



Legislation Text

File #: RES 16-138, **Version:** 1

Memorializing the City Council's decision in AHPC 15-7: granting an appeal from a decision of the Heritage Preservation Commission denying an application by the Housing & Redevelopment Authority for a permit to demolish 716 Wilson Avenue.

WHEREAS, on or about September 17, 2015, the Housing and Redevelopment Authority of the City of Saint Paul (hereinafter, the "HRA") duly applied to the Heritage Preservation Commission ("HPC") under HPC File No. 16-001 for a permit to demolish property commonly known as 716 Wilson Avenue which is located in, and therefore subject to, the City's Dayton's Bluff Historic District Ordinance; and

WHEREAS, on October 8, 2015, the HPC, having duly provided notice of the said application, conducted a public hearing on the HRA's application where all interested parties were given an opportunity to be heard; and

WHEREAS, at the close of the said hearing, the HPC, based upon the record before it including the hearing testimony and notwithstanding the recommendation of HPC staff to grant the requested permits as set forth in its Staff report dated October 2, 2015, duly moved to deny the HRA's demolition permit application for the reasons set forth in the HPC's adopted hearing minutes which are incorporated herein by reference; and

WHEREAS, on October 9, 2015, the HPC issued a Notice of Decision letter to the HRA regarding the HPC's decision to deny the HRA's building demolition permit application; and

WHEREAS, on October 22, 2015, the HRA, pursuant to Legislative Code §73.06(h), duly filed an appeal from the HPC's decision and requested a public hearing before the City Council for the purposes of considering the actions taken by the HPC; and

WHEREAS, on December 2, 2015, a public hearing on the HRA's appeal, where all interested parties were given an opportunity to be heard was duly conducted by the City Council and, at the close of the hearing, the Council, having heard the statements made and having considered the application, the report of HPC staff, and all the records, minutes and testimony in this matter, does hereby;

RESOLVE, that the Council finds that the condition of the subject building, as reported to the HPC in its October 2, 2015 Staff Report which analyzed the architectural and historical merit of the building against its current fire damaged condition, when combined with the cost estimates to rehabilitate the building from its present fire and structure damaged condition as submitted on the record by the HRA's consultants, demonstrates on balance that the HPC erred in denying the HRA's demolition permit application. The Council further finds that the HPC's staff recommendation to grant the demolition permit - subject to compliance with the mitigation conditions set forth in the October 2, 2015 Staff Report - are supported by all the records and testimony in this matter. Accordingly, the Council adopts as its own the recommendation to approve the HRA's demolition permit application as set forth in the HPC Staff Report dated October 2, 2015; and, be it

FURTHER RESOLVED, that the appeal by the HRA in this matter is hereby granted subject to compliance with the condition recommended in the HPC's October 2, 2015 Staff Report at paragraph 1 of the Staff Recommendation; and, be it

FINALLY RESOLVED, that the city clerk shall, upon its adoption, immediately mail a copy of this resolution to the Appellant Housing and Redevelopment Authority of the City of Saint Paul, the HPC, the Building Official of

the City, and the City's planning commission.