

MINUTES OF THE HERITAGE PRESERVATION COMMISSION

CITY OF SAINT PAUL, MINNESOTA

Lower Level – Room 41, City Hall/Court House, 15 West Kellogg Boulevard **June 9, 2011**

Present: Richard Dana, Robert Ferguson, Jennifer Haskamp, Renee Hutter, Rich Laffin, John

Manning, Steve Trimble, Diane Trout-Oertel, Mark Thomas, Matt Mazanec

Absent: Matt Hill (excused), David Riehle (unexcused)

Staff Present: Amy Spong, Christine Boulware, Becky Willging

BUSINESS MEETING

I. CALL TO ORDER: 5:06 by Chair Manning

II. APPROVAL OF THE AGENDA: Commissioner Laffin motioned to approve the agenda, Commissioner Dana seconded the motion. The motion passed 10-0.

III. CONFLICTS OF INTEREST: None were discussed.

IV. APPROVAL OF THE MEETING MINUTES:

A. April 14, 2011 Business Meeting

B. April 28, 2011 Public Hearing/Permit Review

C. May 12, 2011 Business Meeting

Commissioner Laffin noted that in the May 12 minutes, on page 7 under New Business, "solar ray" should be corrected to read "solar array" in two locations. Commissioner Trout-Oertel motioned to approve the meeting minutes; Commissioner Dana seconded the motion. The motion was passed 10-0.

V. CHAIR'S ANNOUNCEMENTS: Chair Manning stated that some members of the retreat groups wanted to connect after the business meeting to share notes.

VI. STAFF ANNOUNCEMENTS:

A. May Design Review Statistics – Staff informed that 59 permits were approved in May. Chair Manning asked how the number compares with past months. Staff Boulware said that reviews pick up in May, and usually they see 30-40, 59 is high, and the highest they've seen was 76 in June 2010, which is twice as many as usual.

B. Legislative Hearing Notification - Not discussed.

C. Advanced Section 106 Training – Staff Spong said that she will share the information she learned with the Commission and put it into a format that is applicable.

VII. HISTORIC RESOURCE REVIEW:

A. 936 Earl Street, Historic Resource Review on a nuisance property declared by the Department of Safety and Inspections, Division of Code Enforcement. The property is a Vacant Building Category 3 and has been issued an order to abate. State Inventory #RA-SPC-1120

Staff read the report recommending that the city council delay the demolition of the site in order for alternatives be explored and that a qualified historian be hired to evaluate both National Register and local eligibility of the house and its contribution to the Payne-Phalen neighborhood. Staff showed pictures of the property and discussed specific details of the house. Commissioner Mazanec asked about the status of previous HPC recommendation of properties that have undergone historic resource reviews. Staff

The public hearing was closed. Commissioner Dana motioned to adopt the staff recommendation; Commissioner Trout-Oertel seconded the motion. Commissioner Dana clarified that the motion includes the staff recommendation indicating that Options 1 & 2 are denied. The motion was passed 10-0.



B. 255 E. 6th **Street, Lowertown Historic District**, by Gleeson Architects, for a Certificate of Approval to install glass block walls at the building corner on floors two through four, behind abandoned fire escape. File #11-017 (Spong, 266-6714)

Staff Spong summarized the staff report and said that the project has been before the Commission a few different times. The HPC approved new windows in the two upper floors; they conditionally approved the storefront system on the lower level, with a condition that a smaller design review committee be established. There are still three conditions from the first HPC decision that are considered as not met at this time. Staff Spong said that no solutions or agreement were arrived at between the applicant and design review committee. She said she also included an email from Cecile Bedor, PED Director who asked the city attorney to help staff with moving forward. The recommendation that came out of PED was to allow the applicant to re-apply to do the glass block. Staff Spong reviewed the findings and read the staff recommendations which were based on the discussion held on October 25, November 1, and April 11 between the applicant and the HPC. Staff recommends denial of the application as proposed, citing a possible alternative recommendation for the HPC to consider approving the glass block partition walls as proposed, provided that new fins are reinstalled in the corner or metal screening be installed in lieu of the fins. Staff showed pictures of the various stages of the project. Staff Spong clarified that there was a recommendation to the HPC at the October 25 meeting to paint the stairs a more subdued color and the Commissioner voted to not include that in the decision, so the red stair is allowed to remain. The stairs are not being addressed at this meeting.

Commissioner Dana asked if there were graphics showing what the glass block would look like. Staff Spong said there was a schematic rendering in the packet that was shown at the October meeting. Staff Spong said that there was a bird screen behind the fins, which was approved by staff, and that the glass block is the last piece that is needed for some type of enclosure. Commissioner Ferguson asked Staff Spong to clarify if the metal screening mentioned in the staff report referred to the screening for the birds. Staff Spong said yes, and that with the first recommendation in October she was suggesting that there were other options. She said there was a discussion at the last public meeting in October about using a different material for the red fabric banners such as metal and achieving both public art and restoring the corner. Chair Manning said that the second recommendation suggests that a different screening might be different than the mesh screening used to keep birds out. Commissioner Dana asked if there was a picture of the building before all of the fins were taken down. The applicant said he had some. Staff Spong said that they also approved of the fins being shortened in some areas because of excessive rust. Commissioner Laffin listed the three proposed changes, and asked if the Commission was only reviewing the glass block proposal and possible restoration of the corner at this meeting. Staff Spong confirmed that the HPC was only reviewing the glass block proposal, but that they needed to decide if the condition of restoring the corner should remain in effect. Commissioner Laffin asked if the first part of the staff recommendation was for denial of the glass block if the corner is not restored, and if Part B of the recommendation was to allow the glass block if the measures are taken to restore the corner. Staff Spong confirmed. The applicants, Mr. Dan Gleeson and Mr. Ed Hawksford, approached the Commission and showed pictures of the building. Mr. Gleeson asked why everything is being conditioned on the idea of boxiness and that they are not prepared to go back and redo the corner on that premise alone. Mr. Hawksford said that they want to get the building closed up and that they aren't saying that the glass block is the final solution, but it will be a backdrop for whatever the final design approval is for the building. He said that they want to get approval for the angled glass block walls, which covers less square footage than the building across the street. Mr. Gleeson said that even if they accept the boxiness it is compromised by the fact that the corner does not line up with the top

1960s floating element or the screening which is transparent. He said that their design approach was that they have an element hidden behind the screening, which is characteristic of the district, and the clipped corner, which is another characteristic of Lowertown. He said that if the HPC is superimposing boxiness as the only element they have to follow, then he says they are at a stalemate. He said that they would work with the progressing design as they are marketing the building, and that they are negotiating with two restaurant groups about an entrance feature and what they can do with the corners as far as signs, but they do involve something at the corner other than what is shown in the images. Mr. Hawksford said that it is part of an exploration of Lowertown artists or artists in general that can create the metal work for the exterior of the building, but it is contingent on the tenant that takes one of the upper floors. Mr. Gleeson said that the answer may have to be solved at a future date as they do marketing on the upper floors, and that they may have to put an extra stair tower in at that corner because of the distances code requires. Chair Manning asked why the applicants wanted to put glass block in even though they may have to put in an extra stair there. Mr. Gleeson said that glass block is a cheap installation. Mr. Hawksford agreed that it goes with the streetscape, it's an easy installation and easily removed installation and it will screen-off the direct view of the parking into that corner. Mr. Gleeson said he would not want to put in the screening in lieu of the glass block because it won't obscure the view of the parking. Commissioner Dana asked if there was a need to do anything further once the glass block is installed. Mr. Gleeson said he wanted to pursue some versatile and flanking elements on the corner in form of banners. Mr. Hawksford said that the building exceeds the property line and overhangs the sidewalk, and that the removal of the fins on the corner has opened the corner. Commissioner Laffin said that less than 10% of the building would be covered in glass block and asked what the functional use of the glass block is. Mr. Gleeson said that they think it is appropriate in Lowertown, and that he didn't know of any other material that would accomplish what they need. Mr. Hawksford clarified that the glass block will keep the pigeons out, obscure the parking, and create a neutral backdrop for whatever artwork will go on the corner. Commissioner Laffin said that the glass block was more of an aesthetic choice and not a functional choice, and that they could carry the bird screen around the corner of the building. Mr. Hawksford said that the bird screen wouldn't obscure the parking.

