

**ACTION MINUTES OF THE HERITAGE PRESERVATION COMMISSION  
CITY OF SAINT PAUL, MINNESOTA  
City Hall/Court House, 15 Kellogg Boulevard West, Lower Level - Room 40**

**November 16, 2017**

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**Present:** Michael Justin, Barbara Bezat, Robert Ferguson, Richard Dana, Steve George, Teresa Kimker, Joe Peroutka, Steve Trimble, Bill Lightner, Stuart MacDonald, David Wagner

**Absent:** Casie Radford (excused),

**Staff Present:** George Gause, Allison Suhan

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**PUBLIC HEARING/DESIGN REVIEW**

- I. **Call to Order:** 5:05 pm
- II. **Approval of the Agenda:** *Commissioner Bezat moves to adopt the agenda. Commissioner Dana seconds the motion. **Passed 11-0.***
- III. **Conflicts of Interest:** None.
- IV. **Public Hearing/Permit Review**

- A. **524-526 Portland Avenue, Historic Hill Heritage Preservation District**, by Ray Meyer, owner, for approval to install a red, stamped-concrete driveway accessed from the street. **HPC File #18-004** (Boulware, 266-6615)

Commission Chair Justin: There are a couple of public hearings on the agenda the first is: 524-526 Portland Avenue File #18-004.

HPC Staff Member George Gause: 524-526 Portland Avenue is in the Historic Hill Heritage Preservation District. In October staff approved the replacement of a rear portion of the driveway at this property using a red tinted brick stamped concrete; this portion of the driveway was 90 feet back from the curb line. We felt that there was precedent to allow stamped materials in the rear yard with minimal views from the public way. You can see in this picture (*referring to the 11/16/17 Power Point-slide #3*) the work had already been done, you can barely see it, this is a close up of the work, (*referring to the 11/16/17 Power Point-slide #4*) this is the plan of the site, how far back the work was done (*referring to the 11/16/17 Power Point-slide #5*). The applicant also provided us with a submittal to replace the front 90 feet of driveway, walkway with steps, three panels of the sidewalk and the curb cut apron.

Gause continues: We have an official application, then we have three alternative versions of the application. On all four versions of the application the 90 feet of driveway and walkway would be a concrete stamped, tinted red, herringbone pattern with a soldier course. The three panels of sidewalk would be concrete as per city code and then there's four different options for the curb cut apron, one would be concrete scored with carriage lines every 8 inches and a concrete border, concrete scored with carriage lines every 8 inches and a tinted red stamped soldier course border, tinted red concrete, stamped with a herringbone pattern and a stamped soldier course border or smooth concrete in a concrete border. Of these options staff reviewed the official application that was submitted, we did provide our evaluations based on the Secretary's Standards for Treatment of Historic Properties and the Historic Hill Guidelines.

Gause continues: The 90 feet of driveway, there are no stamped driveways in the Heritage Hill Historic District, there are plenty of brick pavers found in the district but they are uncommon. There are no brick driveways on this block of Portland Avenue; there is no

evidence that this property ever had a brick paver driveway. Staff feels that the concrete stamp does not perform visually the same as a brick paver would. The proper option for this driveway would be to pave the driveway with concrete scored with carriage lines every 8 inches and have a concrete border. You can see here (*referring to the 11/16/17 Power Point-slide #7*) are the three areas of work that's being proposed, here is the option that staff believes it should be, concrete with a carriage score back, this is historically found around the district. The three panels of sidewalk, this work is regulated by Public Works, the work to the sidewalk as proposed meets the standards and guidelines. We have no problem with that work; the work will include both panels - the portion that goes over the driveway then a panel to the side that has a crack through it. The curb cut apron, the main application is calling for concrete scored with carriage lines every 8 inches and a concrete border or smooth concrete and a concrete border they would both be complimentary to the district and meet the standards and guidelines. Stamping any portion of the concrete apron would not be compatible with the district and we don't feel it should be done.

Gause continues: The proposal has components that could be approved but the main portion of 90 feet of stamped red tint concrete driveway we just don't feel would visually be compatible with the historic district. Will not perform similar to brick pavers, stamped concrete on one side brick pavers on the other has no historic bases at the property

*(Applicant Ray Meyer interrupts the meeting, opposing the statement)*

Gause continues: this has no historic bases at the property it could create a false sense of history and does not meet the Secretary Interior Standards or the Historic Hill Guidelines as outlined in the staff report. So staff's recommendation is based on the findings staff recommends denial of the official application proposed to install a red tint stamped herringbone concrete driveway and walkway with steps at 524-526 Portland Avenue and we also have a suggested motion for commissioners. Questions?

Commissioner Dana: Did you say that the application for the rear portion was after-the-fact?

Gause: It was not, but we approved that because we felt like there was enough precedent to use a stamped material in a rear yard, patios and things like that, that has never been approved and used in a front yard situation.

Commissioner Dana: In the photograph you showed of what you thought would be appropriate –that one–(*referring to the 11/16/17 Power Point-slide #14*) is the scoring across the sidewalk portion appropriate?

Gause: You know this is a historic scoring across the sidewalk so I don't know that Public Works would allow scoring like this today, but it certainly has precedent in the district.

