

**Excerpt from the
HERITAGE PRESERVATION COMMITTEE MEETING
Community Planning & Economic Development (CPED)
250 South Fourth Street, Room 300
Minneapolis, MN 55415-1385**

The following actions were taken by the Heritage Preservation Committee on March 22, 2016. 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. Chris Hartnett, Ms. Susan Hunter Weir, Ms. Ginny Lackovic, Ms. Linda Mack, Mr. Dan Olson, Mr. Ian Stade and Ms. Constance Vork

Commissioners Absent: Chris Hartnett, Ian Stade

Committee Clerk: Fatimat Porter 612.673.3153

ITEM SUMMARY

Description:

**5. 1900 Colfax Avenue South, Ward 7
Staff report by [Hilary Dvorak](#), BZH 29041**

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt staff findings for the applications by St. Paul Development Corporation for the F. E. Day House located at 1900 Colfax Avenue South:

A. Certificate of Appropriateness.

Action: The Heritage Preservation Commission **continued** the certificate of appropriateness to allow the construction of a new four-story, five-unit residential building on the southern half of the property next to the landmark building, two cycles to the April 19, 2016, Heritage Preservation Commission public hearing.

Absent: Hartnett, Stade

This item was continued

B. Historic Variance.

Action: The Heritage Preservation Commission **continued** the historic variance to maintain the existing setbacks for the landmark from the interior property line, two cycles to the April 19, 2016, Heritage Preservation Commission public hearing.

Absent: Hartnett, Stade

This item was continued

TRANSCRIPTION

Staff Hilary Dvorak presented the report.

Chair Faucher: Any questions of staff? Commissioner Olson.

Commissioner Olson: Did you say this has been vacant since 1916 or 1960?

Staff Dvorak: One six, 16.

Chair Faucher: Commissioner Lackovic.

Commissioner Lackovic: (inaudible)

Staff Dvorak: So, the required, you know for HPC there is no setback, but for zoning there is a setback. Correct. And so, I should have drawn it on here, but what we do, because the F.E. Day House is more than 15 feet from the front property line, that is the required front yard setback on this R4 zoning district. Bu the property to the south of the property is 10 feet. So it can't less than 15, nothing allows it to go less than 15. So what we do is, we draw this line, and it has to be in back of that line and more than 15. So, this drawing has been modified by the applicant to remove that portion of the deck that is forward of that line and it will be meeting that required front yard setback.

Chair Faucher: Alright, any other questions? Is the applicant here and do they wish to speak?

Sylvia Frank (524 Selby Ave): I am with Carlson & Frank Architects. I designed the plans for this project. As was mentioned, this is on a separate lot from the F.E. Day House. It has always been on a separate lot. It does nothing to change or modify the F.E. Day House. There's no alley on this lot and there is a drive thru that has been used to the vacant lot, between the F.E. Day House and the garage that belongs to the F.E. Day House that has been used to get access to the garage that's on the otherwise vacant lot. So, this is the driveway that has been used to get access to these garages back here on the vacant, otherwise vacant lot. There was a question about the decks; we really conformed to the setbacks on this lot. The side yard setbacks are 11 feet and the front yard setback as established by the two buildings on either side here, or it might be easier to see on this plan here, although the light is not the best. This is the corner of the F.E. Day porch, and this is the 10 foot setback of the apartment building next door. So there's a line established here, that gives us the setback for this new building. And it has to be a minimum of 15 feet from the front yard property line, and that line is shown right here. So, we've tried to fit in with the neighborhood. We don't require variances for height or setbacks and have tried to be sensitive to other, in using materials that are fitting in with the neighborhood. Horizontal lathe siding and decorative shingles. We've tried to limit the height on the building. And I would urge you to approve the project. I just don't think there's much controversy that you can find in this. Oh and I might mention that in speaking with a representative from the council member for this ward, it was expressed that there was some concern by the neighbors about parking. And for this property, no parking is required because, and I don't know if this is really a HPC issue, but just to mention this, there is no parking required on this site. Because of how close it is to Hennepin Ave and a regular bus route. And the City has been trying to establish a little more density close to the City. But we are providing three parking spaces on the site. It would be four but since we are providing parking in a

