

City of Excelsior  
Heritage Preservation Commission  
Minutes  
Tuesday, March 20, 2012

1. CALL TO ORDER/ROLL CALL

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

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

Commissioners Absent: None

Also Present: City Planner Liz Stockman, Advisor Caron, and City Attorney Staunton

2. APPROVAL OF MINUTES

a. Heritage Preservation Commission Meeting of February 28, 2012

It was moved by Commissioner Finch, seconded by Commissioner Mueller, to approve the minutes as written. Approved unanimously.

b. Special Heritage Preservation Commission Meeting of March 7, 2012

It was moved by Commissioner Finch, seconded by Commissioner Macpherson, to approve the minutes as written. Approved unanimously.

3. CITIZEN REPORTS or COMMENTS

None

4. MISCELLANEOUS/COMMISSIONER'S COMMENTS

a. Recent City Council Actions

None

5. NEW BUSINESS

a. Site Alteration Permit for Exterior Alterations at 471 Third Street - Congregational Church

Gary Larson appeared on behalf of the Congregational Church. He stated that the Church was proposing to replace the rear windows with the same general type of custom double hung windows with double-paned glass. This would allow the silver metal storms windows that were added later to be removed. Visually, the window appearance would be the same, except that the separate wooden panes would be replicated in a muntin pattern enclosed between the two panes of glass for easier cleaning.

5. NEW BUSINESS

- a. Site Alteration Permit for Exterior Alterations at 471 Third Street -  
Congregational Church – (Continued)

Macpherson commented that, as directed by the Commission, he and Advisor Caron had reviewed the condition of the existing windows on site with the applicants. While the ordinance standards for window replacement on contributing buildings is quite clear, the standard is less clear for window replacement on non-contributing buildings, like this one. Since the structure is non-contributing, the windows are not on a primary elevation, and the new window appearance will be similar to the existing appearance, and in fact, the change will be visually more similar to what the window appearance was before the addition of the present aluminum storm window attachments which will be removed, are factors that should weigh in favor of the proposed replacement. Also, several of the windows are set low in a church/school activity area frequented by small children and the existing windows do not meet current safety codes requiring tempered glass. Macpherson recommended that the Commission use flexibility and allow the proposed window replacement with new windows that are similar in appearance.

Caron added that he and Macpherson had also looked at window replacement standards in other communities for guidance on handling non-contributing structure window replacement, and the main concern with non-historic window materials seemed to be keeping the appearance of original windows where possible to retain the character of the structure and promote overall compatibility with surrounding historic buildings.

It was moved by Commissioner Macpherson, seconded by Commissioner Mueller, to approve Site Alteration Permit as submitted. Approved unanimously.

6. UNFINISHED BUSINESS

- a. Site Alteration Permit for Demolition of 368 and 374 George Street and  
Related New Construction -- Mason Motors Site -- KTJ 207 LLC

Paul Tucci appeared on behalf of the applicant and presented modified plans for the site and new structure. He noted that three doorways in the proposed new building now face onto Water Street. This plan would now feature a prominent entryway onto Water Street, but lose 900 square feet of usable space at the front of building and add a switchback ramp for pedestrian access from Water Street. He stated that he had reviewed the proposal presented by Finch that would separate the long strip mall building into two separate buildings. He stated that this option would not provide enough room for accommodating large truck traffic, would result in a number

6. UNFINISHED BUSINESS

- a. Site Alteration Permit for Demolition of 368 and 374 George Street and Related New Construction -- Mason Motors Site -- KTJ 207 LLC – (Continued)

of lost parking spaces, and repurposing the historic house at 374 George Street would still be questionable given the bay size presented by the house structure and no obvious commercially viable use.

Audrey Anderson, 200 George Street, stated that she was a long-time resident of Excelsior, and wished to express concerns about the new building having its rear entrances facing George Street. She stated that the building facade needs to look attractive for those people visiting George Street. Macpherson asked about the type of doors that would front on George. Tucci said the doors would be predominantly glass rather than the typical insulated metal doors used for rear entrances and could be used as a main entrance if a tenant wished a double-sided entrance.

Jon Monson, the architect for the project, stated that the building has been designed to accommodate traditional doorway designs for the storefronts on George Street, including recessed entrances like on Water Street, with one point of ingress and egress, but with a connecting hallway for the Water Street fronting tenants.

John Anderson, 200 George Street, spoke in support of the development project and the work done by Jon Monson in the community. He did not oppose demolishing houses that are beyond their useful lives, but many people who live on George Street are concerned that they will have to contend with the visual blight of rear entrances along the street, and the City should not take chances with what tenants will wish to do with their entrances, which should be required to be attractive and functional from all adjacent public streets, including George Street.