Commissioner Dana: Okay.

Gause: We also have a series of photos that were submitted by the applicant. Staff went through verified addresses, corrected addresses where we found, wrote down what those materials were, what the type of material was, if it was a walkway a sidewalk, steps, if the HPC has ever reviewed that material and how it was from the subject property. Any other questions?

Commissioner Lightner: So the recommendation is just to deny, it's not providing this alternative.

Gause: Correct.

Commissioner Lightner: Because this was not one of the alternates, but for the sidewalk portion in the apron it was one of the alternates, so shouldn't that be a part of that?

Gause: Well we felt there were components that could be approved but since the main piece of the application was that 90 feet of driveway that just doesn't meet the guidelines we felt denial and if the applicant wants to come in and ask for those two pieces we could actually do those administratively since they meet the guidelines.

Commissioner Lightner: Sure okay, okay.

Gause: Any more questions?

*(Applicant Ray Meyer has walked up to the podium and is standing behind staff member George Gause)*

Applicant Ray Meyer: *(Interrupting)* Yes, George, Can you back up,

*(Staff Member Allison Suhan speaking-inaudible)*

Applicant Ray Meyer: Oh I'm not allowed to speak correct.

Gause: Correct.

Commissioner Lightner: Sorry, one more question, and the main reason you do not like the stamp paver is because visually you feel it does not look the same and it won't perform the same too, correct.

Gause: Right

Applicant Ray Meyer: *(Interrupting)* It would be better

Gause: But we don't feel like it would visually look like a brick paver.

Commissioner Lightner: In that you are also saying that it is...

*(Applicant Ray Meyer speaking-inaudible)*

Commissioner Lightner: made to look like something that's not – right so it's giving a false sense of history in a way.

Gause: Right, we don't have any evidence of brick being used to this property.

Commissioner Lightner: True, sorry one more follow up. If they decided to put real brick would that be appropriate?

Gause: It certainly would be a question to consider. The applicant has found plenty of brick in the area and I think it would be a consideration from staff.

Applicant Ray Meyer: *(Interrupting)* It would be \$50,000 more.

Commissioner Bezat: The point is because it's fake, that's part of the guidelines right that you can't make it pretend so it looks historic.

Gause: Right.

Commission Chair Justin: Okay, are there any other questions that the staff has or commissioners have for the staff? If there are none then I will open up for the public portion of this, so Mr. Meyer I assume you are the

*(Applicant Ray Meyer speaking-inaudible)*

Commission Chair Justin: Have you signed in?

*(Applicant Ray Meyer speaking-inaudible)*

Commission Chair Justin: Excuse me...

*(Applicant Ray Meyer speaking-inaudible)*

Commission Chair Justin: Excuse me, have you signed in?

Applicant Ray Meyer: Before things get too bias against me, Can we go back to the sample slide that George put up there on what he thinks I'm proposing could you just back up to that slide. That's not what I'm proposing on the side by side, *(referring to the 11/16/17 Power Point-slide #12)* I'm not proposing this I don't know where the hell they got this.

Gause: That's from your pictures from your property.

Applicant Ray Meyer: No it isn't, I'll give you lots of pictures I do not have a gloss finish. I don't. Please feel free to come and look at it, and this I don't know what that is but that's at least a sample but okay can I begin.

Commissioner Peroutka: First of all can I ask who you are?

Applicant Ray Meyer: You betcha, my name is Ray Meyer.

Commissioner Peroutka: Okay thank you.

Applicant Ray Meyer: For the last 20 years I have been the owner of this property at 524-526 Portland. For the record I'd like to clear up some things because it says that the house. Well let me just start out one step further, the announcement for this meeting talked about the red stamped concrete and it says I'm here to approve a red stamp concrete driveway, it's very very biasing, please please give me some chance here. Instead of calling it red stamp brick driveway that sounds god awful and that picture kinda looks god awful *(referring to the 11/16/17 Power Point-slide #12)*. Okay what I'm proposing and I have plenty of photographs to back this up, just come to the site and look at it. Did anyone come to the site?

*(Several Commissioners raised their hands)*

Applicant Ray Meyer: What do you think? Did that look like my driveway?

Commissioner George: I didn't walk on your property.

Applicant Ray Meyer: Oh well, then that wasn't much help was it. Okay I suggest instead of calling it a red brick I mean a red concrete driveway let's call it a durable stamp concrete driveway of antique brick texture and color. I'll say that again because that's really what I'm

here talking about. A durable stamp concrete driveway of antique brick texture and color. You might want to write that down to remind yourself because if you read the staff report it constantly referring to something else. A very bias way a brick concrete a red concrete. Okay as long as I'm trying to clear up the record, the first paragraph of the staff report says the house is the J.R. Hudson house, never heard of that before. When I first bought the property I joined the, I does anyone know Tom Blank in your fellow architects and historians, does Tom Blank mean anything to any of you?

