

**Excerpt from the
HERITAGE PRESERVATION COMMITTEE MEETING
Community Planning & Economic Development (CPED)**
250 South Fourth Street, Room 300
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MEMORANDUM

SUBJECT: Heritage Preservation Committee decision of January 21, 2014

The following actions were taken by the Heritage Preservation Committee on January 21, 2014. The Heritage Preservation Committee's decisions on items are final subject to a ten calendar day appeal period.

Commissioners present: Mr. Paul Bengtson, Ms. Laura Faucher, Mr. Alex Haecker, Mr. Chris Hartnett, Ms. Susan Hunter Weir, Ms. Ginny Lackovic, Ms. Linda Mack, Mr. Robert Mack, Mr. Ian Stade, and Ms. Constance Vork

Committee Clerk: Fatima Porter 612.673.3153

3. 410 13th Ave SE (BZH #28035, Ward 3) ([Janelle Widmeier](#))

Doran Development, LLC has submitted a demolition of historic resource application to allow for the demolition of the single-family dwelling located at the property of 410 13th Ave SE.

Action: Not withstanding staff recommendation, the Heritage Preservation Commission **denied** the demolition of the property located at 410 13th Ave SE, established interim protection, and directed the Planning Director to prepare or cause to be prepared a designation study.

Aye: Bengtson, Faucher, Haecker, Hunter Weir, Lackovic, L. Mack, R. Mack, Stade

Nay: Hartnett

Absent: Vork

Motion passed

Chair Faucher: Again we will try to keep it to this specific property for staff presentation, the applicant comments and any public comments.

Staff Widmeier presented the report.

Commissioner Stade: I was curious why this is contributing because as far as I understand it, the potential historic district would be a commercial district based on

the commercial and this is a residential home. Do you know why it would be contributing?

Staff Widmeier: I don't, in the records that we have from the studies that were done; it didn't say why this one being located in a commercial district was also significant. My guess is that it is one of the earlier structures that predated most of the commercial structures in this district, so it has value there.

Commissioner Hunter Weir: I have a thought about your question which I'll get to in a minute. This is unusual because this is a private residence but the application is not being done by the owner.

Staff Widmeier: No the applicant that's here today is purchasing the property.

Commissioner Hunter Weir: In keeping with Commissioner Stade's question, do we know-is this a case of this house being the last man standing. What I'm curious about is what was in that parking lot, because obviously in the 1880's it wasn't cars. So, was this kind of a mix of, do we know if it was a mix of residential and commercial? Because that's kind of an interesting question as to what that house represents. Do we know what was there?

Staff Widmeier: Yes, I do have a diagram of what was there earlier, I found some maps.

Staff Maze: I cannot speak to the individual sites but having looked at the history of that area, the parking lot area did have a number of older homes probably of a similar vintage. The Opus project included the demolition of two homes of similar age. They were outside the potential historic district but a similar age of what is considered today.

Staff Widmeier: The yellow is residential, per the historic key here, the pink was brick. You can see this pattern definitely reflects residential development and this was commercial I believe at the corner.

Commissioner Hunter Weir: It looks more like sheds and barns, maybe some of the smaller ones in the back of properties.

Chair Faucher: Is the circled one this property? What year is this map from?

Staff Widmeier: This map is from 1898.

Chair Faucher: Would the applicant like to address this particular property?

Anne Behrendt (7803 Glenroy Road): If there are questions I'd be happy to answer them but I don't have anything to add on this particular property.

Chair Faucher: Are there questions of the applicant?

Commissioner Haecker: Is the purpose of buying this property to get three additional parking spots?

Anne Behrendt: No, the purpose-it's a bit complicated, but there's a possibility that the access could be through the area where this property exist. That's not determined yet but obviously without knowing whether or not we can demolish the property, we can't finalize that plan.

Chair Haecker: So are you looking to try and get an easement between this property and the other properties over the property that you don't currently have an agreement? And what is the status of, or are you just doing due diligence to purchase these properties. Are you under terms or...?

Anne Behrendt: We have all the properties under contract.

Chair Faucher opened the public hearing.

Cordelia Pierson (512 7th St SE): The neighborhood association chose not to take a position with respect to this. As noted by the comments of the commission, while Dinkytown did have residential and historic fabric, and this is not the only remaining home but there are only a few left. We do see the future and historic identity near the intersection of 4th and 14th is what really defines the historic identity. We anticipate the designation study will help guide us through that. But there are other residences in Dinkytown and we do see a commercial future for this area.

Chair Faucher closed the public hearing.

Commissioner Hartnett: I think striking the balance that I talked about earlier, it seems to me that this is not nearly as much of a contributing property to the district. So, I tend to think that demolition of this would not adversely affect the area. I would tend to vote for approval of the demolition.

Commissioner Haecker: I am torn on this one. Certainly its part of Dinkytown's history whether or not it's commercial or not. I'm really never in favor of tearing down a building for parking. But having said that, whether or not it would be considered a contributing resource in this potential historic district- I guess the designation study would determine that. That's just my comments for now.

Commissioner Hunter Weir: I'm a little more torn on this one too. At the same time, it is part of that panoramic story here. I would not be as opposed to demolition of this one, I guess if I could imagine a purpose for demolishing it. And that's where I'm kind of stuck. It doesn't seem to make a whole lot of sense if in fact we've said no to the two others. To say yes to this one, it doesn't sound like it's going to happen separate from that entire package. Having said that then, if we say yes demolition is

ok, are we then giving carte blanche not to this particular group but to anyone to demolish that house for whatever purpose. That's where I'm stuck. I don't really know what that means.

Commissioner R. Mack: I think we may be getting hung up by calling it an outsider in a commercial historic district. If you think of virtually all historic districts they all have things that don't count as fitting the criteria. Think of the Southeast Fifth Street historic district, it's a residential district, so does that mean that First Congregational Church is an outlier. Think of the Warehouse historic district, and yet you have small hotels that serve the traveling salesmen of the day. Or think of the Lowertown historic district, again warehouses and light manufacturing. Even over in Saint Paul they have outliers within their historic districts. So I think that this 19th century residential building still would be definitely a contributing building within this historic district in spite of it being called a commercial district.

Commissioner L. Mack: Just a brief assent to that. Again highlighting the difficulty when make these decisions when a designation study hasn't been done, because a designation study for this district might find we would want to show the residential history as well as the commercial history. So, it's really hard when we're doing the cart before the horse. But here we are.

Commissioner Haecker: In the past we've put a restriction on the demolition that a building permit associated with the development would have to be approved before the demolition could take place. I know Chair Larsen used to do that which I thought was a great idea. Because I keep driving by the building on Lyndale which is no longer there, that was supposed to be something and it's not going to happen.

Staff Dvorak: Unfortunately, you cannot condition a demolition permit. Either you move to demolish or you do not. It is not advisable from the City Attorney's office that you place a condition like that.

Commissioner Lackovic: I move that we, as the previous two deny the application for demolition, place the property at 410 13th Ave SE in interim protection and direct staff to include this one in the designation study.

Commissioner L. Mack: Second.

Aye: Bengtson, Faucher, Haecker, Hunter Weir, Lackovic, L. Mack, R. Mack, Stade

Nay: Hartnett

Absent: Vork

Motion passed