Macpherson stated that it is not within the purview of the Commission to dictate the design of the building, but rather to review the project in the context of its ordinance.

Bolles said he believed that significant positive changes had been made in the modified plan.

The Commission requested clarification of its standards for review. Caron described the standards for demolition and the compatibility standards for new construction that would be applicable to this project and should guide the weighing of the effect of demolition on the structure and its surrounding context against the benefit of the new structure and evidence of its compatibility with the character of the area and the City's general Comprehensive Plan standards.

6. UNFINISHED BUSINESS

- a. Site Alteration Permit for Demolition of 368 and 374 George Street and Related New Construction -- Mason Motors Site -- KTJ 207 LLC – (Continued)

Bolles questioned the nature of the materials proposed on the George Street wall elevation. Monson indicated that he wasn't sure about the materials, and said that he was open to suggestions, perhaps using a material giving a board and batten effect. Bolles stated that the brick pilasters could be made more prominent. He also commented that the garbage dumpster location doesn't appear big enough. Tucci stated that the dumpster area would be sized correctly for the eventual tenants. Bolles noted that this change should be reflected on the plans before any approval is given.

Meyer asked if trees could be planted along the George Street elevation. Macpherson asked about the type of glass on the last three units. Tucci said that, because the windows are below ground level, the glass would be a darker spandrell glass pane to conceal what is behind the glass.

Tim and Kay Brandow, 406 Second Street, asked why the new building cannot be situated along Water Street. They stated that the applicant apparently has reasons, but they haven't heard what they are. Tucci says that this orientation would change the parking, site lines, and traffic flow and this would present an issue for their preferred anchor tenant, which is a grocery store. It would also present grade issues, drive more traffic onto George Street, and create a traffic hazard in pulling onto Water Street from the parking lot.

Tim Brandow presented community images that show how continuity can be achieved harmoniously, and also some images that show how lack of continuity can be detrimental in downtown areas. He stated that this project presents a unique opportunity to create a gateway along this end of Water Street. He is concerned about the visual impact of more parking lots along Water Street.

Bill Mason, the owner of a portion of the site, stated that his family has been an integral part of this community for several generations. When his former tenant, Choice, Inc., gave notice of its intent to vacate the former Red Owl building, he started looking for replacement tenants with a broker. He stated that he would not do anything that he did not believe was in the best interests of Excelsior. He had a comfort level with Monson, and what he foresaw for the building, which will be a new gateway to downtown Excelsior. After Monson closed on the Choice property, Mason was asked by Monson whether he would like to sell all of his property. He said he would consider it only if it were beneficial to the City. He stated that he liked the concept of a grocery store returning to Excelsior. After 2009, when he lost the Chrysler franchise, he determined that running the auto dealership business was not

6. UNFINISHED BUSINESS

- a. Site Alteration Permit for Demolition of 368 and 374 George Street and Related New Construction -- Mason Motors Site -- KTJ 207 LLC – (Continued)

fun anymore. He believes that the City needs the development, and should overcome its biases to make the project happen. He asked whether it would be better to keep the two falling-down houses or have this project.

Kay Brandow stated that this was the last opportunity the City would have to make a difference in the appearance of this section of Water Street. The City needs to engage in a dialogue to resolve these differences, but the Commissions should not be scared or intimidated into voting yes.

Mary Ashley, of Pima Lane in Chanhassen, stated that two of the seven owners of 374 George Street are in attendance tonight, and would like to support the demolition request for the house. The executor of her mother's estate has opined that with the commercial rezoning of the site, it is costing a lot of money in property taxes and insurance on a house since vacated, and the beneficiaries cannot continue to afford the payments on the house.

Shirley Zaske asked if any of the Commission members had been inside the house. Mueller stated that photos and other information showing the interior of the house is available to the Commission as part of the record.

The Commission reviewed each of the elements of the demolition ordinance.

Finch stated that the compatibility of the new building with the character of George Street is a question, especially in reference to the other historically designated structures across George Street. While the building may conform to the newer structures directly across Water Street, it is not compatible with the character of George Street. The back side of the building fronts along George Street, and the massing is concentrated along George Street.

Monson questioned whether the designated sites were still within the historic district. Caron clarified that new historic district boundaries have never been formalized by the City and that, in any case, the structures are still individually designated and subject to the same ordinance standards.

Roden stated that making the front portion of the building at the same elevation as Water Street would make it more compatible with Water Street.

Meyer asked what purpose the outdoor patio area served. Tucci said it is possible that a future restaurant could use the common outdoor seating area. Meyer stated that he would like to see functional doors on George Street.

Planner Stockman stated that the site layout is in some respects guided by the intended reuse of the Mason Motors building.