*(Several Commissioners nod their heads)*

Applicant Ray Meyer: At least a couple of old timers do. And I asked Tom give me some information on my house because the state historical society doesn't have anything, the Saint Paul, City of Saint Paul and he said that the house was built 1890 and that's important, those 10 years are very important. It was built for and the owner was Mr. Kutson, K.u.t.s.o.n. it was not the J.R. Hudson house as far as I know, it's the Kutson house, well how could you have made such a big mistake. Well it says that according to the tax records it was built in 1900. That's not when it was built, it was built according to Tom Blank does any of you want to denigrate Tom Blank. He is one of the noted historians of the Hill District and what he said is that it was built for Mr. Kutson as part of the Bryant what's now called the Bryant subdivision and was annexed to the City of Saint Paul in 1900 and all of their buildings in that area were annexed and called 1900. Because that's when it was annexed it is not the age of the house if you want to check on this just go and look at some of the neighboring houses there all 1900 what a coincidence. That tends to support what I'm trying to say but the fact is 1890 house based on Tom Blank who has written many books and has been seen on television channel 2 on and on. He is a recognized historian of this district and also an architect.

Applicant Ray Meyer: Okay again, one other thing on the site description besides; I believe the wrong owner original owner and the wrong dates. It talks about the period of significance prior between 1903 and 1925 what does that mean? So what is the period of significance? What is the period of significance? I'm asking the question to the person who wrote this...

Staff Member George Gause: (interrupting) Sir, this is your opportunity to address the commission with your comments.

Applicant Ray Meyer: Yes, oh I'm not allowed to ask questions? Okay. I guess. I'm not allowed to ask questions?

Commissioner Peroutka: said it's not quite Mr. Meyer my name is Joe Peroutka it's not quite an inquiry it's a presentation and this is the public art public part

Applicant Ray Meyer Okay

Commissioner Peroutka: to provide testimony, it seems like what you're offering are some things to correct the record.

Applicant Ray Meyer Okay

Commissioner Peroutka: and they can certainly be submitted in writing.

Applicant Ray Meyer: But in terms of how much longer is this inquisition going to go on you've been at it for two months.

Commissioner Peroutka: Please, please it's not an inquisition but if you want to make your point and talk about your application we're certainly here to listen to that.

Applicant Ray Meyer: Okay but I'm supposed to address a number of times you referred to the period of significance.

Commissioner Peroutka: There are guidelines through the Department of Interior that are defined. And that is the term that's used.

Applicant Ray Meyer: That's my property

Applicant Ray Meyer: That's the term that's used.

Applicant Ray Meyer: and this is prior between 1903 and 1925. What's that mean? Okay I'll just move on. (*Inaudible*)

Commissioner Peroutka: I think it's fair to accept it at face value

Applicant Ray Meyer: but it's a significant to what I think is before us. Okay my people advised me to be polite and be nice and don't get emotional, I kind of blew that out of the water, didn't I.

Commissioner Peroutka: You're fine.

Applicant Ray Meyer: Okay thank you, thank you. Okay now I can start, I just want to clear the record on a couple of those things. Cause again I think they bias calling it what it's been called rather than what I told you to write down cause that's what it really is. So what I would like to do is go through a general introduction because it sounds like they don't think this is, what I have here appropriate for the historic area, so I'd like to defend and clarify the use of bricks in my property and the use of bricks in the block and the use of bricks in the Heritage Preservation Commission because I've been given a strong impression that use of bricks is very very inappropriate.

Commission Chair Justin: Well Mr. Meyer you're not using bricks though. Is that correct?

Applicant Ray Meyer: I'm using something better than bricks.

Commission Chair Justin: A stamped concrete product. Correct?

Applicant Ray Meyer: Which performs better.

Commission Chair Justin: Okay

Applicant Ray Meyer: So I was down here (*Inaudible*) staff seven times and after about the second time I gave up and I told my concrete guy to come down and after the third time he finally got the approval for the back half and he says my ga, anyway so I said don't have a heart attack I'll take it over from here and try to work on the front half. And I get hounded over and over and over about the bricks so I'd like to devote the first part of my presentation to bricks and why I think bricks are appropriate. And then in the second half second part hope there won't be a whole half here I will defend and clarify stamp concrete as a solution that's appropriate and needed in the spirit of historic preservation you really want to historically preserve things you should consider a good stamped concrete approach. But not just throw it out because they didn't use it in 1890 at least not around here.

Applicant Ray Meyer: Okay so with that someone said to me get up there and make them all love you. I don't think I've done that. Stick to the facts here, so the first issue is I want you to have some familiarity with my site and where I'm coming from. It was mentioned in the report that what I'm suggesting just isn't appropriate to my site. So let's look at, looking at my site and I don't know how to run this thing.

Staff Member Allison Suhan: I will set it up for you

Applicant Ray Meyer: Inaudible

Applicant Ray Meyer: Okay great. Just a few things about my house, you say why am I wasting your time because what I was told that what I could, and the report says it's inappropriate for my site. Really okay I disagree with that. Let me just mention a few things here is the front view and when I bought this house 20 years ago it had a – the front columns were all rotten I had to replace them they were custom made they had to be made out east they're 8 sided tapered columns no carpenter would want to touch it. So they're custom made out east. I mention this because it shows how much I love historic preservation and how serious I get about it. The porch and deck had to be completely redone oh and it was redone in ipe anyone familiar with ipe wood? It's a special wood from Amazon area. Oops not supposed to ask people. Is ipe a good wood? Is it good for preservation? I've heard that it should last for hundreds of years even in the worst situation it'll last 75 years. Okay I chose ipe it's about 5 times more expensive but I believe in historic preservation folks and doing things right. The a shingles in 1890 were made out of wood I've used a different material now it's what asphalt, why because its practical and it has good quality, quality means performance is a function of cost. So no I didn't rip off the shingles and put wooden shingles I used asphalt. Mm it's not historically pure. Ah it had a chain link fence it was all rusting really really bad, like a haunted house.