Commissioner Trout-Oertel asked the applicant to talk about what they are trying to achieve at the corner. Mr. Hawksford said that they are trying to give the building a sense of entry. Commissioner Trout-Oertel said that there are many ways to do that; however, the HPC has always put forth the condition that the corner should be restored and she thinks that can be done perhaps by some kind of support for future artwork. Mr. Hawksford said that support was already in place. Commissioner Trout-Oertel said that the HPC has asked for a solution to put back the corner and that there should be a way for the applicants to accomplish what they want and satisfy the requirement of the Commission, perhaps by using backlighting or keeping the fins in place. Mr. Hawksford said that the poles crowd the corner and exceed the public right-of-way, which is why clipped corners are present throughout the historic district. Staff Spong asked which buildings are clipped within the Lowertown District. Mr. Hawksford said that the Allen Building was clipped. Staff Boulware said that the Allen Building does not hold the corner of the street. Mr. Hawksford said that there is another clipped corner building on Wall Street as well as an exposed fire stair. Mr. Gleeson said that the fins aren't original to the building and that the floors were floating. He said that he contests that the fins are what make it a boxy building.

Commissioner Haskamp said that the HPC has been consistent with what the recommendation has been and that they haven't received a complete application addressing all of the proposed details, and she asked the applicants if they plan to light the glass block or if they have an idea about how the artwork will look. Mr. Hawksford said that they never agreed to put anything on the corner – they only talked about moving the banners in and placing artwork on the first floor at the corner because they were only addressing the storefront in the application. He said that the glass block will be lit by the fluorescent lighting inside the garage, and that there are no plans to add lighting. Chair Manning asked if they planned to add spotlighting for anything that might

go in front of the glass block in the future. Mr. Hawksford said there was no plan for lighting the exterior of the building until they have a tenant. Commissioner Dana asked why the staircase is remaining. Mr. Gleeson said it was an old deteriorated fire escape and they thought it was an aesthetic element that contributes to the historic district. Mr. Hawksford said there are exposed fire escapes throughout Lowertown and that it was a way to introduce an historic element to a modern building in the district. Commissioner Trout-Oertel said that the issue is that the HPC hasn't seen any other solutions from the applicants and instead have seen the same proposal again and again. Mr. Hawksford said that they need a tenant and that the tenant will dictate a lot of the aesthetics of the building. Commissioner Trimble said that he wasn't in love with the glass block, but that they should consider installing some black block. Mr. Hawksford said that lighting is an aesthetic choice and will be dictated by the tenant.

Commissioner Trimble said that there was a clipped corner on a building in St. Paul that had horizontal metal pieces to give a sense of the boxy corner. He said that the building ultimately has an owner and the tenants may have to live within the guidelines of the ownership. Mr. Hawksford said that he has looked at newspaper articles citing complaints about the condition and appearance of the building since 1981, and that the city is lucky that someone is willing to rehab the building without public funding. Chair Manning said that the HPC is pleased that the project is moving forward, but the corner still needs to be resolved. Staff Spong returned to Commissioner Trimble's suggestion about adding the horizontal pieces and said that it had been suggested in the past and determined that it would draw too much attention to the two upper cantilevered levels. Staff Boulware asked the applicants what their second choice is if glass block is their first choice. Mr. Hawksford said that they don't have other choices, and that glass block is the economic choice that fits into the historic district, and if they do end up doing an egress stair, they can easily remove the glass block. Chair Manning said that there is a line of logic that will be hard for the Commission to follow because the applicants are suggesting a temporary solution that may well be a final solution. Commissioner Trout-Oertel said that the long-term solution is do something that's flexible and provide a framework for the changes to occur on.

Commissioner Dana asked if the fins were removed without HPC approval. Mr. Gleeson said that they were, and they were removed based on safety issues. Mr. Hawksford said that some were missing and some were cut when a sign was removed. Mr. Gleeson said it would be an exorbitant cost to replace them because they aren't made anymore. Chair Manning said that there were five months between when the applicants received the decision letter and when they contacted the HPC on March 24, and asked why there was a delay in the process. Mr. Hawksford said that after the second design review committee meeting they were taken off guard at being asked for another design solution. and they thought they'd be able to make decisions on some of the design elements instead of having to go in front of the HPC again. Commissioner Laffin said that he understood their frustration, but they aren't listening to the Commission and are throwing out red herrings about the tenants dictating what will happen on the upper floors, and he wishes they would reply to the request of the Commissioner and consider what they would do with the open corner. He said that they understand each other's positions and are just going around in circles at this point knowing that the applicants will end up making an appeal to City Council. Commissioner Trout-Oertel said that she thought it was too late to make an appeal. Staff Spong clarified that the purpose of this meeting is to make a decision so they can start another 14 day clock. Commissioner Trout-Oertel said that per Cecile Bedor's email the applicants had to present a fresh solution to reopen discussion, but that has not happened. Staff Spong said that it was supposed to be a revised proposal, and the term used was "substantially altered." which in this case is not that different from the October proposal. She said that the difference was that there was no lighting. Mr. Gleeson added that there was no longer glass block at the storefront. Staff Spong said that the glass block on the storefront was clearly denied at the last public hearing. Mr. Hawksford said that the glass block on the parking levels was never addressed by the HPC. Chair Manning said that they tried to address it by setting up the design review committee. Commissioner Trout-Oertel said that she thought they approved the glass block on the condition that some solution to complete



the corner was presented. Chair Manning asked if staff received any written testimony. Staff Spong said that she received one voicemail but was unable to connect with the person. Chair Manning closed the public hearing.

Commissioner Dana made a motion to adopt the first part of the staff recommendation to deny the application as proposed. Chair Manning clarified that Commissioner Dana moved the first recommendation and that the second paragraph is not included in the motion. Commissioner Haskamp seconded the motion. Commissioner Mazanec said that Commissioner Trout-Oertel's discussion sounded more in favor of the second staff recommendation. Commissioner Trout-Oertel said she thinks they should try to include the second option as part of the motion. She said that they often try to make an option a go by stating a condition under which they can approve it so they aren't just turning down the project, which is her concern with the motion being made. Staff Spong said that the condition tried to do that in October. She made the first staff recommendation to be very clear, and when staff makes a recommendation with a condition to revise the design its clear that they haven't gotten anywhere. The design review committee and applicant weren't able to work out a solution essentially because no solutions were presented, and it makes it challenging for HPC staff to implement a decision in this particular case. Chair Manning said that there is an advantage in clarity for this situation. Commissioner Dana asked if there was still a design review committee working on this project. Staff Spong said that she pulled the committee together when she got the inquiry and they met on April 11, and it was clear that there wasn't going to be a solution. Chair Manning asked if staff would find working with the design review committee helpful. Staff Spong said she took that part out of the staff report because there is no new proposal. Commissioner Trout-Oertel asked staff if the second alternative recommendation is something the HPC shouldn't be considering. Chair Manning clarified that she asked if there is a way to adjust the motion that would pick up some element of the second recommendation to make the first recommendation stronger. Commissioner Dana said he made the motion the way he did without the second recommendation because the language is too vague, and there is no lack of clarity in the motion as he made it. Commissioner Hutter said that the applicant is not willing to entertain any other options for closing that corner and it is the HPC's sticking point in order to follow the guidelines. She said that if that can't be reached, then there is no reason to talk about the application anymore because it's not in the application to consider the corner. Commissioner Ferguson said he would vote against the motion because he does not have an issue with spatially reading the corner of the building with the horizontal beams that are there. He said that in view of the reality of getting something done, he thinks the second recommendation is more realistic. Commissioner Hutter said that the design is a vast improvement from what was there, so it's either a motion to further discuss the agreement or nothing. Commissioner Trimble said that he didn't agree with the second recommendation because it's too specific. Chair Manning said that the sentiment seemed to be for addressing the corner in a different way, and there could be a variety of ways of doing so, which is inherent in the second paragraph, but it's not part of the motion. Staff Spong clarified that two recommendations were presented, but it's not all of the possible recommendations.

