the District wants to build a road on its current property to access the site from its current parking lots. Lyman's bankruptcy proceedings have precluded the District from acquiring a permanent easement through Lyman's current parking lot which accesses Morse Street. Lyman's assets

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are being broken up with some being purchased by a New York company and some being auctioned off locally so the District will not know who the owner of Lyman's Headquarters Property will be for some time to come.

- The District has hired professionals to look at designing the parking lot with a driveway right and a driveway left. It is talking to City Officials about looking at accessing the site from George Street without any access to Water Street through the Hennepin County Library property but there has not been any decision yet. The importance of safety with the trail crossing of Water and Morse Streets interacting with site access is one of the design criteria for the site.
- The District is willing to work with such ideas as pictures/preservation sites, etc on the trail describing the historicity of the lumber yard, current barns and trains servicing the. The Commission discussed such things as pictures, and shelters on the bike trail and the District was amenable to incorporating such ideas in its plans.

The Commission Chair reviewed the points of the checklist from Excelsior Ordinance 620-5 relative the removal of the buildings and determined that the issues before the HPC is not the removal of the buildings but the design of the new use of the site to conform to the requirements of the Historic District, in which it exists. The project plans have been significantly negatively impacted by Lyman's bankruptcy and the need for clarity in planning from Hennepin County's Library site immediately adjacent to the District's site. The District needs to move as quickly as possible to begin using the property while those issues are being resolved.

There was discussion of the adequacy of the presented site plans to allow the HPC to make a decision about the Site Alteration Permit and the HPC reached a consensus that the currently submitted plans are adequate to issue the demolition portion of the Site Alteration Permit. The Commission will need to review and approve the final plans when the issues holding them up are resolved.

The District assured the Commission that the site will continue to be secured and that the District cannot use the money it has for this project for any other purpose than constructing a parking facility on this site. That is a condition of the issuance of the bonds to pay for the project.

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Chair Sanders agreed to compile the finds of fact on this issue.

It was moved by Commissioner Bolles, seconded by Commissioner Mueller, to approve the demolition of all buildings and site clearing portion, including clearing all fencing, of the Site Alteration Permit for 337 and 338 Water Street with the provision that the District receive written agreement from Hennepin County relative to its property, and the site to be made into a level, safe condition covered by Class V surface. Approved 5/1 with Finch voting nay.

7. UNFINISHED BUSINESS

- a. Site Alteration Permit for Exterior Alterations at 344 Water Street – Jennifer Caron, Madelena Properties, LLC, and Dan Wallace, Project Architect

Commissioner Bolles stated that a portion of the building at this address is located on property he owns. He requested the same information be in the minutes as was in the minutes as last month's meeting regarding this issue. He stated that he feels he can fairly deal with this issue without any conflict of interest.

The statement from the August 16, 2011 minutes is, "*Bolles offered to recuse himself from consideration of the matter as an adjacent property owner due to a property line dispute. He did not wish to make any comments relative to the few inches of the building that he believes encroach on the Mill property, but would otherwise propose to comment as a Commissioner or alternatively in the audience. The Commission did not require his recusal.*"

Applicant Caron presented a different view of the situation. She did not think it is possible to recuse oneself from portions of the building while retaining conflicting interests in the remainder of the building. She submitted that it is not possible to partially recuse oneself from an issue before the Commission. She submitted that it is up to the Commission, not to the individual, to determine if Commissioner Bolles should be recued from this portion of the meeting.

The Commission took no action on this issue, but allowed Commissioner Bolles request.

7. UNFINISHED BUSINESS

- a. Site Alteration Permit for Exterior Alterations at 344 Water Street – Jennifer Caron, Madelena Properties, LLC, and Dan Wallace, Project Architect – (Continued)

Project Architect Wallace reviewed particular portions of an article he had submitted for the Commission's consideration. The article is: *Preserving the Recent Past, Heritage Preservation Education Foundation, National Park Service, Association for Preservation Technology International, Washington DC, 2000*. Wallace called particular attention to pages 5 and 7, which speaks favorably about the design for the building and the preservation of mid century design. The article is especially pertinent since there is not much mid century architecture in Excelsior's Historic District.