Applicant Ray Meyer: I did as I'd been asked to do with my driveway dig up my yard and look for bricks, I wasn't asked to dig up my front yard and look for elements of metal. I just went ahead and did what I thought was right and you can't see it very well here but I have a quite nice a Victorian fence and gate that I designed after a lot of research to be compatible with the neighborhood and that's what counts to support the historic nature of the area. Okay, um alright let's take a look at the other side; oh the house was completely covered in slate, asbestos slate at a humongous amount of cost because I want to do things right. Historically pure. Remove the slate, it didn't show up very well, it's sort of a highlight, oh well, about 80% of the siding has been replaced, why'd he do that because I wanted historically pure and to enhance the neighborhood to enhance my property. Ah when they put the slate on back in the 50's god that's even older than the concrete that they consider sacred that was put in in 1978. Somehow the grey concrete of 1978 mentioned many times in the report as standard. *(Inaudible)* Okay so I'll just detail the key stones all this detail was just hacked out with an ax I'll say, and giving us the slate I rebuilt that all, cost me hundreds of thousands of dollars why because I believe in historic preservation doing things that will enhance the neighborhood. Okay? Oh by the way the driveway in question is down here isn't it beautiful? Put in in 1978 very very historic and I have been told that that is the magic guideline. Many many many times in the report it refers to that as being the magic standard. The old 78, 1978 concrete that was badly put in by the owner has all disintegrated but I should try to reproduce that? I'm not making this up read the report it refers to that a number of times not the original concrete. It's all original its 1978 okay for my work am I just sort of a rabble rouser, well I guess I am in some peoples mind. But here's an award who gave me this award? For the best one of the two recipients the best residential restoration the City of Saint Paul, that's how serious I take this folks. Oh who awarded me that? Well the Saint Paul Historic Preservation Commission- really, wow they really they really lost it if they did that. Oh and who else? The Saint Chapter of the American Institute of Architects. They like

my sense of judgement, my sense of quality, my sense of what's Victorian and what isn't.

Commissioner Wagner: Chairman I would like to call on you to impose a time limit. We've been hearing about 15 minutes of testimony very little of which is pertinent to the question at hand I think a time limit would be appropriate. In respect to everyone's time here please.

Applicant Ray Meyer: Inaudible

Commission Chair Justin: Okay as we do have

Applicant Ray Meyer: Major objection, one of the 7 or 8 key objections is that what I'm proposing is not relevant to the property the site they call it.

Commission Chair Justin: I think you can make your point in a more brief statement we do have another hearing after this and we don't want to keep them waiting too long.

Applicant Ray Meyer: Okay, okay. I just want to establish where I'm coming from;

Commissioner Wagner: Can we establish a time

Commissioner Bezat: Chair can we establish a specific time limit because in the guidelines for generally for presentations its between 5 and 10 minutes total for presentations to the Commission.

Applicant Ray Meyer: I have been accused of 7 or 8 major things and I'm trying to defeat the first one I'm going to go down the list, one of them is proposing inappropriate to my own home.

Commissioner Wagner: Chairman we're at 15 minutes at the moment.

Commission Chair Justin: We'll give you another 5 minutes to try to make your major points.

Applicant Ray Meyer: Okay thank you. okay um let me just mention also I'm going to waste some more of my time, in the general overview I think I did mention I was down here 7 or 8 times talking to the HPC an every single time no matter what I said the answer's no no no no. The first time I was in I said well dig up brick artifacts in my yard on my property I did that I came in the next day or within a couple days and my second meeting with a bag of bricks what did that prove but that's what I was asked for. What do the neighbors think I don't think, it's not part of the report? What I would like to submit for your consideration is in this pile somewhere. About 25 neighbors that approve of this on the left, on the right, across the street, everyone that was home for about a 3 day period we got them no one turned down. Okay then after many many many meetings saying the bricks are inappropriate and that's why I prepared for a big long discussion of why that's not factually correct then about 3-4 weeks ago they switched over to well its stamped concrete. So do you acknowledge that bricks are appropriate for the historic area and then I can move on. Should throw up example or two of brick driveway I was told there is no brick or heard that many times there's no brick driveways in that neighborhood. Um again they said my driveway was not compatible the site design and the surrounding character of the neighborhood. And I've got all sorts of slides to show that is factually wrong and shows huge bias. And a lot of these slides are not in the report. But I need to move on because I think we need to get to the topic that I am greatly prepared if you don't have agreed is highly part of my neighborhood. And my specific property George to just put up one slide showing that brick is deeply imbedded in my landscaping. (*Referring to the 11/16/17 Power Point-slide #15*) I'm a master gardener I focus on historic stuff that's what I like historic garden and believe me the



brick that I've used throughout my garden I've got all sorts of walking paths and cool things it's very much a – I'll just try to throw up one slide, okay so that's just the other side of my house the west side of my house and we see a brick driveway. I've got brick everywhere surrounding all my driveways. I have a gazebo in the backyard that has a beautiful brick – all because that is historic architecture and so on. Okay so that's my house I like it, I'm paying for it based on my taste, an awarding winning taste I'll say. I think it's compatible with my own house. I've got a whole bunch of slides to show that it's compatible with the surrounding neighborhood. And I think they threw up one or two of those and I got a whole bunch more. Okay I got one a picture of