The motioned passed 8-2. Commissioner Trimble asked if the applicants appeal in 14 days, will the HPC have another meeting before the City Council hearing. Staff Spong said yes because they have to put it into the City Council's data base system and City Council only does hearings on the first and third Wednesdays of every month and they notice it a week prior. Commissioner Trimble said that if there is an appeal, some HPC board member should attend so they can share their frustration about not being able to work with the applicants. Commissioner Dana said that one of the reasons why he prompted the motion was because of the issue about whether the proposal was a final solution. If they were to approve the proposal or invite a variation of the proposal as a temporary, it won't matter because if a tenant is never found, it's a permanent solution. He thinks "final solution" means a "complete solution" — it could be changed or amended at any time, but not by the HPC. Once the HPC gives it's blessing as a temporary solution, they no longer have a say, so they need to come to an agreement on a solution that they are willing to have in place for any given period of time. Chair Manning said

that the Executive Committee should ensure that the HPC has adequate representation at the City Council hearing. Commissioner Laffin said that he was willing to attend the hearing. He said the he and Commissioners Trout-Oertel, Haskamp and Mazanec were on the design review committee.

IX. Committee Reports

- A. Education Committee (Ferguson, Thomas, Trout-Oertel) Commissioner Ferguson suggested that the retreat groups meet again the second week of July. Only the fee group has met since the last meeting. Commissioner Trout-Oertel asked if Commissioner Thomas felt like his committee needed to meet again. Commissioner Thomas said no, that his group still needed to discuss with staff and gather more information. Commissioner Ferguson said that the date to meet wasn't set in stone. He said that the biggest questions is what the end goal was for the group - is it a draft and will that happen this year. He said Ellen Biales suggested that they meet with the council members' aids first. Staff Spong said that fees were not part of the original draft, and they didn't talk about fees at the last public outreach. She said that additional suggestions will come from the enforcement group and that they need better language for demo delay. She said she is nervous about the way the demo-delay language is currently drafted is not going to be a very successful process given the city's nuisance and vacant building programs, and that at the same time they do the HPC ordinance, they will have to revise other parts of the code. She said it would be helpful to find where the holes are in the ordinance and to look at how other cities handle it, which is challenging because St. Paul has very different nuisance processes than other cities, including Minneapolis. Staff Boulware said that everyone meet and bring reports to the August Business Meeting. Chair Manning asked when the final language would be accepted. Staff Spong said that they need to have something drafted before going out to the public. Chair Manning asked when political leadership comes into play. Staff Spong said that they could identify council members to sponsor. Commissioner Trout-Oertel asked if they should bring drafts to the August meeting. Chair Manning said to just bring examples of how other cities have written their ordinance and areas where there are holes in St. Paul's ordinance.
- B. Greater Lowertown Master Plan Taskforce (Ferguson) Commissioner Ferguson said that he attended the community meeting on June 6. The draft plan will go to the task force sometime in June, then go to City Council before being added to the Comp Plan. He said he will see the draft preservation chapter before then. The next meeting is June 24.
- C. Saint Paul Historic Survey Partnership Project (Trimble, Manning) Commissioner Trimble said that he attended a meeting about the draft report and felt that there was not enough information on important figures. He said he was looking for information in the blue books, but that there was not enough time to add much to the draft.
- **D. 3M Advisory Committee/Workgroups update** (Trimble, Mazanec) Nothing to report.

X. ADJOURN: 6:20 P.M. Submitted by: B. Willging

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT Cecile Bedor, Director





CITY OF SAINT PAUL Christopher B. Coleman, Mayor

25 West Fourth Street Saint Paul, MN 55102 Telephone: 651-266-6700 Facsimile: 651-228-3220

June 10, 2011

Dan Gleeson Gleeson Architects 1175 HWY 36 E Maplewood, MN 55109

Re: 255 Sixth Street East - Lowertown Historic District, HPC File #11-017

Dear Mr. Gleeson:

As you know, the Heritage Preservation Commission (HPC) considered at its June 9, 2011 meeting your application for a building permit to install glass block walls behind the existing fire escape stairs at the property listed above. The HPC voted 7-2 to deny your application. This decision was based on the discussion at the public hearing, public testimony and findings by HPC staff.

You or any aggrieved party has the right to appeal the Heritage Preservation Commission's decision to the Saint Paul City Council under Chapter 73 of the Saint Paul Legislative Code. Such an appeal must be filed within 14 days of the date of the HPC's order and decision. Chapter 73 states:

(h) Appeal to city council. The permit applicant or any party aggrieved by the decision of the heritage preservation commission shall, within fourteen (14) days of the date of the heritage preservation commission's order and decision, have a right to appeal such order and decision to the city council. The appeal shall be deemed perfected upon receipt by the division of planning [DSI] of two (2) copies of a notice of appeal and statement setting forth the grounds for the appeal. The division of planning [DSI] shall transmit one copy of the notice of appeal and statement to the city council and one copy to the heritage preservation commission. The commission, in any written order denying a permit application, shall advise the applicant of the right to appeal to the city council and include this paragraph in all such orders.

Please feel free to contact staff at 651-266-9078 with any questions or for assistance in creating an application that would comply with the Lowertown Historic District guidelines.

Sincerely,

Mistine Bontware

Christine Boulware Historic Preservation Planner

Cecile Bedor, PED Director (via email) Steve Ubl, Senior Building Inspector (via email) Jim Bloom, Building Official (via email) Dave Brooks, owner File V

Agenda Item VIII.B. HPC File #11-017

CITY OF SAINT PAUL HERITAGE PRESERVATION COMMISSION STAFF REPORT

FILE NAME: 255 Sixth Street East

DATE OF APPLICATION: May 24, 2011

APPLICANT: Gleeson Architects, Dan Gleeson OWNER: 9 and 19 Properties, LLC, Dave Brooks DATE OF PUBLIC HEARING: June 9, 2011 HPC SITE/DISTRICT: Lowertown Historic District

CATEGORY: Non-Contributing CLASSIFICATION: Building Permit

STAFF INVESTIGATION AND REPORT: Amy Spong

DATE: May 31, 2011

A. SITE DESCRIPTION:

The building at 255 Sixth Street East is located on the northwest corner of Wall and Sixth streets. This six-story commercial building houses four levels of parking, two upper levels of office space. The National Register Nomination for Lowertown describes this building as an addition to the 1905 Classical Revival style warehouse to the west. The George Sommers and Company Building (now River Park Lofts) was designed by J. Walter Stevens with brown brick walls and a simple cubic design that is devoid of much ornamentation; a contrast to the row of J. Walter Stevens early Victorian buildings on the north side of Mears Park. In the mid-1970's Control Data Corporation acquired and renovated this building (prior to designation as a local and National Register Historic District) at a cost of six million which was a major stimulus to revitalization efforts in Lowertown.

The renovation included replacing original windows in the 1905 portion with "energy saving tinted glass" and constructing the large addition. The main entrance of the 1970's building was originally on the east side and was later moved to the south side on Sixth Street. The "building" reopened in 1979 as the Control Data Business and Technology Center. The building is constructed as a curtain wall system with the top two floors having brown tinted glass and a silver metal frame and the lower floors with narrow silver *fins* in a vertical orientation. The metal has rusted over the years and the building has suffered from a lack of maintenance. An architect was not noted in the nomination for the 1970's addition.

At some point the 1905 and the 1970's structures were sold to separate entities however, the parking for the River Park Lofts is located within the 1970's structure and owned by River Park Lofts. This creates somewhat of a structure within a structure.

B. PROPOSED CHANGES:

The applicant is currently proposing to install glass block partition walls on floors two through four in front of the existing guard rail and behind the existing fire escape stairs (abandoned). There was no mention or proposal for additional lighting or vertical banners in the application. The current parking decks have lighting.

The following items that relate to this current application were proposed as part of the application first reviewed by the HPC on October 21, 2010:

1. Removal of the fins at the building's corner. The fins have already been removed and

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this was completed without approval.

- 2. The removal of the fins on the corner exposed fire escape stairs. The applicant is proposing to paint the staircase red and install a glass block wall behind the staircase at the parking levels. Additional lighting behind the glass block wall is proposed but is not detailed as to color or varying intensity. This work was begun without approval.
- 3. Vertical banners are proposed along the existing fins on 6th and Wall but a detail was not provided.