garage, one of those spaces has to be handicap accessible. That means that one of the spaces is given up to an aisle space for the handicap parking. And I suppose additional parking could have been provided on the F.E. Day site but there is a garage existing, a one car garage that's now used for storage existing there, that's part of the historic property. And we aren't proposing to touch the historic buildings. Do you have any questions?

Chair Faucher: Does anyone have any questions of the applicant? Doesn't look like it. Alright, we will now open the public hearing. If you wish to speak, please step forward and state your name and address for the record.

Lee Switzenberg (1816 Colfax Ave S): I live two doors down, this house, this street, another house and mine. I'm just here to speak. I don't know that I have an opinion. And I don't know that it's even going to matter because it already has the seal of approval by the historic preservation people. And I guess, I just wanted to say a few things more than like for or against. The City of Minneapolis is being rebuilt in a new vision. I've lived here quite a few years already. I've lived in this neighborhood 22; I lived a couple blocks over for three years. Enormous changes are taking place in the City. And it's due to the fact that they don't need parking, that's a new regulation, all of this stuff. Our neighborhood, Lowry Hill neighborhood is kind of filled up of all of these historic little mini-mansions, of which this house that we're discussing is part of. It was put together with the PIDs like property id number with this vacant lot. And I'm assuming for a reason because that beautiful empty lot shows off this beautiful, like what I would call a mini-mansion that's been chopped up into seven units in the past. And they put an additional driveway so that they could add this parking garage, because at that time you needed parking for all of the units. And the house is brick and kind of what getting proposed I believe is hardy board siding. And I tried to find a building that I thought would be a close rendition. And it's at 27th and Dupont. (Inaudible – no longer speaking into the microphone) it's unusual. If I had the empty lot, I would probably want to build on it to. It's going to change the look of the neighborhood, and I guess at this point I would love to see a building that's going to be here for a hundred years. It's been an empty lot for a hundred years. It would be great to see something that was brick or whatever. And it sounds like you are the owner and developer, if so it would be great if you would consider that because I think it would blend in with the neighborhood a lot better if it was brick on the front. And I know it's not a requirement but it would look nice and it might be a good tradeoff for getting rid of the empty lot. And I think that the historic building would be giving up things that make it special. I think they need an easement through the historic building to get to the garages because they're not going to put in a driveway. While they split this lot into this current property id which is one lot and our neighborhood is filled with multiple lot, houses that are built on multiple lots. The last house I lived at on Emerson was a lot and a third. The lot next to me was a lot and a half. So the fact that this was platted as different city lots a long time ago, the historic uses are not always based on how they were platted. They got divvied up as they got developed. And so it's a little rambling but I would like somebody to think about, like architecturally it would be beautiful if our city looked like Prague in a hundred years instead of Burgas, Bulgaria. Which both cities are beautiful in their own way. But one is kind of a hodge podge jumble and the other is a conglomeration of beautiful architectural master pieces. And that would be whoever develops it. So that's going to be my piece. And it's going to change the neighborhood. It's really dense and it's changing and it's the

city of the future. But those of us that've gotten used to it are kind of a little afraid of the changes, because they're coming and they're big if you live close to any major streets. That's about it.

Chair Faucher: Thank you. Is there anyone else who wishes to testify?