Commission Chair Justin: Mr. Meyer the staff did provide the commission with a lot of photographs already. So we do have some of the brick examples that you've provided earlier.

Applicant Ray Meyer: Okay thank you. So I can go on record that you knowledge brick was used in the historic district, I was told it wasn't, it's so unbelievable, so I spent hours and hours and hundreds of hours making photographs to try to fight that one. Okay so here's the whole bunch more way more than what I submitted that brick was a historically correct thing. Okay let's talk about stamped concrete in terms of is brick used in driveways I've got many many many examples of bricks used in driveways in historic region and I heard that it was not on my block. That might be true, also at one point I said lets compromise let me put in a gravel driveway until we can the dust settles and I can get in there put in the proper drainage and build up the base and we can argue over what kind of cement to put in later and I wasn't allowed to do that cause gravel of course is terrible. There is a beautiful historic house just a block down on Arundel and my street that has a gravel driveway. Gravel driveways were the predominant driveway used.

(Inaudible)

Applicant Ray Meyer: Pardon?

Commissioner Wagner: There's one minute left in your time according to my watch.

Applicant Ray Meyer: Okay, this is very kind of you. So you make all these acquisitions and cannot defend them. Okay so brick concrete, stamped brick is nowhere used in Saint Paul historic district there's many many examples I have many examples if anyone is really interested in reading what reality is, glad to go over those. Well there's absolutely no stamped concrete used in the Hill District, that is wrong here's one right behind the Livingston Griggs House, that's about as historic as you can get, isn't it? That is a stamped concrete driveway it's not the kind I'd want, it's an imitation of a slate of some type. But anyway there it is. They said there is absolutely no precedent there's a precedent I just chose a different style of brick. Oh here is another one this a –read the address- I don't like that either looks like it's been painted over, but it is stamped concrete they said it wasn't done. Okay what I suggest is we do what I'm doing I wouldn't bite on any of those either but I would say let's get a good concrete company that does good work.

Commission Chair Justin: (using gavel) Mr. Meyer your time is up, but I think we can summarize what you've said. Um in that you've shown that there's- you have examples of stamped concrete in the neighborhood, examples of brick in the neighborhood. Um and so that is the basis of your request because there is precedence of stamped concrete and of brick used in driveways. Is that correct?

Applicant Ray Meyer: Yep. Give me another minute or two because the focus lately in my many rejections when I go down there is that stamped concrete isn't any good is not

realistic. Okay does that, what is that is that real or is that stamped concrete?

Commissioner Wagner: Chair

Applicant Ray Meyer: What?

Commissioner Wagner: Call the time please.

Commission Chair Justin: Sir you'll have to step down and um we'll ask for other.

Applicant Ray Meyer: (Interrupting) What's these false acquisitions cause I want to clarify it. This is stamped concrete this is what a good job of stamped concrete looks like, as is this.

Commission Chair Justin: (Using gavel) Your time is up

Applicant Ray Meyer: Mm uh

Commission Chair Justin: We have other people that may want to speak give them an opportunity also,

Applicant Ray Meyer: Okay

Commission Chair Justin: We'll have to close the public hearing after that

Applicant Ray Meyer: Alright

Commission Chair Justin: And there won't be any more public testimony after that point. So at this point um if you could leave the floor and we'll ask if there's anyone else who wishes to speak to this.

Applicant Ray Meyer: Okay

Commission Chair Justin: And if there is anyone else could you come up to the microphone if you haven't signed in please sign in, state your name for the record.

Applicant Ray Meyer: (Interrupting) A 5 minute summary, there's good stamped concrete.

Commission Chair Justin: And then a please limit your testimony to one or two minutes.

Applicant Ray Meyer: (Interrupting) (inaudible) bureaucratic

Commissioner Wagner: You've had 23 minutes on the floor that is more than enough time to make a point sir, please take your seat.

Applicant Ray Meyer: You should have told me ahead of time. Thank you. You gave me 2 hours' worth of crap to revise.