C. BACKGROUND:

The following lists the main events that have taken place that relate to this project:

- 1. July 1, 2010: HPC staff met with the building owner and architect on site to discuss the redevelopment of the site.
- 2. July 16, 2010: Applicant submitted an application to HPC staff, and the architect and staff met on August 9th to discuss what staff could approve and what items needed to go before the HPC for a more formal review.
- 3. August 12th, 2010: HPC staff approved the painting of the fins to a bronze color, the bird screening behind the fins and the trimming of the fins along the bottom.
- 4. September 9th, 2010: The HPC conducted a Pre-Application Review to discuss overall redevelopment plans and the additional items proposed but not approved by staff.
- 5. September 15th, 2010: HPC staff was in Lowertown and noticed that additional work was proceeding at the site without HPC review and approval, specifically the first floor was being framed, the corner fins removed, the fire escape painted red and windows above being replaced.
- 6. September 21st, 2010: DSI Building Inspector issued a stop work order. Staff discussed the work and timeline with the architect on the 21st and resolved to divide the review into two parts in order to keep the project moving forward.
- 7. October 7^{th} , 2010: The HPC approved a new bronze glass curtain wall (replacement windows) (9-0) on the upper two floors. After-the-Fact application and File #11-002.
- 8. October 21st, 2010: The HPC conditionally approved (6-1) a proposal for a new storefront and entrance, new metal canopies, glass block walls and pilaster panels, removal of corner siding and installation of banners on exterior fins (see Decision Letter dated October 25, 2010). After-the-Fact application and File #11-004.
- 9. November 1st, 2010: The smaller Design Review Committee met with the applicant in accordance with the conditional approval letter dated October 25th and the conditions as they related to the storefront were discussed. Additional materials were supplied by the applicant and the conditional approval for the storefront only was forwarded to DSI on November 23rd, 2010 (Permit #10-793550).
- 10. The October 25th Decision Letter still has three conditions that are not met at this time. They are
 - "d. The proposed artwork will be moved and installed at the corner of Sixth and Wall in a way that maintains and re-establishes the building's boxy appearance and "holds the corner" from floors two through four. A final detail will be submitted to the DRC.
 - g. Signage was not a part of the proposal and typically signage that is under 30 square feet may be reviewed and approved by staff if it complies with the guidelines, while signage over 30 square feet goes before the full HPC for a public hearing. If the applicant has a signage proposal that is over 30 square feet, the DRC may review and approve the signage in lieu of being scheduled for a third HPC Public Hearing which would lengthen the process.
 - h. Once the DRC and applicant have met and agreed that items a through g comply with the intent of the guidelines above, a decision will be issued in writing and a permit for those items may be issued."

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- 11. April 11th, 2011: Per an email inquiry from Dan Gleeson on March 24th, 2011, the Design Review Committee met with the applicant. The applicant asked for a clarification on whether they could install the glass block. The meeting did not result in a solution that met the outstanding conditions listed above in item 10.
- 12. The applicant has since been advised to submit an application for the glass block walls and is scheduled for June 9th hearing with the HPC.

D. GUIDELINE CITATIONS:

*Because the building is considered non-contributing, the guidelines for new construction, where applicable, will apply.

Lowertown Heritage Preservation District Design Review Guidelines Restoration and Rehabilitation, General Principles:

- 1. All work should be of a character and quality that maintains the distinguishing features of the building and the environment. The removal of architectural features is not permitted.
- 2. Deteriorated architectural features should be repaired rather than replaced whenever possible. In the event of replacement, new materials should match the original in composition, design, color, texture and appearance. Duplication of original design based on physical or pictorial evidence is preferable to using conjectural or "period" designs or using part of other buildings.
- 3. Distinctive stylistic features or examples of skilled craftsmanship characteristic of structures of a period should be treated sensitively. Furthermore, if changes in use of a building are contemplated, they should be accomplished with minimum alteration to the structure and fabric.
- 4. In general, it is expected that buildings will be restored to their original appearance. However, alterations to buildings are sometimes significant because they reflect the history of the building and the district. This significance should be respected, and restoration to an 'original' appearance may not always be desirable. All buildings should be recognized as products of their own time and not be altered to resemble buildings from another era.

New Construction

The basic principle for new construction in the Lowertown area is to maintain the scale and character of present buildings. New construction refers to totally new structures, moved-in structures and new additions to existing structures undergoing restoration and rehabilitation.

Architectural diversity is characteristic of Lowertown. When first confronted with this variety, it is easy to overlook the overall thread of continuity of the area. Generally, any structure should provide height, massing, setback, materials and rhythm compatible to surrounding structures. The reproduction of historic design and details is expensive, artificial, and is recommended only for some cases of infill or small scale construction. Guidelines for new construction focus on general rather than specific design elements in order to encourage architectural innovation.

Setback - Siting

There should be no more than a 5% variation in setback from existing adjacent buildings. The proportion of built edge to open space should preserve the plane of the street wall, particularly along the streets facing Mears Park and the Farmer's Market.

Massing, Volume and Height

The buildings of the district built before 1900 are generally small to medium in volume and up to seven stories in height. Sometimes several buildings are grouped. Buildings constructed after 1900 are generally large in volume and up to eight stories in height, with the Burlington Northern Building being 13 stories. The structures of the district are distinguished by their boxy profiles; preservation of this aspect is the most essential element for maintaining district unity. New construction should be compatible with the massing, volume, height, and scale of existing adjacent structures.

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Rhythm and Directional Emphasis

The rhythm and directional emphasis in Lowertown can be found both in the relation of several buildings to each other, and in the relation of elements on a single building facade.

Rhythm between buildings is usually distinguished by slight variations in height, windows and doors, and details, including vertical and horizontal elements. Rhythm may, as in the case of Park Square Court, be accentuated by slight projections and recessions of the facade, causing the scale of the building to match that of its neighbors. The rhythm and directional emphasis of new construction should be compatible with that of existing adjacent structures.

Materials and Details

The materials of new construction should relate to the materials and details of existing adjacent buildings. New buildings in the district should provide more detailing than typical modern commercial buildings, to respond to the surrounding buildings and to reinforce the human scale of the district. Walls of buildings in the district are generally of brick, or occasionally of stone. Walls are natural brick colors dark red, yellow, and brown. When walls are painted, similar subdued colors are usually used.

Parking

Parking lots should be screened from street and sidewalk either by walls or plantings or both. If walls are used, their materials should be compatible with the walls of existing adjacent buildings. Walls should be at least 18" high. Walls or plantings should continue the planes of existing adjacent buildings.

Lighting: Location of exterior lights should be appropriate to the structure. Signs should generally be lit from on the site. There should be no flashing, blinking, moving, or varying intensity lighting. Subdued lighting is preferred. Backlit fluorescent or exposed neon are generally inappropriate.

Grills, Exhaust Fans, etc.: Grills, exhaust outlets for air conditioners, bath and kitchen exhaust fans should be incorporated into filler panels, if possible. They may be painted the same color as the filler panel.

U.S. Department of the Interior National Park Service, Secretary of the Interior's Standards for Historic Preservation **EXCERPT**

District/Neighborhood Recommended:

-Identifying, retaining, and preserving buildings, and streetscape, and landscape features which are important in defining the overall historic character of the district or neighborhood. Such features can include streets, alleys, paving, walkways, street lights, signs, benches, parks and gardens, and trees.

Not Recommended:

Design for Missing Historic Features

-Introducing a new building, streetscape or landscape feature that is out of scale or otherwise inappropriate to the setting's historic character, e.g., replacing picket fencing with chain link fencing.

Alterations/Additions for the New Use

-Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the district or neighborhood.

E. FINDINGS:

1. The building is classified as non-contributing to the Lowertown Historic District. When reviewing changes to a non-contributing building and generally applying new construction

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Agenda Item VIII.B. HPC File #11-017

guidelines, the HPC should consider if the changes will improve the building's compatibility with neighboring historic buildings or further compromise the overall character of the historic district.

- 2. Removal of corner fins and proposed artwork: In general, the building does comply with the guidelines for massing and has a "boxy" appearance as the historic warehouses do. The building's design does not comply with the guidelines for scale, proportion, windows, materials and detailing. The guidelines state "The structures of the district are distinguished by their boxy profiles; preservation of this aspect is the most essential element for maintaining district unity." The removal of the fins at the corner on floors two through four diminishes the boxy profile of the building and does not comply with the guideline.
- 3. The corner of Sixth and Wall is a prominent visual "gateway" into the Lowertown Historic District from Sixth Street especially given the greater setback of the historic Allen Building. Given the loss of the outer fins at the corner, the newly painted red stair and proposed glass block will become a greater visual feature. Glass block is not a material commonly used in the Lowertown Historic District as walls. There are small amounts present on the Cosmopolitan Building and a couple other buildings in Lowertown but the material is not considered a common or distinguishing material for the district.
- 4. The glass block walls do not comply with the guidelines which state: "The materials of new construction should relate to the materials and details of existing adjacent buildings. New buildings in the district should provide more detailing than typical modern commercial buildings, to respond to the surrounding buildings and to reinforce the human scale of the district. Walls of buildings in the district are generally of brick, or occasionally of stone. When walls are painted, similar subdued colors are usually used."
- 4. The previous decision of the HPC on October 25th did not clearly deny or approve the installation of the glass block wall, the removal of the fins at the corner or the installation of the red banners. Instead, a condition was adopted that addressed the loss of the "boxy profile" of the corner and instructed the Design Review Committee and the applicant to finalize plans that would meet that condition. There was discussion at the October 25th meeting on possible solutions to "restore" the corner with the applicant's concept to install artwork on the building. Once a solution was agreed upon by the Design Review Committee and the applicant, staff could forward the approval to DSI to allow for a permit to be issued.
- 5. The proposal to remove the corner fins and install glass block walls behind the abandoned fire stair will have a negative impact to the local and National Register Lowertown Historic District.

