

City of Excelsior  
Heritage Preservation Commission  
Minutes  
Tuesday, June 18, 2013

1. CALL TO ORDER/ROLL CALL

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

2. ROLL CALL

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

Absent: None

Also Present: City Planner Braaten, Advisor Caron, Mayor Gaylord

Gaylord administered the oath of office to Jeffrey Bipes as a new commissioner.

It was moved by Nelson, seconded by Schmidt, to move up the Unfinished Business agenda item for consideration of the designation of the former Jim Olds house.  
Approved unanimously.

7. UNFINISHED BUSINESS

a. Potential Designation of 100 Lake Street, Purchase/Olds House

Braaten stated that the public hearing on potential designation had been continued from the last HPC meeting. He stated that Mayor Gaylord is in the process of purchasing the house. Nelson asked whether it was known at the last meeting that Gaylord was in the process of purchasing the home, as it would have been useful for that information to be considered in the discussion. Braaten stated that the information was not public at that time so he didn't feel he could share it with the Commission.

Mark Gaylord stated that he and his wife will be purchasing the home. He had prepared some partial renderings, which are not final, to show a concept for adding a turret to the side of the house facing the tennis courts. He stated that remnants of the turret can be seen in the inside of the house, and he presented a vintage photograph of the structure taken from the opposite side of the house that shows some type of turret element. He stated that he would like to restore the original turret, but suggested that it would not meet the City's height requirement, so intends to seek a variance to build the turret to a height of 36 feet. The Commission suggested that he look into whether turrets are exempt from the height limit under the zoning ordinance. He does not intend to demolish the house, but to make renovations. He has reviewed the structure with an engineer and

## 7. UNFINISHED BUSINESS

### a. Potential Designation of 100 Lake Street, Purchase/Olds House – (Continued)

believes that the foundation and house are sound. He also stated that he will not be seeking historic designation of the house or site.

Schmidt asked whether anyone wished to pursue designation of the house over the stated objection of the owner. Bolles noted that the immediate concern motivating discussion of potential historic designation was that the house was identified as historically significant and could be torn down by a new owner, which no longer seems to be the case based on Gaylord's statements. Schmidt reopened the public hearing for input. Lucille Crow, Excelsior resident, stated that she is pleased that the landmark house will be renovated by the new owner and that this should be an opportunity for celebrating preservation rather than government placing a heavy and unwanted burden on property owners.

Bolles stated that he had heard that the house would be torn down at the Olds family's estate sale, and that there is a public perception that old houses should be torn down. He applauds the Gaylords for not tearing down this significant house, and the City should look for more ways to encourage the preservation of our historic and older homes.

It was moved by Finch, seconded by Bolles, to cease any further action toward designation of the Olds house at this time. Approved unanimously.

Bolles asked whether the Commission wished to comment on the appropriateness of the turret design. He stated that he would like to support the homeowner in restoring an element that was there originally, for potential use if the Planning Commission were to consider a variance request. The Commission discussed that it did not have jurisdiction over the rehabilitation of an undesignated house, but could comment if requested by the City or owner. Gaylord asked for the Commission's input on the proposed turret.

It was moved by Macpherson, seconded by Finch, that the Commission encouraged and supported the restoration of documented original historic elements of the house. Approved unanimously.

## 3. APPROVAL OF MINUTES

### b. Heritage Preservation Commission Meeting of May 21, 2013

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

#### 4. CITIZEN REPORTS or COMMENTS

None.

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

##### a. Recent City Council Actions

Bolles reported on the Excelsior library discussions. He stated that the Planning Commission gave design standards review to the revised library options and, like the HPC, preferred option 2 over option 3. The matter went before the City Council last evening and the Council was more favorable to option 2, but did give the county the opportunity to pursue either option and to come back with a final plan for City approval. He understood that the county had conducted its bid opening and will evaluate the bids under a value-added bidding process and is expected decide by June 24 which option to pursue.