Wallace briefed the Commission on the changes to the building plan made in response to the comments by the Commission in its August 16, 2011 meeting. Those changes are characterized tonight as Plan B. Wallace thoroughly presented Plan B, and described the changes from Plan A, the original plan considered in the August 16, 2011 HPC meeting. While he has done his best to respond to the comments made in the August meeting, Plan B is an inferior plan to Plan A. Plan B would make a building that never existed.

The Commission and applicants discussed the following issues:

- The period of significance for this building is mid century. Some architectural details, such as mansard roof appearing canopies, which were applied to older buildings in mid century, are being removed to restore the buildings to their original turn of the century period of significance and construction. This building was build closer to mid century and has been integrally modified with mid century styles which make the mid century period of significance appropriate for it.
- The manner in which each element of the building contributed to the significance of the preservation of a style common to the mid century. The elements discussed in detail included the building canopy, awning, roof line, side widow types of design, glass and framing, front window types of design, glass and framing, exterior paneling materials, size and placement, use of wood paneling versus mill finish aluminum, which is important to mid century architecture, etc.
- The manner in which each element of the Plans A and B contributed to a mid-century period of significance.

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(Continued)

- The manner in which different periods of significance exist within the Excelsior Historic District and the manner in which the HPC needs to approach them. The majority of the buildings in the Historic District have a period of significance of the turn of the century, but there are a handful of buildings, most readily characterized by the building occupied by Hourglass Cleaners, whose period of significance is mid century, and the necessity of accommodating those designs in an area of predominantly turn of the century design.
- The difference between historical significance and historical reproduction. The Gray Garden Building was used as an example of a building which has had significant exterior alterations from when it was originally built. Those alterations have been in place for a significantly long period of time as to become significant on their own.
- The deliberations of the HPC to work with applicants to preserve the appropriate period of significance while enhancing the building to meet current business needs.
- This deliberative process, while it may be frustrating at times, results in better application of the purposes of Historic Preservation for Excelsior. While these deliberations caused this application to be considered in two different meetings, possibly resulting in some project delays and additional design and planning expenses, the applicant felt it to be of such importance that the delay was well worth while in coming to an appropriate decision both for the City of Excelsior and for the Applicant.

Chair Sanders agreed to compile the finds of fact on this issue.

It was moved by Roden, seconded by Mueller to approve the Site Alteration Permit as originally applied for and considered in the August 16, 2011 HPC meeting with the originally designed canopy and a joint line to differentiate the existing canopy from the additional canopy. Approved 5/1 with Bolles voting nay.

b. Goals and Objectives for 2011

c. Demolition by Neglect Ordinance

It was moved by Finch, seconded by Commissioner Bolles, to continue Agenda Items 7b. and c. to the October meeting. Approved unanimously.

8. COMMUNICATIONS and REPORTS

a. Site Alteration permits Administratively Approved.

252 Water Street, Odd Fellows Building, was issued a permit to alter the rear of the building and install windows in accordance with previous HPC actions.

b. City Planner Fuchs reported other City Council actions as follows:

- At a Work Session the Council began considering a Charter Commission draft Charter Amendment and decided to schedule staff/finance/legal review and other work sessions.
- Approved Minnesota Hockey Day on January 2st, 2012. The event is expected to attract about 5,000 [people with bleachers on the Commons and skating rinks on the Commons and Lake Minnetonka. Minnetonka School District is the primary sponsor, with additional sponsors being the Minnesota Wild professional hockey team and Fox Sports North. Council is considering keeping the hockey rink for residential use after the event.

c. Chair Sanders reported that the first design sketches for the Hennepin County Library will be unveiled at the meeting on September 21, 2011. There was discussion about the entry to the parking lot from Water Street being removed from the plan, but several people involved in the planning insist that an entry from Water Street is important to the project.

d. Chair Sanders reported that the State Historic Preservation Conference will be held on August 22 and 23 in Faribault with four members of the HPC planning to attend.

e. The Commission was reminded of its next regular scheduled meeting on Tuesday, October 18th at 7:00 PM. It will be preceded by a joint meeting with the Excelsior Planning Commission on the same date beginning at 6:00 PM.

9. ADJOURNMENT

It was moved by Finch, seconded by Muller, to adjourn. Approved unanimously.
Adjourned at 9:35 p.m.

Respectfully submitted,

Steve Finch
Secretary