E. STAFF RECOMMENDATION:

Based on the findings, and the discussions on October 25th, November 1st and April 11th between the applicant and HPC members, staff recommends denial of the application as proposed.

An alternative recommendation for HPC consideration is to approve the glass block partition walls as proposed provided new fins similar to the existing be re-installed at the corner or that metal screening be installed in lieu of the fins. Final plans to be reviewed and approved by the full HPC.



Saint Paul Heritage Preservation Commission Department of Planning and Economic Development 25 Fourth Street West, Suite 1400 Saint Paul, MN 55102

Phone: (651) 266-9078

HERITAGE PRESERVATION COMMISSION DESIGN REVIEW APPLICATION

This application must be completed in addition to the appropriate city permit application if the affected property is an individually designated landmark or located within an historic district. For applications that must be reviewed by the Heritage Preservation Commission refer to the HPC Meeting schedule for meeting dates and deadlines.

	•	•
1. CATEGORY		
Please check the category	that best describes the propose	d work
Repair/Rehabilitation Moving Demolition	☐ Sign/Awning ☐ Fence/Retaining Wall ☐ Other	☐ New Construction/Addition/ Alteration ☐ Pre-Application Review Only
2. PROJECT ADDRES	State of the state	
Street and number: 25	5 E 67H	Zip Code: <u>55 0 .</u>
3. APPLICANT INFO	RMATION	
Name of contact person:	PANIEL J. GLE	ESW
Company: <u>4U</u>	25,000 ARCHITELT	5 .
Street and number:1	75 HIGHWAY 3	6E-
City: ST Paula	State: MN	Zip Code: 55(0)
Phone number: (65)	246 (84(e-mail:	dgarchilectselaturai
4. PROPERTY OWNER	R(S) INFORMATION (If differ	ent from applicant)
Name: <u>9 AND</u> 19	PROPORTIES MAL L	LC. (DAVE BROOKS
	6 JACKSON ST.	<u> </u>
City: STPAUL	State: MN	Zip Code: 550.
Phone number: (651)	7071992 amail:	

5. PROJECT ARCHIT	TECT (If applicable), heyelorakan	
Land Survey		
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Street and number: 119	25 (HWY 36E	
	State: My Zip Code: SS (0 S) The manifest of the manifest of the first of the state of the stat	al, 60
6. PROJECT DESCRI	PTION	
changes to architectural foundation or porches.	Le exterior changes being proposed for the property. Include details such as windows, doors, siding, railings, steps, trim, roof, Attach specifications for doors, windows, lighting and other cluding color and material samples.	
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CONTRACTOR STATE	& WALL-ST.	
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7. ATTACHMENTS		
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the affected property. I further understa	gn Review Application is limited to the aforementioned work to and that any additional exterior work to be done under my ion to the St. Paul Heritage Preservation Commission. Any nowed.
Signature of applicant:	Date: WEY 73 01
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Signature of owner:	Date: (hard)
	<u> </u>
FOR H	PC OFFICE USE ONLY
Date received: 5.23. [rected 12 sets FILE NO
Contributing Non-contributing/Pivotal/	Supportive/:
Type of work: Minor/Moderate/Major	
Requires staff review	Requires Commission review
Supporting data: YES NO	Submitted:
Complete application: YES NO	☐ 3 Sets of Plans
The following condition(s) must be	□ 15 Sets of Plans reduced to
met in order for application to conform	8 ½" by 11" or 11" by 17" — □ Photographs
to preservation program:	No - City Permit Application
	□ Complete HPC Design Review
	application
	Hearing Date set for:
	Training Date Set 101.
It has been determined that the work to be performed pursuant to the application does not adversely affect the program for preservation and architectural control of the heritage preservation district or site (Ch.73.06).	
	City Parmit #
HPC staff approval	City Permit #
D.4	

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d to 17"				
Review				

Amy Spong - Re: Fwd: 255 E. 6th Street

From: Cecile Bedor

To: brooks, dave; brooks, jaunae; dgarchitects@hotmail.com; Hawksford, Edward

Date: 5/19/2011 10:14 AM **Subject:** Re: Fwd: 255 E. 6th Street

CC: Bostrom, Dan; Spencer, Joe; Spong, Amy; Thune, Dave; Warner, Peter

Good morning.

As you know, I've asked for advice from the City Attorney's Office (CAO) on how the HPC can consider your request related to the glass block on the corner of 6th and Wall. I specifically asked whether it was possible for you to file an appeal from the HPC's October 25, 2010 letter of determination. Peter Warner with the CAO advised (citing state law as well as the pertinent part of Leg. Code § 73.06(h) which states: "The permit applicant or any party aggrieved by the decision of the heritage preservation commission shall, within fourteen (14) days of the heritage preservation commission's order and decision, have a right to appeal such order and decision to the city council.") that there is no legal way for you to appeal the HPC's decision at this late date. According to Peter, Mr. Gleason, or anyone that felt "aggrieved" by the HPC's decision, had to file an appeal between October 25, 2010 and November 10, 2010. No one did.

So how do we proceed?

You could propose some new form of construction on the building's 6th and Wall corner. It's feasible that your new proposal may be somewhat similar in form to what was previously reviewed by the HPC, but given proper attention and detail, could be deemed sufficiently different from what the HPC had reviewed so that a new building permit could be applied for and reviewed by the HPC.

This approach gives you the opportunity for new consideration in conformance with Leg. Code § 73.06(h). As you know, the HPC would review the proposal for possible approval or disapproval. If the decision from the HPC is not to your liking, you could appeal the HPC's decision to the city council (following strictly the rules under Leg. Code § 73.06(h)).

Having said all this, CMs Bostrom and Thune, Amy Spong and I all know time is of the essence. To that end, Amy has suggested that instead of having to wait for the next public hearing meeting on June 23rd, she could get you on the **June 9th agenda provided she receives a complete application (including complete drawings) by Monday, May 23rd**. (The regular deadline is May 19th, but we're offering you a bit more time in order to move this forward.)

I can't state this strongly enough: Amy must receive a <u>complete application</u>, <u>with complete drawings</u>, <u>etc.</u> which detail exactly what you want to do-including, but not limited to lighting, by **May 23rd** in order to get you on the **June 9th** agenda. If she does not receive them from you in the proper form, your proposal will not be heard until **June 23rd**.

I have reviewed the above with CMs Thune and Bostrom and we're hopeful that you can get the documents in to Amy by Monday.

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Please contact me or Amy if you have any questions. I'm in meetings all day today, but you can contact my assistant, Laura, and she can pull me out a meeting if you need to discuss.

Thank you.



Cecile Bedor Director Planning & Economic Development 25 West Fourth Street, Suite 1300 Saint Paul, MN 55102 P: 651.266.6628 cecile.bedor@ci.stpaul.mn.us

The Most Lindbe Carchook YOU THE Schook Line

Making Saint Paul the Most Livable City in America

>>> Edward Hawksford <edhawksford@yahoo.com> 5/11/2011 12:48 PM >>>

We have been seeking approval on the glass block only. As of yet there has been no official determination. We understood that once it was determined that the abandoned fire escape was not a means of egress, that the glass block would be approved in the small committee. It has been determined that it is not a means of egress by building officials.

We met with Council Members Thune and Bostrom to resolve this issue since considerable time has been spent with HPC and an official determination on the glass block has not been sent to us.

We are seeking approval only on the installation of the glass block installation. We are seeking official correspondence in regards to the approval of the glass block.