Robert Hinck (1820 Colfax Ave S): I'm directly across the street on Lincoln to the north of the property. Good afternoon, Chairman and committee members. I would ask that the commission would deny the request as presented. The F.E. Day House at 1900 Colfax Ave has enjoyed its place on a double lot for approximately a hundred years. Built in 1908 it apparently had a neighboring house until 1916. Since then to present date, the open space has been an integral part of this residence. The space has served more recently as a buffer or transition from the higher density low rise walk up apartments that are nearby. Those were built in the 60s. And it was more recently that previous and current owners have also taken advantage of the lot size to maximize the number of units within the residence. There are currently seven units, with six surface and five garage parking spaces. The proposed new construction will increase the number of units to 12 and reduce the off street parking to four garage spaces, plus the loss of at least one more on-street parking. Total square footage of the parcel only permits a total of ten units. Future sub-division will make the existing structure non-compliant as such, and should not be allowed. This criteria seems to have been glossed over or neglected. The reality of the parking situation in the immediate neighborhood does not come close to the ideals of the current code. People still have cars. They need to park them somewhere. This further aggravates an exacerbating situation where storage of the vehicles on-street is mandated and overcrowded to the detriment of the residents. Lincoln already has restricted parking, which in theory would not be available to the new development. In practice the adjacent streets have become a parking lot for some of the neighboring businesses. For stories in the front yard, decks and balconies that extend into the front yard setback, not only seem out of place but I do not believe that they met the intent of the space that enjoys openness from grade to sky. Apparently that has been slightly addressed now with cutting that back slightly. The imposition of what I would call an easement for a drive for the sole benefit of the proposed new construction detracts from both parcels. With any future subdivision of this parcel it seems to be a precursor to a separate sale or sales. This historic resource will be blocked from southern exposure by a new modern structure that has no historic reference to its surrounding or the neighborhood in whole or in part. Again I would ask that the certificate of appropriateness be denied. Thank you.

Chair Faucher: Thank you. Is there anyone else that wishes to speak? State your name and address for the record.

Carolyn Brouillard (1771 Humboldt Ave S): In the historic Lowry Hill neighborhood. I'm coming to voice my opposition to the plans at 1900 Colfax. In my opinion we should be reversing the architectural mistake of the recent past, not adding to them. And when I look at the plans for this property, I really just see a developer who's trying to maximize his own personal gain at the expense or with no regard to the architectural integrity of the neighborhood, let alone the parking situation and the quality of life for people in the immediate block. The other thing too

is, as someone, my husband and I bought a neglected rental on Humboldt, and we've spent hundreds of thousands of dollars and lots of literally blood, sweat and tears' fixing up the property and it's made a real difference on our block. And I think the construction of this multi-use building that's really just squeezed in there is really a death sentence for the historic home next door. If you can imagine that at some point, under different ownership, that house would be lovingly and thoughtfully restored, no one's going to buy that house with that new property sitting in it and restore it to its former glory. So again, I just ask, I think that building has no place being in the historic Lowry Hill neighborhood. There are plenty of areas of the city where a development like that makes perfect sense. And I would greatly support it, but just squeezed in next to a historic home, in a historic neighborhood, it just doesn't make sense to me at all. So I ask that you reject the proposal. Thank you.

Chair Faucher: Thank you. Anyone else? Would you state your name and address for the record?