6. UNFINISHED BUSINESS

- a. Site Alteration Permit for Demolition of 368 and 374 George Street and Related New Construction -- Mason Motors Site -- KTJ 207 LLC – (Continued)

Macpherson stated that the application presents a difficult decision because the new building's exposure on George Street is so prominent. Some things could still be done to address the issues with the building, but overall, the plan doesn't draw pedestrians down Water Street. The building does not extend enough along Water Street, but does extend dramatically along George Street.

Sanders stated that a prominent entrance on Water Street has been a major objective for the new library.

Finch stated that, in his view, the only Comprehensive Plan goal that would support this project as currently designed is the City's desire for a grocery store/food market in the City. Nothing in the record discusses healthy food options as a commitment of the project. The design would seem to accommodate a potential grocery store, but there has been no commitment that there will be a grocery store. The applicant's comments indicate that the large size of the new building is dictated by the desire to get an adequate economic return on high land costs. He could find no other support in the City's Comprehensive Plan for the project as proposed.

Bill Mason stated that there has never been a discussion of which he is aware about any intended use for the Mason Motors building other than as a grocery store.

City Attorney Staunton stated that the staff memorandum referencing a possible grocery store can be cited as a basis in the record, if the Commission wishes to make its factual findings based on it.

Bolles stated that all projects must be financially feasible.

Sanders noted that the Commission must take action to either deny the request for demolition with a statement of factual findings or allow demolition by distinguishing this situation from other situations.

Staunton stated that the Commission's decision must be made on the specific Site Alteration Permit before it by applying the ordinance standards, but it does not require an independent assessment of the requirements of the Comprehensive Plan.

Roden stated that he believed that he could support allowing the demolition of the 368 George Street structure due to integrity issues, but that any demolition should be subject to a decision on 374 George Street and the approval of the proposed new building.

6. UNFINISHED BUSINESS

- a. Site Alteration Permit for Demolition of 368 and 374 George Street and Related New Construction -- Mason Motors Site -- KTJ 207 LLC – (Continued)

The Commission discussed how to proceed regarding multiple designated historic sites, given that a single Site Alteration Permit for demolition for the entire project had been presented. Staunton stated that the Commission could discuss each element of the application separately, but that ultimately all elements should be part of one motion.

Finch noted that a variance from the City's Design Standards has been requested by the applicant for its proposed Water Street parking. If the building were smaller, the required parking could be accommodated. No one has effectively answered why the building has to be so big for Excelsior.

Macpherson asked to which surrounding buildings the proposed new building should be compared to determine compatibility. Tucci says the large wall area on the George Street elevation will be brick. Tucci asked for a vote tonight on the plan as presented. He clarified that the entire elevation on George Street is designed to be brick, not metal siding as shown, and the glass is spandrell glass.

Commissioner Finch made a motion to deny the Site Alteration Permit, direct staff to prepare appropriate findings-of-fact, and schedule a special meeting of the Commission to consider such findings in early April prior to the 5th; the motion failed for lack of a second. Finch left the meeting at 9:30 p.m.

Bolles stated that there is still confusion about the materials and appearance of the George Street side of the building. Bolles discussed the possibility of a motion to grant the Site Alteration Permit for demolition contingent on the applicant coming back with a final design with certain changes to the George Street elevation and reflecting any variance recommended by the Planning Commission and directing staff to bring back appropriate findings-of-fact.

Joe Ryan of Oppidan requested that a vote be taken tonight on the current plan, and objected to any action by the Commission being contingent on future action by the Planning Commission.

Commissioner Bolles moved that the Site Alteration Permit be approved with the following conditions: no demolition can occur until all City approvals have been received; the pilasters will extend above the parapet at least two brick courses but not in an amount that would exceed one foot above the parapet; and a dumpster enclosure with brick masonry walls consistent with the project will be shown and sized to contain at least two six- yard containers.

6. UNFINISHED BUSINESS

- a. Site Alteration Permit for Demolition of 368 and 374 George Street and Related New Construction -- Mason Motors Site -- KTJ 207 LLC – (Continued)

Monson asked that the motion also reflect that the plans will be changed to clarify the George Street facade materials but the brick would be slightly darker in areas to create a recess shadow and the glass will not be spandrel glass, but will instead feature display areas with clear glass. The motion was amended to reflect these changes.

The motion was seconded by Chair Sanders. Approved unanimously.

The Commission discussed that its representative should address the Planning Commission at its meeting to convey that the proposed Water Street orientation of the new building and the Water Street parking issue was a difficult issue for the Commission and that the action of the HPC in approving the demolition should not be construed as an approval of, or comfort with, the orientation of the building. The Commission considered this to be an issue better suited for the Planning Commission to address.

It was moved by Commissioner Meyer, seconded by Commissioner Bolles, to schedule a special meeting for Tuesday, March 27 at 6:00 p.m. to review final plans and approve findings. Approved unanimously.