Edward Hawksford

--- On Tue, 5/10/11, Cecile Bedor < Cecile. Bedor@ci.stpaul.mn.us > wrote:

From: Cecile Bedor < Cecile.Bedor@ci.stpaul.mn.us >

Subject: Fwd: 255 E. 6th Street

To: dgarchitects@hotmail.com, ed@hawksforddesign.com

Date: Tuesday, May 10, 2011, 9:14 PM

Dan and Ed - Pls respond to the e-mail I sent last week (and noted below) so I can

figure out next steps.

Thanks much.



Planning & Economic Development 25 West Fourth Street, Suite 1300 Saint Paul, MN 55102 P: 651.266.6628

Page 1 of 2

Amy Spong - RE: Meeting

From:

Daniel Gleeson <dgarchitects@hotmail.com>

To:

<amy.spong@ci.stpaul.mn.us>, Jaunae Brooks <jaunae@brooksgroup.net>,

JimBloom < jim.bloom@ci.stpaul.mn.us>

Date: 3/24/2011 9:56 AM

Subject: RE: Meeting

Gleeson Architects

1175 Highway 36 East Maplewood, MN 55109 Phone: (651) 765-9903

Email: dgarchitects@hotmail.com

Amy.

We need clarification from HPC regarding the use of glass block on the corner of 6th & Wall as previously dissusced. Jim Bloom, steve Ibu have confirmed on site that this is not an exit way. Now that summer is almost here Dave is anxious to get going again. My understanding of the last memo and meeting is that the block is OK if the LIEP approves.

Thanks Dan

Date: Wed, 27 Oct 2010 16:34:03 -0500

From: Amy.Spong@ci.stpaul.mn.us

To: dgarchitects@hotmail.com; dave@StCroixTrading.com

CC: Christine.Boulware@ci.stpaul.mn.us

Subject: Re: Meeting

Dan and Dave,

I'm happy to reschedule the meeting to discuss the storefront design to Monday or Tuesday so that everyone can attend. Dave, I just realized I had your email from the meeting.

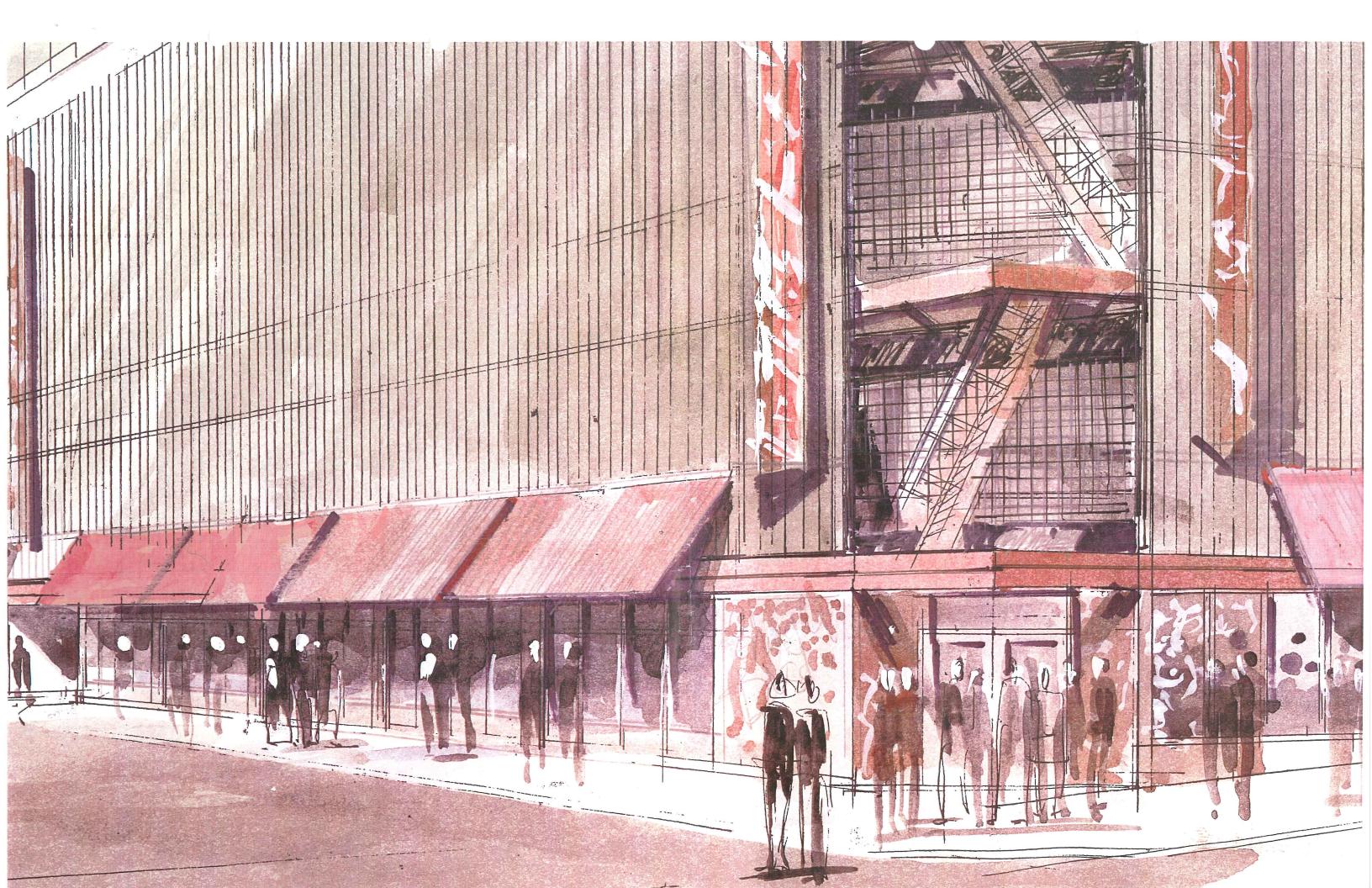
I'm on vacation on Monday and Tuesday but Christine would be available to staff this meeting and host it in PED on Monday between 11 and 3 or Tuesday afternoon.

Please let us both know of your availability. I've sent out the same times to the four HPC members who volunteered for this Design Review Committee.

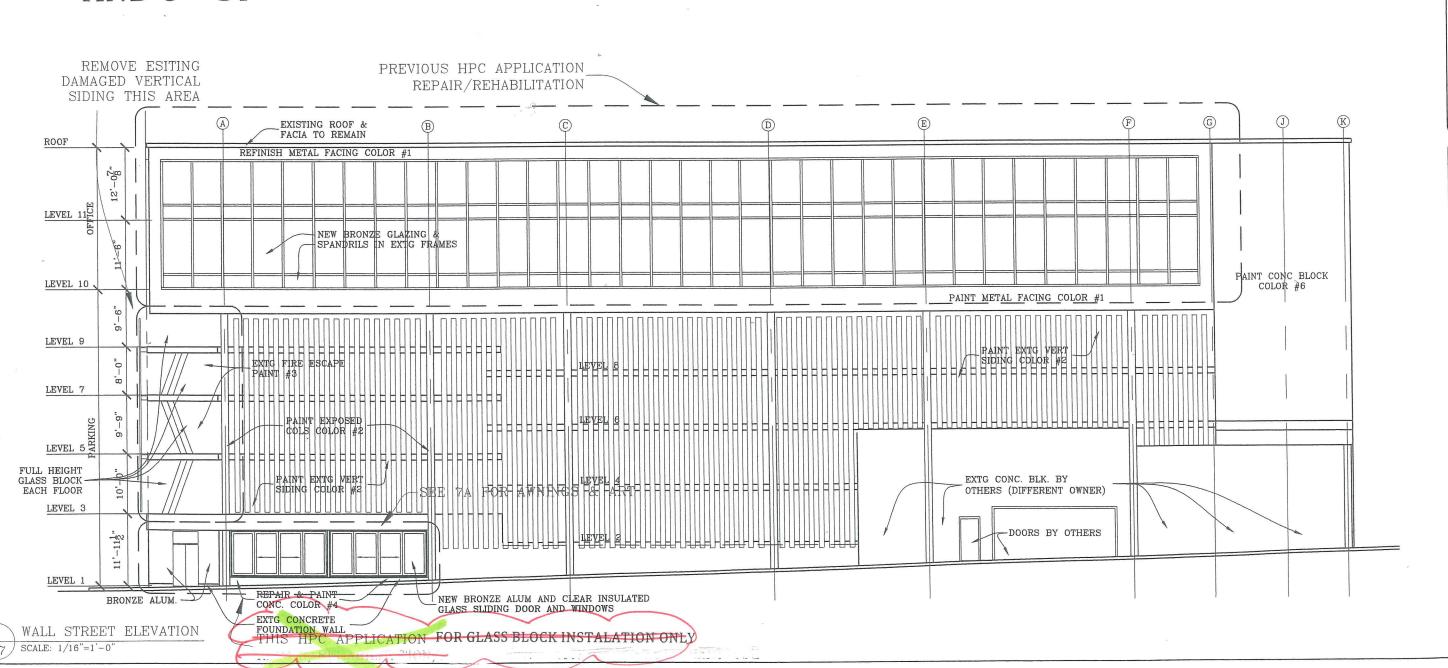
Thanks, Amy

Amy Spong
Historic Preservation Specialist
Department of Planning and Economic Development,
City of Saint Paul
Heritage Preservation Commission
1400 City Hall Annex
25 West Fourth Street