Toni D'eramo (1920 Colfax Ave S): I'm a landlord and resident. I homestead at my property; it's a five unit, hundred year old house that has apartments in it. I ask that the commission deny the request as it's currently outlined. The 1900 block of Colfax Ave S serves as a gateway and a buffer to the historic Lowry Hill. Over the years, the block has been abused by tear downs and construction of structures inappropriate and incongruous in both look and feel for this treasured old city neighborhood. I ask that the commission reverse this trend. From the south, the historic F.E. Day House would be obscured by the new structure as it is defined now. I feel that it diminishes the historic presence of the F.E. Day House and I would ask that the developer avoid diminishment of the historic residents and be more respectful of the neighborhood in their design. I don't know if this is the right place to talk about parking and you have heard some of it but I don't know if there's another place where I'll get heard. And since I live in the middle of this block, I just drew this very quickly, this is 1900 here, this is the lot in question, and this is a building that was built in the sixties. This is a building built in 1910. This is a building built in 1906. These are houses here and here. And this is a house built in 1924. We lost a house here for the Birch for a parking lot. Which they now, they said they needed all this parking and now they put a dumpster in it to take at least two of those spaces. There's more parking for Lowry Hill Liquor, which was also another old house. This is a square structure that was an old property that has a square façade put on the front, more parking here and another one of these structures that was permitted in the neighborhood here. And then an older house here on the corner. So as you can see, this block, like I said, abused and I ask that you reverse the trend. Several parking spaces now available to the residence at 1900 Colfax will be removed and the street parking on Lincoln, I believe is going to be reduced as well. Parking problems on the 1900 block of Colfax Ave S are more than severe. Even though a house was torn down to provide a new lot, the new commercial businesses have brought in more vehicles than lots and valets can handle. It's a constant complaint of tenants and visitors and creates dangerous parking violations and near misses. I would ask that the applicant rethink the parking options available to the tenants. Thought transit options are readily available, most households, and there are over 150 on this block, even with all that parking, and most still have at least one car and need a place to park it. Again, I would ask that the certificate of appropriateness be denied. Thank you.

Chair Faucher: Thank you. Is there anyone else that wishes to speak?

Dean Bona (1916 Colfax Ave S): I'm the owner of 1916 Colfax Ave S. I have 12 units there and they're 12 small one bedroom apartments, more like an efficiency. And I really, I only have three parking spots. And ever since the density with the new restaurants on that block for six years my families owned that apartment building and we've never had a problem with parking or any density problems. Now since the new restaurant and that has been added, my tenants have had to park two to three blocks away. And by allowing this building to go in there, they're going to add probably nine more tenants, two per unit, and that could be another ten cars that are going to have find spots on the street. And I mean I know this is probably not the place but it's really become just terrible for parking. People are almost blocking driveways now, and with my tenants and us having that property for all these years adding this new project would just make things that much worse. Thanks.

Chair Faucher: Thank you.

Sarah Janacek (1916 Fremont Ave S): I haven't been before you before, I'm a little confused about the scope of what I can speak to, so I'll just try to stay on point. Although have ventured off the ranch so I'm sure I will too. As I understand this project; and I'm asking that you deny allowing this building to be built. As I understand the history here is we have a subdivided lot that for eight years had a single family house next to the F.E. Day House. What is being proposed is a five unit building that is far from the ranch of heritage preservation as we know it from the history as I understand it from this hearing. So that's one thing. Two, let me speak to parking, I too have rental units in the neighborhood, I own six. I too have spent hundreds of thousands of dollars to restore them as they should be restored. And so I object to a facade going up to destroy the value that we have all created in trying to preserve our hold houses. Let me speak to parking. As somebody who owns rental units, I usually figure one bedroom means one car. This block has 182, I think, or 186 units of housing on the block, it's incredible. And so by cutting down the parking, I don't know the number of bedrooms proposed in this five new unit building but you're adding a lot of parked cars to this. I know that on my block, the Fremont block, we have 126 units of housing and parking is a nightmare and plus we have the commercial additions. I'd be remiss in not noting that I'm currently sitting on the Lowry Hill neighborhood association board. I'm not here on behalf of that board, however, I think it's worth noting that typically when someone ask for a variance like this in the neighborhood, you come to the neighborhood association first and make that request. That has not happened. Again, I'm asking you to deny. Thank you.

Chair Faucher: Thank you. Is there anyone else that wishes to speak for or against this item?

Neil Meyer (1708 Humboldt Ave S): I live at 1798 Humboldt Ave S and have done so for more than 30 years. And I feel like a pariah here today because I'm going to speak in support of the staff report. I've heard my neighbors and I found out about this meeting from next neighbor Lowry Hill, Ms. Janacek posted something about this and I thank her for that. In full disclosure, I appeared before this commission about six years ago as the attorney for St. Paul Development.

