



## Legislation Text

---

**File #:** RES 15-2136, **Version:** 1

---

Memorializing a City Council decision to deny an appeal by the Central Presbyterian Church from a Historic Preservation Commission decision regarding the restoration of the church building roof at 500 Cedar Street and modifying the Commission's decision regarding the roofing materials that must be used for the roof restoration project.

WHEREAS, on August 4, 2015, Fluryanne Leach, on behalf of the Central Presbyterian Church (the "Applicant"), located at 500 Cedar Street, St. Paul, MN 55101, made application to the Heritage Preservation Commission ("HPC") under HPC File No. 15-036 for a building permit to replace the roof on the Applicant's church building;

WHEREAS, the Central Presbyterian Church building was listed on the National Register of Historic Places in 1983 and listed as a Saint Paul Heritage Preservation Site in 1985. The church building is categorized as "pivotal" under each listing; and

WHEREAS, the Applicant described the scope of work for the church building as replacing "all roof areas with the exception of the 2 small flat roofs" with a "stone coated shingle material" and further noted that the "copper hip and ridge trim would remain the same as present" and that "the built-in gutters will be inspected and relined as necessary;" and

WHEREAS, based upon the said application HPC staff proceeded to prepare a report and recommendation regarding the Applicant's proposal and, in its report dated August 21, 2015, HPC staff, based upon the findings contained therein and incorporated herein by reference, recommended denial of the application; and

WHEREAS, having provided notice to affected property owners, the HPC, on August 27, 2015, duly conducted a public hearing on the said application where all interested parties were given an opportunity to be heard; and

WHEREAS, at the close of the public hearing and based upon all the testimony and records, including the August 21, 2015 HPC Staff Report, the HPC approved the Applicant's building permit request subject to the following conditions:

1. Any flashing shall be step-flashing into mortar joints only. A reglet shall not be cut into the brick or stone.
2. Continuous metal ridge caps shall be used and the finish and profile shall be submitted to staff for final approval. The DECRA shingle material shall not be used for any ridges. Where copper ridges or caps exist, they shall be maintained or replaced in-kind.
3. If slate is found, the applicant shall document it through photos and measurements prior to its demolition. Sample tiles shall be kept and stored in a secure, dry location.
4. All final materials, colors and details shall be submitted to the HPC and/or staff for final review and approval.
5. A full size copy of the final construction plans submitted to the Department of Safety and Inspections for city permits shall be submitted to HPC staff.

6. The HPC stamped approved construction level plans shall remain onsite for the duration of the project.

7. Any revisions to the approved plans shall be reviewed and approved by the HPC and/or staff; and

WHEREAS, on August 28, 2015, the HPC's decision to approve the said building permit request was duly conveyed to the Applicant by a Letter of Approval of the same date which included the seven conditions imposed on the approval by the HPC as noted above; and

WHEREAS, on September 10, 2015, pursuant to Legislative Code § 73.06(h), Ms. Leach, again on behalf of the Applicant, duly filed an appeal not from the HPC's decision granting the permit application but from the HPC's condition number 2 which specifically required the Applicant to use "continuous metal ridge caps," prohibited using "DECRA shingle material for any ridges," and, finally, requested a public hearing before the City Council for the purpose of considering the HPC's decision; and

WHEREAS, on October 8, 2015, the City Council duly conducted a public hearing on the said appeal where all interested parties were given an opportunity to be heard, and upon closing the public hearing, the Council duly moved to return the matter to the HPC for the limited purpose of reexamining the implementation of condition number 2 approved by the HPC in its August 28, 2015, decision and to take the matter back up at the Council's October 28, 2015, session; and

WHEREAS, on October 28, 2015, the Council reopened the matter and was advised that on October 22, 2015, the Appellant and HPC met where, for the first time, Appellant's roofing contractor also appeared to answer HPC questions and, based upon this meeting, the HPC and Appellant had come to an agreement regarding how the proposed roof materials would be applied to the roof of the church building; NOW,

THEREFORE, BE IT RESOLVED, that the HPC's August 28, 2015, decision approving the Applicant's building permit application with conditions is hereby affirmed as the Council, based upon all the files and records herein, finds no error in the HPC's decision to approve the said building permit application subject to conditions as modified below. Accordingly, the Council hereby denies the Applicant's appeal; and

BE IT FURTHER RESOLVED, notwithstanding the Council's decision to affirm the HPC decision, the Council finds, based upon the report regarding the October 28, 2015 meeting and agreement reached between the Appellant and the HPC regarding the details of how the roofing materials are to be applied to the Church building's roof, that the Council, based upon that meeting and agreement, hereby modifies condition no. 2, as imposed by the HPC in its decision of August 28, 2015, to read as follows:

2. Continuous metal ridge caps shall be used and the finish and profile shall be submitted to staff for final approval. The DECRA shingle material shall not be used for any ridges. Where copper ridges or caps exist, they shall be maintained or replaced in-kind. DECRA shingles may be used for all roof ridges that currently do not have metal or copper ridges as there is no historical evidence to establish original locations for these materials. Galvanized steel shall be used in roof valleys. DECRA stone valley materials shall not be used in roof valleys. No roofing work on the turret. Appellant has withdrawn its application to work on the turret.

AND, BE IT FURTHER RESOLVED, that HPC's conditions no's 1, 3, 4, 5, 6, and 7 as imposed in the HPC's decision of August 28, 2015, remain in force and effect; and

BE IT FURTHER RESOLVED, that the Applicant shall provide a set of drawings showing section details for final approval by HPC staff before any City permits may be issued; and

BE IT FINALLY RESOLVED, that the council's secretary shall immediately mail a copy of this resolution to the Applicant, Central Presbyterian Church, the Heritage Preservation Commission, the Zoning Administrator, the Planning Administrator, and the Building Official.