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INSTALATION OF GLASS BLOCK
PARTITIONS AT 255 E.6TH ST.
ST. PAUL MN.
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SINTS HIGHWAY 36 E
STATEPHONE 615-756-8003

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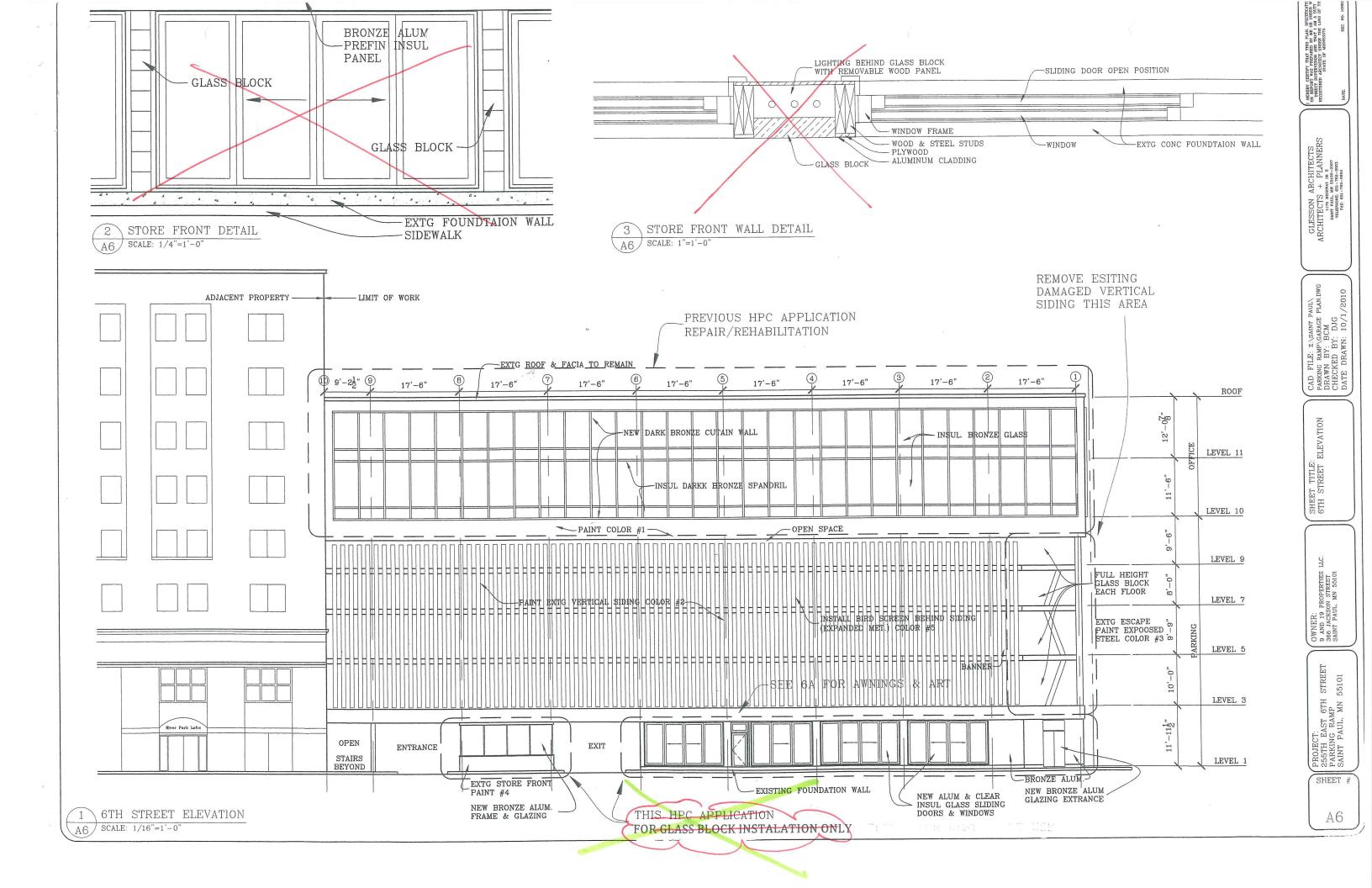