I'm appearing tonight of my own free volition and not retained by anybody to speak on their behalf but as a citizen who walks his dog by this house all the time. The complaints that I've heard have been basically parking and aesthetics. And this is Historic Preservation Commission, Heritage Preservation Commission; it is not dealing with parking. As I read the report, in what I recall was that, the significance of the setting of this house was not instrumental in making the historic designation for this property. It was the architect and the style of the home. This adjacent property had had a home on it; it was mentioned in the report. Nothing, as I understand from the report, nothing is being done to the F.E. Day House. Its architectural integrity will remain and there's no likelihood of confusion between the two as there's a fifteen foot separation and nothing attached to the F.E. Day House. And so it seems to me that, while these complaints are legitimate about parking, this is not the place for them and not something that you should be considering. Rather it's the integrity of the heritage home that should be considered and that, as evidence by the staff report, is not going to be interrupted at all. So I would urge you to support this. And I look forward to having a property tax payer in the neighborhood to help support the City's ventures. Thank you.

Chair Faucher: Thank you. Alright, (off microphone speaking from the public) we don't really, sure come on since you're the applicant. We don't really do rebuttal type testimony. But...

Sylvia Frank: I think that it has been explained but I'm not sure this is completely clear to people. But at the time the F.E. Day House was built, there was another house on the lot next to it. That remained for a number of years after the F.E. Day House was built and then it was later demolished. So really this lot and it has always been a lot, since the F.E. Day was built. They have always been separate lots. The fact that they were combined at some point under one tax id, doesn't alter the fact that they are platted as separate lots. So my question is really, why was this lot included in the historic site to begin with since it wasn't part and parcel of the F.E. Day House? And perhaps it was just a confusion that resulted out of the fact that the two lots had one tax id number. And things weren't thoroughly researched at the time to understand that this was, the F.E. Day House sat next to another home. So I think you need to consider that, that it's still....And when the F.E. Day House was built, it was built according to, presumably to the zoning and code requirements at the time, which have changed over time. So I think you need to consider that when you consider this project. And also just, this is really not the purview of the HPC but other people have talked about the density and so forth on this site, the allowed lot coverage on this site is 70%. This project as proposed doesn't even come close to that, its 39% including the house or the apartment building and the garage. The impervious surface allowed is 85%, and this comes in at 59%. The floor to area ratio allowed is 1.5% and we're well under that with 1.1%. So as far as the density goes, this density, this lot is zoned to allow density that you might expect near the city, near the downtown area, not far from the downtown area. And, you know if neighbors are concerned about what density is allowed and what parking is allowed in this area, they should work with other agencies in the city to have that modified. These are not really concerns for the HPC as I see it under your guidelines.

Chair Faucher: Thank you. Is there any further testimony? Please state your name and address for the record.

John McCarty (1818 Grand Ave): I'm with St Paul Development Corporation. And I would just like to make the one point that the lot at 1906 Colfax, which has a four car garage that was built in the 80s and is currently vacant but had a home that was demolished after the 1900 Colfax home was built. I just want to suggest that there is absolutely nothing historic about that lot. And I just wanted to put that in for the record. And I think for some reason, perhaps, it has been labeled historic because it was next door to the F.E. Day House. So, thank you.

Chair Faucher: Thank you. Anyone else? Doesn't look like it.

(Off microphone talking)

Chair Faucher: Thank you. Alright we will close the public hearing then. Commissioners? I see Commissioner Hunter Weir and Commissioner Mack, for staff?

Commissioner Hunter Weir: I did not look at the designation study for the F.E. Day House. What I'm curious about is references in it to the setting. Because my experience recently is that I was creeping around in yards counting shrubs and looking at tree placement and that they had to do with integrity and setting. And so I just was curious if there was a mention of that lot because it would, it's not to say the lot itself is historic as an empty lot but as a part of the setting for the...