Public Testimony- Elaine Donahue : I'm Elaine Donahue and I rent the first floor of the 524 Portland Avenue and I have three points I want to make one was on the red that it's not red anymore then maroon or rust or red, but you've seen pictures of the actual driveway when it was half done and half not. I think that was obvious that it was not red so I'll delay talking there. I was also made comments on the concrete that is being removed, removed from the top half is not the original because when the property to the east was razed their garage –

owners of 524-526 bought it, bought that property they moved the east property garage over combined the two and that's why there's a four car garage. That concrete that we're discussing came up and fit around those four stalls of that new garage indicating it had to be put in after the house to the east was removed. I did not know the date until Ray Meyer just mentioned it. I also want to suggest that there is appears to be a little lack of information. In other words there was a time when the narrow board siding on that house was permitted to be covered with asbestos singles and a chain link fence was permitted to frame the front and the side of the yards. Two things that are not permitted. Clearly during that time the city was not monitoring or recording what was happening on the 500 block of Portland Avenue. So that tells me you don't know what was there prior. It could have been asphalt, could have been gravel, could have been pavers, could have been concrete and I'm going to suggest it could have even been stamped concrete because we don't know what the original was. I think maybe the main point I saw in your report was that stamped concrete is not historically correct. The fact that Ray Meyers showed that it is in the Hill District um I know it's at 12 Summit Court, he showed it at 1162, 1218 Summit Avenue. Um but it is here and to say that it is not in a historic district is incorrect. I also read an article about historic driveways and they recommended that stamped concrete along with other materials for this period of 1900-1930. Now I realize those are not the Hill District but it does suggest that there are guidelines in the United States that permit stamped recommend stamped concrete for historic neighborhoods, remember there is some in ours. So in summary all I wanted to say as the driveway is not red, no one knows what materials were used for the original driveway, and the stamped concrete was either original to the historic district or has been considered acceptable because it is here. I urge approval for the installation of the aforementioned stamped concrete for the remainder of the 90 foot driveway, runs from the sidewalk to the garage at that point the rod iron fence and the rod iron gate separates the public area from the semipublic area and additionally the gate diminishes even the awareness of the driveway. Thank you.

Commission Chair Justin: Thank you. Is there was anyone else who wishes to speak. Yes could you please come forward and sign in and state your name for the record.

Public Testimony-Scott Adams: Okay my name is Scott Adams; I live at 528 Portland Avenue. I'm the next door neighbor to Ray and family. I moved in-well I wasn't exactly moved, I was brought in March 10, 1948 to 528 Portland I have lived there – I have never moved. First of all I want to say this is a driveway and it's like gee if somebody said there's a driveway of gravel located in the historic area and it appears that your program has a fair amount of inaccuracies in it. And it's like gee the inaccuracies should probably be corrected. Second of all in a sense I don't really care what's there as far as a driveway. It's a driveway. It isn't a house and as far as it's historical what, why don't we just all go back to just plain dirt. I mean that would make it a story. But in my own opinion I think what he is doing is very good. If it's stamped concrete and stamped concrete is used and used in the neighborhood, well why not have this be stamped concrete. So all I can say is this is the first time I've been called and apparently there's been a lot of time an effort put into this for a driveway. Okay well I think it should be approved. I mean I'm not going to lose sleep over a driveway and I don't think anybody else should. Thank you.

Audience-Mary Hennessey: Did you sign in?

Public Testimony-Scott Adams: Yes.

Public Testimony-Mary Hennessey: I'll just start talking in the interest of time. My name is Mary Hennessey and I live at 523 Portland directly across the street from the house in question. Um I'm just here to say that I'm probably the one that sees the house more than anyone living right across the street from it and to me the stamped driveway would be

aesthetically pleasing and it seems to me that it would be in keeping with the historic nature of the neighborhood and um I think whenever we're trying to do things and we've done some things for our house to try to get our houses is even a little bit older than the house in question and you know sometimes the new building materials are better. And we want these houses to stay standing for many more years because we love them and I think sometimes you know if we can use a new building material that's stronger and better and still aesthetically pleasing and still looks similar to if it had been brick or something, I think that that I'm in favor of it. And that's all I want to say.

Commission Chair Justin: Thank you. Is there anyone else who would like to speak?

Public Testimony-Jason Patalonis: I am Jason Patalonis and I live at 506 Portland and I think all those of us who have chosen to live in a historic district certainly want it to remain historic. If we wanted new homes we would all live in Chanhassen. And I don't know how many of you got your proposed 2018 property tax bill today, I did and yet again I'm seeing a huge increase. We put up with a lot to live in the city and make it a vibrant dynamic environment. I certainly don't remember Ramsey Hill in 1960 and 1970 but from neighbors who have told me it was not a particularly pleasant place to be. And I think most of us who live in the neighborhood are trying to preserve that integrity but at the same point it is 2017 and we don't have Ford Foundation funding to do things to our houses always. Because the cost of this is so expensive, and I think what Raymond has tried to do is present an argument that says he is very concerned about historical integrity, has tried to show that um that is important to him and I think those of us as neighbors who are looking at the aesthetic of it, I definitely agree with Mary I think aesthetically a decorative driveway is a lot more aesthetically pleasing than just a chunk of concrete. That to me is about the least attractive form of pavement and we talk about standards well I don't think Portland Avenue had asphalt paving when it was first paved. So we have to kind of look at those things, um I didn't really think too thoroughly what I was going to say because I was kind of curious to hear what everybody said. But I think that's what I want to leave this with is that I think Raymond is trying to do the right thing it is 2017 I think we need to be conscious of guidelines but we also need to make historic neighborhoods a place where people can and are able to afford to live in them and maintain property. I would not like to see the neighborhood downslide um and as I said as a property owner on this street for 27 years um I just think we need to be realistic and I think unfortunately I think the HPC and a lot of residents have always had this kind of confrontational bureaucracy versus property owners and I don't think that is beneficial to any of us. I really don't think that's Raymond's point, I think he just wants everybody to use some good common sense. That's all thank you. And I will sign in.