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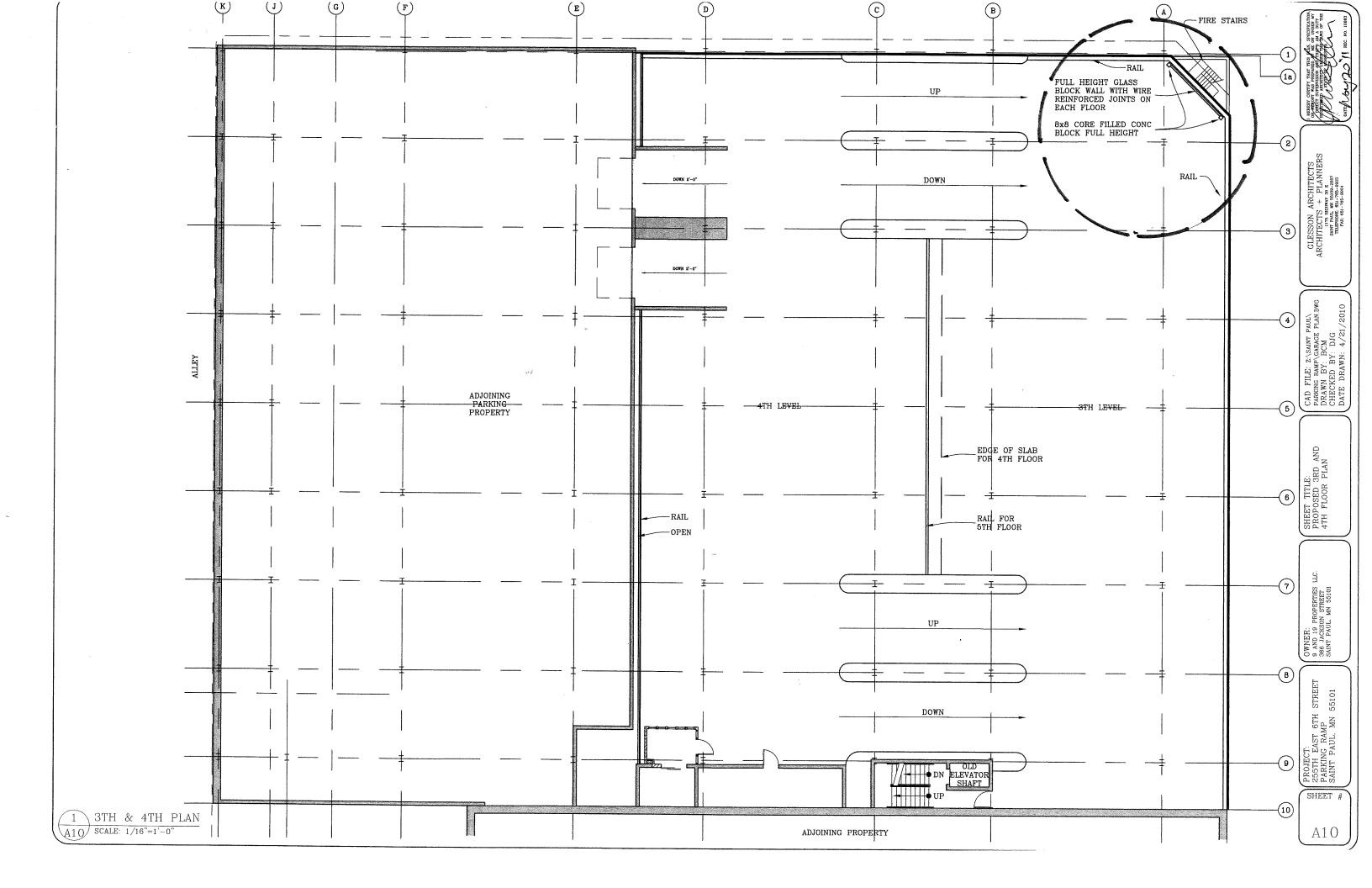
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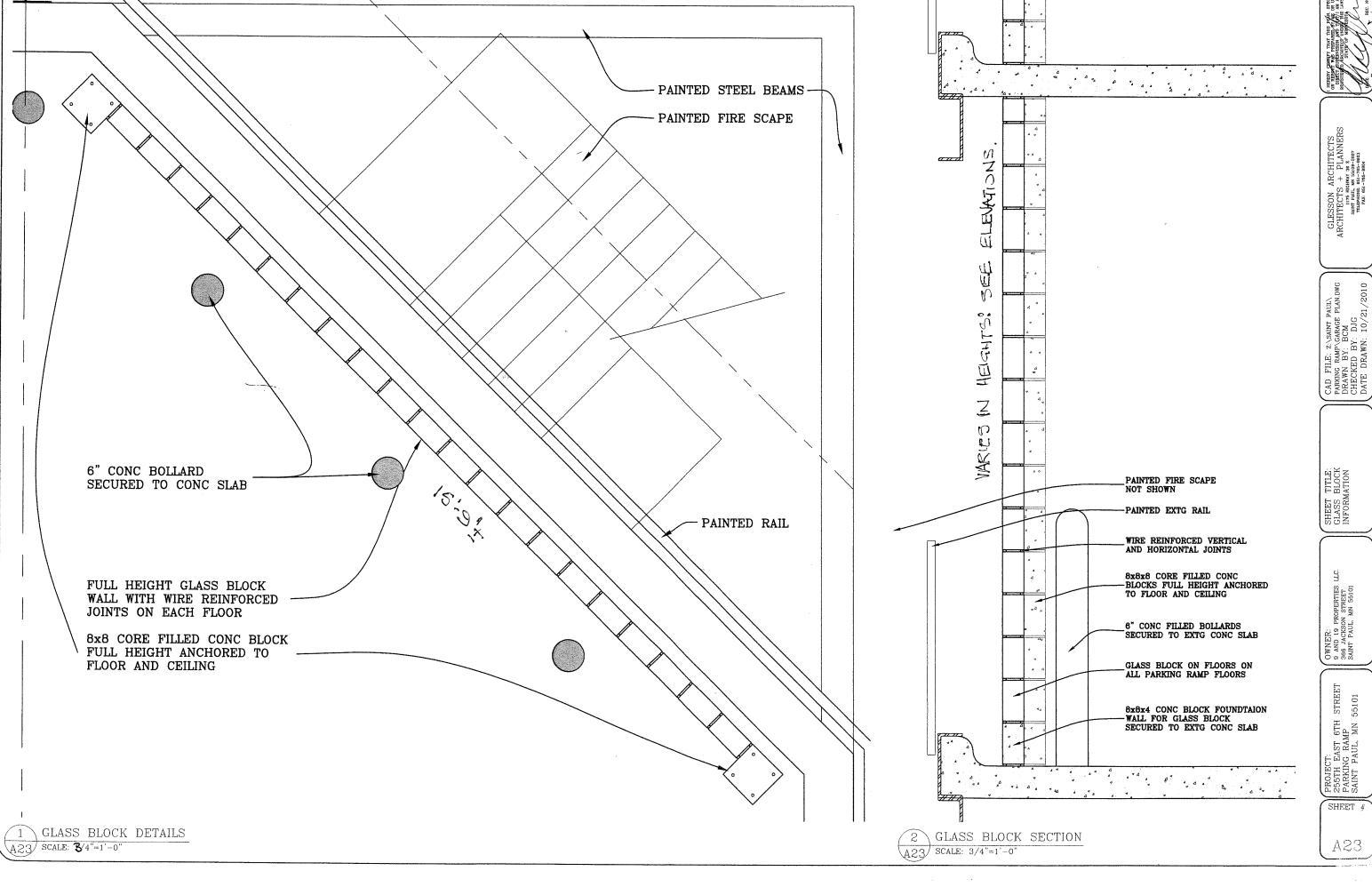
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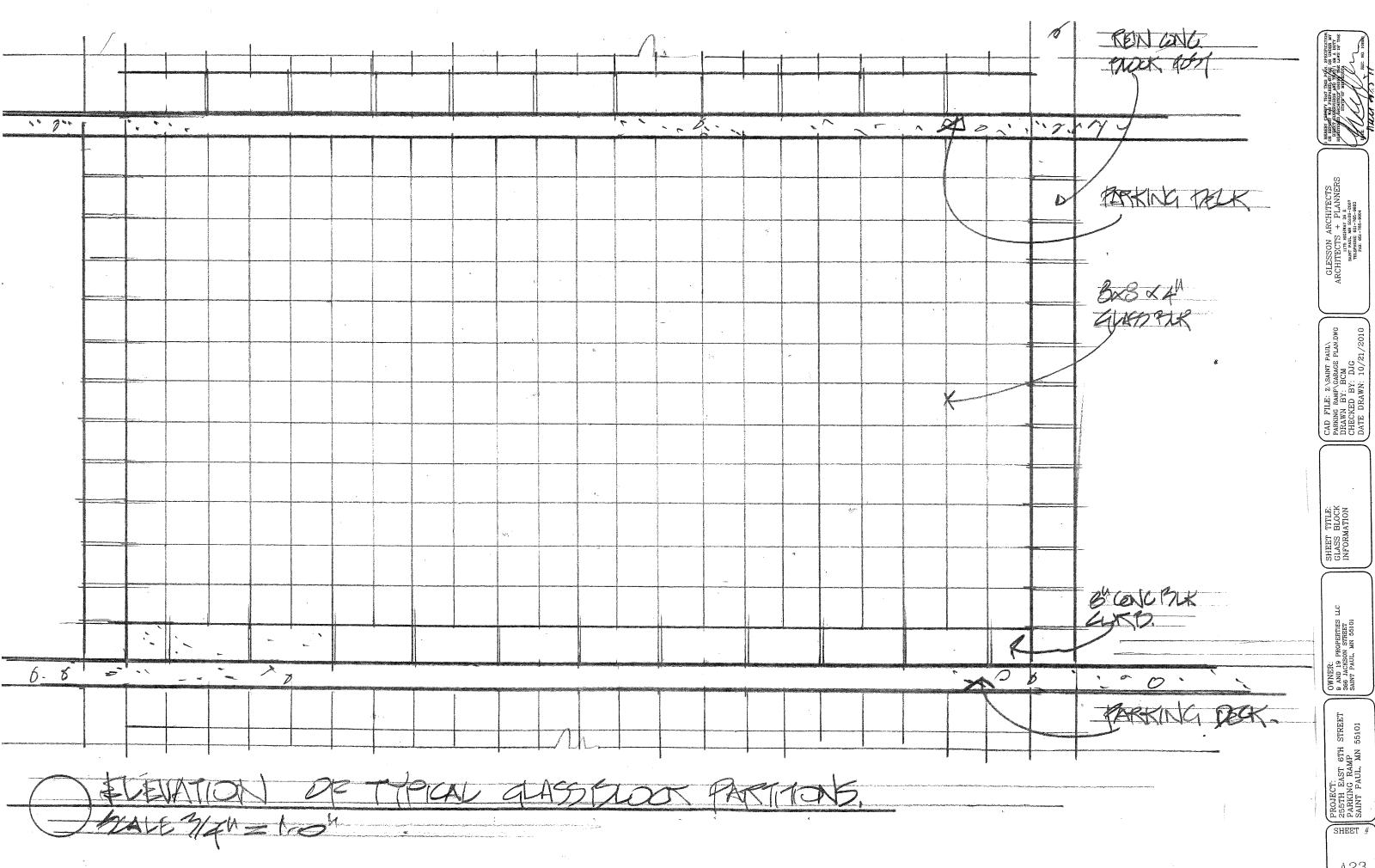




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