Chair Faucher: And I was curious about the periods of significance was for the F.E. Day House, because that would maybe then address partially the lot next to it.

Staff Dvorak: The period of significance is 1908. And I have the designation study but not the actual staff report where it would have gone through the findings and integrity. But in that report, you could google it, F.E. Day House designation study staff report; it does come up within like your first four or five searches. It talks about the setting; I mean it talks about the lot in the designation study. And it says F.E. Day House when it was constructed, the brick garage that was constructed at the same time, and then there's this empty lot with the four car garage on it. We don't have building permits to say when that garage was constructed. And the setting part, if I remember the staff report correctly, from when the study went through in 2009, 2010, it talks of the setting of the lot remains similar. And then it talks about the four corners at the intersection.

Chair Faucher: Ok, Commissioner Mack.

Commissioner Mack: My question is similar and it's for Hilary. So according to what I read, it sounds like we do have purview over the issue of compatibility of the new construction, even though that building or that lot isn't historic, but it was part of the historic site. Therefore we are in a situation where we can look at the new construction on that site and determine whether it's compatible or not. Your staff report was that it is meets the Secretary of Interior guidelines. It doesn't go into a lot of detail about that, more referring to the fact that it's distinguished from the historic construction. I guess I'd like to see us take that a little bit further

and say, well ok, if that's the case, we do need to look at its compatibility. I'd like to hear a little bit more about the materials; I don't have a sense of those except from what somebody opposing it presented. It obviously must meet zoning as far as its massing and height but do we, as looking at its compatibility with the F.E. Day House, can we make any comments about the compatibility of the massing, in addition to, as I understand it, we can make comments about the compatibility of the aesthetics.

Staff Dvorak: Yes you can.

Commissioner Mack: Well, I guess I'd like to make some of those comments then. And I'd like to also, before I make those maybe, get a little bit more understanding of what the materials are. I know you went through that but, if you wouldn't mind doing that again.

Staff Dvorak: Sure. So the lower three floors is a horizontal lathe siding, it's a James J Hardy product so there's a cement based lathe siding. And then on the upper level of the building it is a metal shingle hung in the diamond pattern. And I realized as you asked that question that the material samples are sitting at my desk right now, not in this room. I apologize for that. But, there are only the two materials proposed. So there's the front elevation if you will, it has that, here's that lathe siding. And then the metal panel hung in that diamond pattern. And then the side of the building that faces the F.E. Day House is this one. And it has a primarily flat roof. The elevator enclosure which is towards the front of the building and provides access to each of the levels has that low hip roof. So that is what's under the hip roof. But the rest of the roof is then flat.

Commissioner Mack: Ok. Thank you. I guess I'd like to comment on that issue. As I look at this, it seems out of scale with the neighboring house. It's not a lot out of scale. It may be that that last floor sort of puts it over the top, because there are other larger structures in the neighborhood and certainly to the south. And I see the attempt to, I'm trying to get to the photos here, integrate with the color and it seems like that is a worthy approach and the simplicity of the structure. The part I have trouble with is when it gets to that top story and we're kind of doing the little tower with the round window. And so I would just like to encourage another go round, I mean obviously we have to decide if we're going to approve or not so I shouldn't say that, but those are my concerns. We can't address issues of parking, I know the area and I know the density problems and the...so, I certainly am sympathetic to that but that's not our purview. But if we are indeed to try to be sensitive to the historic context, I think that we could encourage, just some refinements in this project.

Chair Faucher: Thank you Commissioner Mack. It looks like everybody wants to talk about this one. I also just want to point out; I think that, from what Hilary said, as far as the period of significance being just one year in 1908 that in that year the house next door did exist. So the empty lot really isn't part of the historic setting, technically, of the house. So that's something we have to consider. But I agree with commissioner back about integrity of setting and just compatibility of the design and scale of the new construction. So, Commissioner Hunter Weir, we'll go to you next.