Commission Chair Justin: Yes (Responding to a raised hand in the audience)

*(Inaudible comment from audience)*

Public Testimony Judith Van Cook: My name is Judith Van Cook and I also live at 506 Portland. I have seen the results of the pavement, that is down and it is very attractive. The other thing that one should note is that Portland Avenue is a very busy street on the sidewalk. Many people walk on Portland because it is quiet, there are lovely homes to look at and I'm sure if this driveway were used as Ray has pointed out it would be an attractive site to see when someone is walking as they do with their dogs, their babies, wheelchairs and numerous things. This is the Cathedral Hill, Ramsey Hill neighborhood and it is highly used by the public and they would enjoy it. My name is Judith Van Cook and thank you.

Commission Chair Justin: Thank you. Anyone else here that would like to speak?

Applicant Ray Meyer: (Interrupting) Can I show you what it looks like?

Commission Chair Justin: We have pictures; we do have pictures in our packets that we received that show the

Applicant Ray Meyer: (Interrupting) No one has gone to the site. But they didn't look at the yard. They didn't look at it; it's in the back half. My goodness, is that the basis, (Continues, inaudible)

Commission Chair Justin: Okay so um at this point then I will ask for any written testimony.

Staff Member Gause: We did receive a petition with 23 signatures on it. I'll read the top piece of this; to Saint Paul HPC I support Ray and Sheila Meyer's plan to replace their existing cracked driveway at 524-526 Portland Avenue with stamped concrete in a historic brick pattern. And those were included in your packets.

Commission Chair Justin: Then I will close the public hearing portion of this issue and um we won't be taking any more testimony from the public. Commissioners, is there...

Applicant Ray Meyer: (Interrupting) Don't show that slide it's a fake slide. Talk about fake news. (*Referring to the 11/16/17 Power Point-slide #12*)

Commission Chair Justin: Commissioner Dana

Commissioner Dana: Just so Mr. Meyer knows I was out at the site and I did walk far enough down the driveway so that I could see the work that was done and I also was paying a lot of attention to other driveways along Portland um in addition to having lived in the neighborhood for 35 years and paying attention to a lot of driveways. Um I can see why staff has come up with the findings that they have. Um I think that we are all aware that this is not a proposal to put in a brick driveway it's to put in a stamped concrete driveway meant to look like brick. Um and I think that although the concrete that's being replaced may not be original I think we can be fairly confident that what was there prior to 1978 was a concrete driveway. So given all of that I move to deny the application to install a red tint stamped herringbone concrete driveway and walkway with steps at 524-526 Portland Avenue based on the findings the fact the staff report presented to testimony and commission deliberations.

Commissioner Bezat: I second the motion.

Commission Chair Justin: Motions been seconded. Discussion?

Commission Chair Justin: Commissioner Bezat.

Commissioner Bezat: Well the, I recognize that the owner has worked with very hard to maintain an historic presence in the neighborhood cause it's a fabulous, fabulous area and a couple of things number one it was my idea (Commissioner Dana's little journey) to decide that we couldn't enter public property without like knocking on the door and making sure, so you know I just did a drive by sort of, but you can see the, I sort of call it that plaza part of the driveway. So no I didn't walk on it, but the other thing is in talking about the stamped concrete that exists in the neighborhood with the addresses that the owner gave us none of those were done as permitted work. So had those come before the commission with the guidelines in place that say you can't put fake history –whether it's on you house or as an addition, you can't add stuff that wasn't there um and you want to differentiate it but compatible the carriage scoring that we saw a slide of is something that you see a lot in that

neighborhood as parts of driveways um not so much as aprons but as the sidewalk in front of it and as the driveways with the concrete side and that, as has been testified, you look at the Sanborn map there's no driveway shown but there is a stable or a garage there of some sort. So there had to be some way to get to it. And not knowing what it was bringing it to a point that we know has historic precedent, in the absence of putting actual brick, in which is costly the scored -also in terms of keeping things affordable the scored concrete that does have historic precedent and is less expensive than putting actual bricks in is something that I would encourage the home owner to consider as an acceptable substitute. And would fit within the guidelines that are published on the web and that were consulted by the staff as they did their research.

Commission Chair Justin: That is a good point that you've made that none of that stamped brick was...

Commissioner Bezat: The stamped concrete...

Commission Chair Justin: The stamped concrete in the brick pattern was or other was approved by the commission.

Commissioner Bezat: Neither were any of the other brick driveways that aren't original. So as much as you know there, there doesn't mean they should have been there.

Commission Chair Justin: Commissioner MacDonald.

Commissioner MacDonald: I'm somewhat concerned about the tinting process. Our experience has always been that it's relatively fugitive color that it changes over time. And it changes in an irregular bottle fashion so I think it looks less like what you're trying to achieve at the beginning. I don't know if that's still the case but that's been our experience.

