

City of Excelsior
Heritage Preservation Commission
Minutes
Tuesday, April 16, 2013

1. CALL TO ORDER/ROLL CALL

Acting Chair Mueller called the meeting to order at 6:59 p.m.

Present: Bolles, Brabec, Finch, Macpherson, Mueller, Nelson, Schmidt

Absent: None

Also Present: City Planner Braaten, Advisor Caron

2. APPROVAL OF MINUTES

a. Heritage Preservation Commission Meeting of March 19, 2013

Bolles requested a correction to page 3, item 8.a, to state that Bolles made a motion to nominate Macpherson for Chair and due to the absence of a second, the motion failed.

It was moved by Macpherson, seconded by Brabec, to approve the minutes as corrected. Approved unanimously.

3. CITIZEN REPORTS or COMMENTS

None.

Bolles requested to add a discussion of Jim Olds's house to the agenda under New Business.

It was moved by Nelson, seconded by Schmidt, to move the election of officers up on the agenda from Unfinished Business. Motion carried 5/2.

4. ANNUAL MEETING

a. Election of Officers - Chair, Vice-Chair and Secretary

It was moved by Mueller, seconded by Finch, to nominate Macpherson as Chair, Finch as Vice Chair and Nelson as Secretary. Nelson indicated she did not wish to serve in the position of Secretary. Motion failed 3-4.

It was moved by Schmidt, seconded by Nelson, to vote separately on nominations for each office. Motion carried 5-2.

It was moved by Bolles, seconded by Brabec, to nominate Schmidt as Chair. Motion carried 5-2.

4. ANNUAL MEETING

a. Election of Officers - Chair, Vice-Chair and Secretary – (Continued)

It was moved by Schmidt, seconded by Nelson, to nominate Macpherson as Vice Chair. Motion carried 6 -0, with Macpherson abstaining.

It was moved by Bolles to nominate Finch as Secretary. Finch indicated he did not wish to serve in the position. Motion failed for absence of a second.

It was moved by Finch, seconded by Nelson, to nominate Brabec for Secretary. Motion carried 6-0, with Brabec abstaining.

It was moved by Macpherson, seconded by Nelson, to return to the remaining agenda items. Approved unanimously.

5. MISCELLANEOUS/COMMISSIONER'S COMMENTS

a. Recent City Council Actions

Braaten reported that the Council was considering enlargement of a development district as part of TIF for the hotel project, and some questions had been raised. The City approved a green technologies ordinance to allow the use of pervious pavers and other options to increase hardcover on a sliding scale, up to a maximum lot coverage of 51%, which goes into effect May 11. The Council approved an ordinance change for 15 minute parking zones on Water Street. The annual clean-up day for the Commons is scheduled for May 18. The City is pursuing emerald ash borer treatments for City trees. The Council is holding joint goal-setting meetings with the commissions, including the HPC. The Council is also considering a front yard setback variance and impervious surface plan for a house on 3rd Street, has approved Design Standards for renovation of the old Minnesota Inboard building on Highway 7, continued discussion of a proposal to remove shared parking from the City's off-street parking ordinance (though sites with CUPs like Jake O'Connor's will be grandfathered), and selected Bill Wolfson as leasing agent for the former police station at 810 Excelsior Boulevard.

6. NEW BUSINESS

a. Annual Appointment of Advisor

It was moved by Bolles, seconded by Schmidt, to appoint Caron as the Commission's advisor. Approved unanimously.

b. Schedule Annual Orientation/Training Session

The Commission directed staff to schedule an HPC training session on Saturday, May 4 at 9:30 a.m. in the Council Chambers.

6. NEW BUSINESS – (Continued)

c. Jim Olds House Discussion

Bolles reported he had attended an estate sale recently following Jim Olds's death. Bolles expressed concern that the house, which has been identified as historically significant in the City's professional survey, will be sold and may be torn down, and stated that he would propose that the HPC consider designation of the house at a special or regular meeting. The Commission reviewed the procedures for designating heritage sites. Nelson expressed concern about designating the house, since not everyone is willing to restore houses, and a teardown may be the only option. She would like to understand if there is a purchase agreement. Bolles stated that the required public process will allow input from interested parties. Schmidt asked about inverse condemnation. Caron explained that leading court cases indicate that designation of a historic property does not generally constitute a taking, but the analysis is dependent on the facts. Bolles encouraged the Commission to use this public hearing as a mechanism to educate the community about the importance of historic preservation. Nelson requested that staff contact the Olds family to learn of their intentions regarding the house.

It was moved by Macpherson, seconded by Mueller, to schedule a meeting at earliest possible date to allow for a public hearing on the possible designation of the Olds House. Approved unanimously.

7. UNFINISHED BUSINESS

a. Exterior Alterations at 234 Water Street - Bart and Wendy Baker dba Capers

Bolles recused himself from discussion of this item.

Braaten stated that the City had allowed Mr. Baker the opportunity to submit answers to questions regarding the installed awning, but had received no response. Braaten had requested and received an opinion from another awning installer, which was provided to the Commission. Schmidt questioned whether there is any HPC issue with the awning, since it seems similar to other awnings. Caron reviewed the ordinance standards and distributed an NPS Preservation Brief describing how to determine whether an awning is compatible with a historic area. Macpherson stated that a key difference of this awning from other awnings in the Historic District is that this awning obscures architectural brick detail.

The Commission reviewed the available options to address the awning, such as requiring the applicant to remove the awning, request a new Site Alteration Permit application supported by new information, or give other specific direction. Nelson stated that she wants to protect relations with business owners, and that Capers is important to the City's retail mix. Macpherson

7. UNFINISHED BUSINESS

- a. Exterior Alterations at 234 Water Street - Bart and Wendy Baker dba Capers – (Continued)

stated that it is important for the City to require consistent application of the ordinance from all building owners.

It was moved by Macpherson, seconded by Mueller, to continue this item to the next regular meeting, and direct staff to send a strongly-worded letter to Mr. Baker, requesting that he respond to the City's questions within two weeks or propose a timeline for resolution of the issue with the non-compliant awning, with specific reference to the HPC ordinance standards. Approved unanimously.

8. ANNUAL MEETING

It was moved by Finch, seconded by Macpherson, to continue items 8.b-d to the next meeting. Approved unanimously.

Schmidt proposed that the Commission consider amending the by-laws to add agenda approval to the order of the meeting. Macpherson noted that this could also require conforming changes in other sections of the by-laws, such as 6 and 8, so the Commissioners should review the by-laws in preparation for the next meeting.

9. COMMUNICATIONS AND REPORT

- a. Designate Liaison for Planning Commission Meeting - May 7, 2013

Brabec agreed to attend the meeting and report to the Commission.

- b. Site Alteration Permits Administratively Approved

None

- c. Next Meeting - Tuesday, May 21, 2013

Bolles suggested that information regarding the potential applicants to serve on the Commissions should be shared, such as the citizen inquiry forms. Braaten agreed to review whether this could be done.

10. ADJOURNMENT

It was moved by Macpherson, seconded by Finch, to adjourn. Approved unanimously.

Adjourned at 9:15 p.m.

Tim Caron
Recording Secretary