It was moved by Commissioner Macpherson, seconded by Commissioner Mueller, to continue Items 6(b) through 6(d) to the Commission's April 17, 2012 meeting. Approved unanimously.

- b. Excelsior Downtown Historic District Boundaries

This agenda item was continued to April 17, 2012.

- c. Possibility of Historically Designating Portions of Excelsior Elementary School

This agenda item was continued to April 17, 2012.

- d. Demolition by Neglect Ordinance Provision

This agenda item was continued to April 17, 2012.

7. COMMUNICATIONS AND REPORTS

- a. Designate Liaison for Planning Commission Meeting

The Commission designated Macpherson as liaison for the March 26, 2012 Special meeting and Roden as liaison for the April 3, 2012 meeting.

7. COMMUNICATIONS AND REPORTS

b. Site Alteration Permits Administratively Approved

None

c. Next Meeting - Tuesday, April 17, 2012

Information only.

8. ADJOURNMENT

It was moved by Commissioner Roden, seconded by Commissioner Macpherson, to adjourn. Approved unanimously. Adjourned at 10:02 p.m.

Respectfully submitted,

Tim Caron  
Recording Secretary

City of Excelsior

Special Meeting

Heritage Preservation Commission

Minutes

Tuesday, March 27, 2012

1. CALL TO ORDER

Chair Sanders called the meeting to order at 6:08 pm.

2. ROLL CALL

Commissioners present: Bolles, Macpherson, Meyer, Mueller, and Chair Sanders

Commissioners absent: Finch and Roden

Also Present: City Attorney Staunton

3. UNFINISHED BUSINESS

- a Draft Findings-of-Fact for Demolition Permit Approved on March 20, 2012 for 368 and 374 George Street and Site Alteration Permit Approved on March 20, 2012 for Exterior Renovations at 440 Water Street and Construction of New Building at 400 Water Street – Mason Motors Site - KTJ 207 LLC

Commissioner MacPherson gave a summary of the Planning Commission meeting of March 26 2012, which he attended as HPC liaison.

The Commission met to discuss the Findings-of-Fact as prepared by City Attorney Kevin Staunton. Staunton stated that the draft resolution should have taken its title from the first agenda item (i.e. "A Resolution Granting a Site Alteration Permit for Demolition of Structures at 368 and 374 George Street and for Related New Construction at 400 Water Street").

There was an extended discussion on the date of the plan to which the Findings-of-Fact relate. Commissioner Bolles noted his desire for an approval of the March 23 plan which was not formally distributed to the HPC, but which was received by some HPC members who attended the Planning Commission meeting of March 26. The plans of March 23 incorporated changes required by the HPC in their approval-with-conditions of the plan presented at their meeting on March 20.

Commissioner Sanders stated her opinion that the Findings-of-Fact before the Commission relate to the plans reviewed at the meeting on March 20, since those were the plans officially distributed to the Commission and approved with conditions.

3. UNFINISHED BUSINESS

- a. Draft Findings-of-Fact for Demolition Permit Approved on March 20, 2012 for 368 and 374 George Street and Site Alteration Permit Approved on March 20, 2012 for Exterior Renovations at 440 Water Street and Construction of New Building at 400 Water Street – Mason Motors Site - KTJ 207 LLC – (Continued)

Commissioner MacPherson stated that the plans presented at the meeting on March 20 were superseded by the plans of March 23, and that changes requested by the Planning Commission to those plans would result in another set of plans that would supersede those, and so on. Because several versions of the plans would be created as the project moves forward, he recommended that the HPC proceed with the Findings-of-Fact regarding the plans reviewed at the meeting on March 20 since those were the set of plans approved with conditions by the HPC.

Commissioner Bolles disagreed with this line of reasoning, and stated that it was “bad business” to use an outdated set of plans for the Findings-of-Fact. He worried that the applicants would be less obligated to make the changes required if there was an approval, on record, of plans that did not incorporate those changes.

City Attorney Staunton stated that City staff would be monitoring the project to ensure that all changes required by the Commissions and by the Council would be adopted by the applicants.

After some discussion of this issue, it was moved by Commissioner MacPherson and seconded by Commissioner Mueller to adopt Resolution No. 2012-01 – A Resolution Granting a Site Alteration Permit for Demolition of Structures at 368 and 374 George Street and for Related New Construction at 400 Water Street. The resolution passed with a vote of 4 to 1, with Commissioner Bolles voting nay. Bolles stated that he voted nay because he believed the Findings-of-Fact should relate to the plans of March 23 and not the plans reviewed by the Commission on March 20.

4. ADJOURNMENT

It was moved by Commissioner Mueller, seconded by Commissioner Meyer, to adjourn. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Becca Sanders  
Acting Secretary