Applicant Ray Meyer: (Interrupting) Can I put up a few slides to counter these incorrect assumptions.

Commission Chair Justin: No, no the public hearing has been closed.

Applicant Ray Meyer: (Interrupting) Based on nonfactual information.

Commission Chair Justin: We are not taking any comments from the public.

Applicant Ray Meyer: That's great.

Commission Chair Justin: Commissioner Lightner

Commissioner Lightner: So I'd like to state for the record that there are plenty of nice color photos of these stamped concrete that was installed back by the garage in the driveway that I think give an accurate giving a good portrayal of what is being proposed. So my question to staff, question for you then some thoughts, so the question is do the national standards allow for stamped concrete in this in brick color fashion?

Staff Member Gause: Do the Secretary of Interior Standards?

Commissioner Lightner: Yes

Staff Member Gause: No they call for an authentic material whenever possible. It's the same question we get with the vinyl siding as well it may replicate in some fashion

clapboard but it's not real or authentic material.

Commissioner Lightner: Right. So if brick is not able to be used uh stamped concrete is not a suitable alternative.

Staff Member Gause: Correct.

Commissioner Lightner: So especially because we have um regular concrete grey concrete scored in the carriage fashion that is found is seen as a nice alternative. That would still help to support the historic character of the house. Okay so I think we do as a commission wants to recognize the home owner's great work to preserve their house and the best intentions to have a stamped concrete try to look like brick but I think as a body here our job is to apply the National Secretary of Interior Standards.

Applicant Ray Meyer: (Interrupting) Your job is to do the right thing on a practical basis

Commissioner Lightner: Please do not interrupt. So that's our job and it's pretty clear that stamped concrete in a brick pattern tinted red is not brick and that there's a better alternative that is more appropriate.

Applicant Ray Meyer: (Interrupting) It's superior to brick. I have a PHD in engineering I know these things.

Commissioner Lightner: You need to not interrupt.

Applicant Ray Meyer: (Interrupting) Well you need to get the facts (inaudible)

Commission Chair Justin: (Using gavel) Order, you're out of order sir.

Applicant Ray Meyer: (Interrupting) You going to kick me out. Okay might as well. You won't listen to me anyway. (Inaudible)

Commission Chair Justin: You may as well step out of the room for the time being. Any other comments

Applicant Ray Meyer: (Interrupting) (inaudible) whole presentation

Commissioner Peroutka: Mr. Meyer please; please you've had plenty of time

Applicant Ray Meyer: (Interrupting) You're condemning something far that's superior

*(Applicant Ray Meyer has walked out of the audience and is between the two rows of Commissioners)*

Commissioner Peroutka: No, no your time is up you've had plenty of time thank you sir.

Applicant Ray Meyer: (Interrupting) You don't want facts, thank you, thank you.

Commissioner Wagner: I call the question.

Applicant Ray Meyer: (Interrupting) I've given you a whole list of accusations

Commissioner Ferguson: Can we call security.

Commission Chair Justin: We can.

*(Staff Member Allison Suhan leaves the room to get building security)*

Applicant Ray Meyer: (Interrupting) You betcha

Commissioner Peroutka: Mr. Meyer please, we are in a different process right now and we're going to continue that. Thank you for your testimony.

Applicant Ray Meyer: (Interrupting) You're welcome.

Commissioner Wagner: Chair can we call the question please?

Commission Chair Justin: Okay there's been a motion to call the question, so that means we will have a vote on the motion that was made to deny the

Applicant Ray Meyer: (Interrupting) (Inaudible)

Commission Chair Justin: We would have to vote.

Commissioner Bezat: Call the question correct

Commissioner Dana: And then to vote

Commission Chair Justin: Oh is that how that works. So then we have a vote to close the debate, all those in favor of closing the debate say signify by saying I, any opposed, abstained okay. At this point then we can have a vote on the suggested motion. I think we all know what it is I won't repeat it. All those in favor say I, opposed, abstained the motion carries **(11-0)** and this application has been denied. I would suggest the applicant come up with a –work with staff to come up with a more acceptable solution um based on the historic standards of the neighborhood. Thank you.

**B. 261-269 Fifth Street East – Rayette Building, Lowertown Heritage Preservation District**, by Hess, Roise and Company, for review and approval of the revised Master Sign Plan for the Rayette Building. File #18-005. (Boulware, 266-6715)

HPC Questions/Comments: *The Commission asked questions about the overall number of signs and locations.*

Public Testimony: *None*

Commissioner Lightner moved to conditionally approve application #18-005 to update the master sign plan at 261-279 Fifth Street East as per the findings of fact, presented testimony, submitted documentation and information provided in the staff report, subject to the three conditions. Commissioner George seconded. **Motion passes 11-0**

**V. Old Business:** None

**VI. New Business:** None

**VII. Presentation**

**A. St. Agatha's Conservatory (Exchange Building), 26 Exchange Street East, Saint Paul Heritage Preservation Site** - an informational presentation by Hess, Roise and Company on the future conversion into a boutique hotel.

**VIII. Policy & Procedures:** None



- IX. Committees:** None
- X. Chair Announcements:** None
- XI. Staff Announcements:** None
- XII. Adjourn:** 6:33pm

