



## Legislation Details (With Text)

<b>File #:</b>	Ord 11-23	<b>Version:</b>	2
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
		<b>In control:</b>	City Council
		<b>Final action:</b>	4/13/2011
<b>Title:</b>	Amending Legislative Code Chapter 74 by enacting a new section designating the Victoria Theater, 825 University Avenue West, as a Saint Paul Heritage Preservation Site.		
<b>Sponsors:</b>	Melvin Carter III		
<b>Indexes:</b>	Heritage Preservation Commission, Historic Preservation		
<b>Code sections:</b>	Sec. 73.01. - Declaration of public policy and purpose., Sec. 73.03. - Heritage Preservation Commission established., Sec. 73.04. - Powers and duties of the commission., Sec. 73.05. - Designation of heritage preservation sites., Sec. 73.06. - Review of permits., Sec. 73.09. - Recording of heritage preservation sites.		
<b>Attachments:</b>	1. Individual Property Designation Form, 2. Preservation Program (Design Review Guidelines), 3. HPC Public Hearing, 4. HPC Public Hearing Testimony, 5. Planning Commission Resolution, 6. SHPO Review and Comment, 7. Anthology sources.pdf		

Date	Ver.	Action By	Action	Result
4/18/2011	2	Mayor's Office	Signed	
4/13/2011	2	City Council	Adopted	Pass
4/6/2011	2	City Council	Laid Over to Final Adoption	Pass
3/16/2011	2	City Council	Laid Over to Third Reading/Public Hearing	
3/9/2011	2	City Council	Laid Over to Second Reading	

Amending Legislative Code Chapter 74 by enacting a new section designating the Victoria Theater, 825 University Avenue West, as a Saint Paul Heritage Preservation Site.

### THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN

#### Section 1.

That Legislative Code Chapter 74, entitled Heritage Preservation Districts and Programs, is hereby amended by the addition of the following new section to be numbered Section 74.07 and entitled Victoria Theater Building preservation program which shall read as follows:

Sec. 74.07. Victoria Theater Building preservation program.

*(a) Designation for Heritage Preservation.* Pursuant to the authority contained in Legislative Code Chapter 73, and upon the recommendation of the Heritage Preservation Commission of the City of Saint Paul, and after having duly considered the matter at a public hearing held in accordance with Leg. Code § 73.05, the Victoria Theater, located at 825 University Avenue West and legally described as Lot 24 Blk 4, Syndicate Addition No. 1 to Saint Paul [PIN No. 352923130198], is hereby designated for heritage preservation. The Victoria Theater, constructed in 1915, is one of only three remaining Saint Paul theater buildings of this early date. The building is unique in that the majority of its exterior is intact and in very good condition. The most significant alterations to the building are the removal of a marquee or awning and replacement of the storefront openings at undetermined dates.

(b) *Outline of preservation program.* The preservation program for the Victoria Theater shall be as follows:

(1) The exterior of the Victoria Theater should be preserved in a manner consistent with the original design intent. In this regard, the federal *Secretary of the Interiors Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* shall be applied as follows:

- a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(2) The following are important to consider in any future work on the building:

**Masonry:** Tuckpointing shall match the composition, color, and tooling of the original mortar, to the extent possible. Brick should be cleaned, if necessary, by the gentlest means possible and should not be sandblasted. If the paint coating is determined not to have acquired significance in the history of the building or the paint is found to be causing damage to the brick and terra cotta, then the paint should be removed in a safe manner; at a minimum on the main façade. Waterproof or water-repellant coatings shall not be applied to the masonry or terra cotta surfaces.

**Storefront:** Any future work on the storefront should be based on pictorial or physical evidence. New work shall be compatible with the architectural character of the building. Additional research should be conducted to determine if the building had marquee or awning of some type.

**Signage:** Any new signage should be compatible with the historic character of the building; this excludes neon signage unless research indicates it was used for signage previously on the building during the years it was the Victoria Cafe.

(c) *Record of legal description.* The city clerk shall record the legal description of the Victoria Theater Building

with the Ramsey County recorder and the Ramsey County registrar of titles as required under Section 73.09 of this Legislative Code.

Section 2.

This ordinance shall become effective thirty (30) days after its passage, approval, and publication once in the official newspaper of the City.]