#### 6. NEW BUSINESS

a. None

#### 7. UNFINISHED BUSINESS

##### a. Potential Designation of 100 Lake Street, Purchase/Olds House

This agenda item was considered earlier in the meeting.

#### 8. UNFINISHED BUSINESS

##### a. Review of By-laws

Schmidt requested that the Commission notice an amendment to the By-laws adding agenda approval to the order of business prior to review of the prior meeting minutes. It was moved by Bolles, seconded by Nelson, to add consideration of this by-law amendment to the next agenda for formal action. Approved unanimously.

The Commission noted that it would need to resolve the question of which items could be added to the agenda without advance public notice, and that the proposed by-law amendment should reflect that any items requiring legal notice could not be added to the agenda.

## 8. UNFINISHED BUSINESS – (Continued)

### b. Goals and Objectives for 2013

The Commission discussed its goals and objectives for 2013. Finch stated that it should reference the planned survey of public historic structures and additional training sessions for the Commission.

Schmidt distributed a written statement expressing concern with the manner in which the Commission's standards have been applied in past cases and his belief that personal preferences had been injected into Commission decisions. He described certain alterations in the City that have been approved by the Commission that he doesn't understand. He also expressed concern that the Commission's decisions in new construction don't encourage innovation, and noted that the hotel factual findings do not contain detailed ordinance citations. Caron stated that the form for the Commission's findings was developed by the City Attorney, and individual citations for each finding are not required, but that the Commission could raise any perceived issues with the form with the City Attorney.

Macpherson stated that he believes that recent decisions have been based on facts and application of the ordinance standards. Finch stated that it is important to make sure that the public understands the HPC standards.

Bolles stated he disagreed with the basis for the hotel decision and voted against it

Nelson presented a proposed manner of organizing the prior year goals into audience categories for conceptual consideration. The Commission discussed adding SMART goals that can be measured and achieved during a particular year. Schmidt suggested that the Commission use the proposed format, and direct Nelson to add additional elements for consideration at the next meeting.

It was also noted that public recording in the chain of title of historic designations should be added as a 2013 goal.

Schmidt reported that he had learned that former Mayor Ruehl and Mayor Gaylord met with Mayor Willcox in Wayzata to discuss the Lake Minnetonka historic trail concept. Bolles stated that the compiled information regarding local historical organizations did not mention the HPC.

Braaten stated that the PUD ordinance discussion regarding better coordination with HPC review is occurring at the Planning Commission, and stated that it would be for all HPC members to attend the July 2 Planning Commission meeting to

## 8. UNFINISHED BUSINESS

### b. Goals and Objectives for 2013 – (Continued)

discuss the need for involvement at the concept level and to have Site Alteration Permit approval at the final plan stage.

The Commission also assigned relative importance to the various goals.

Schmidt discussed some options under discussion for possible activities during the summer of 2014, including celebrating Reggie's Danceland, the 50<sup>th</sup> anniversary of the 1964 Rolling Stones concert in Excelsior, and celebration of Native American heritage around Lake Minnetonka.

The Commission also determined to add to the HPC by-laws a standing agenda item for review of progress against annual goals. It was moved by Finch, seconded by Schmidt, to add consideration of this by-law amendment to the agenda for the next meeting for formal adoption. Approved unanimously.

### c. Code of Conduct and Decorum for Appointed Officials

Information only.

## 9. COMMUNICATIONS AND REPORTS

### a. Designate Liaison for Planning Commission Meeting - July 2, 2013

The Planning Commission has asked all HPC members to attend. The Commission requested that Caron attend as well.

### b. Site Alteration Permits Administratively Approved

Braaten stated that the Don Stolz Productions signage for the Jake O'Connor's building was approved and information regarding the approved signage was presented.

### c. Next Meeting-- Tuesday, July 16, 2013

## 10. ADJOURNMENT

It was moved by Finch, seconded by Bolles, to adjourn. Approved unanimously.  
Adjourned at 8:35 p.m.

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Tim Caron  
Recording Secretary