Commissioner Hunter Weir: What I'm finding with the staff recommendation from 2010, the designation includes the entire property. But what I can't find, at least not yet, a map that shows how that property was defined. But it does say that the designation includes the entire property. So, as setting, I think that is an interesting question.

Chair Faucher: I would still say it probably doesn't, I don't know, my interpretation would be, it doesn't mean that it contributes as related to the period of significance. I think that it's all one particular property, yes, but whether or not the empty lot is a character defining feature of that, I think is maybe still a question. Ok, Commissioner Olson.

Commissioner Olson: A few thoughts. I think, just from my perspective, just some things to keep in mind is first, this is a buildable lot. And there are obviously zoning issues brought up by the people who testified, but as was stated, we're not really allowed to take those into our purview in reviewing this. Some of the things that I think are notable about this is that it's not trying to imitate the historic building next door. And it will not physically alter the historic building. I think that was the main reason for the staff's recommendation to approve. I also noted that there are other modern buildings dispersed among historic buildings within this neighborhood. You can see that from the photographs and including the building that's next door to this vacant lot, that's a very modern building. However, having said all that, I look at this, one of the photographs in the packet, it looks like an apartment building, it says 1900 Colfax Ave S west elevation and I look at that, that is a historic multi-unit building that I think would be much more compatible with the 1908 house. It would at the risk of redesigning the new home, it seems like something like that would be less overpowering to the 1908 house in its simple design and its use of brick. So I'm not sure if we're allowed to consider those things. And we're allowed to consider its impact aesthetically on the 1908 house; I'm not sure how far we can go with that.

Chair Faucher: Ok. Commissioner Lackovic.

Commissioner Lackovic: My comments probably come back to compatibility and just appropriateness, mostly impact on the existing historic structure. Two things, I agree with Commissioner Mack on the height. I think between the, that extra story rising above the top most roof level of the single family home. And then the front setback being, and I understand the formula now but I still think it over powers the presence of the historic home. Its set further ahead, it's taller. So in my opinion, it does detract from the significance of the historic home. Just on its massing alone. You can take style out of it. I just think the height and pushing the setback out as far as you possibly can really starts to encroach on the presence of that 1908 structure. In addition to that, when we talk about the lot, I don't think we can have it both ways. We can't say it's a separate lot, it should be treated separately and assume that we can drive through the historic lot to get to it. So if we're going to say that it's not a separate lot and it's going to be its own entity, I guess my question is why are we not then driving through the lot on that property to get to the garages? Why are we coming through the historic property to get to the garages? Why not orient this so that you have access to the garages through its own property; because to me maintaining that connection through the historic property becomes a burden, again over time, in the future. Just to me that just seems like asking a little much.

Chair Faucher: So you'd be suggesting a curb cut essentially in street in order to get to it?

Commissioner Lackovic: Yes. So that's just something that, to me, it just seems a little bit odd. It seems like it's a lot of burden placed on this historic site to support the new construction on this lot. Again the parking is a separate issue, but I just, to me it feels, the scale, the size, the height, I think it does really detract from the historic nature of this house. Again 1908 is the date that was selected for the period of significance. But I would make the argument that for a hundred years this house has existed without anything next to it, that the empty lot has acquired its own significance. You could make that argument. It only shared; there were only two structures on that site for eight years out of a hundred plus years. So, again, you can make that argument a number of different ways. But I don't think you can have it both.

Chair Faucher: Ok thank you. Commissioner Vork.

Commissioner Vork: I agree with Commissioner Lackovic's excellent point about not burdening the historic property with the access to the new construction property. That strikes me as very important because this property will be burdened certainly when something is constructed next to it, at least in so far as the change to the environment. And I have tremendous sympathy for the people who live close to this property. I spend a lot of time near it myself patronizing the business. The parking is unbelievable. This city has density goals, which we did not develop here on the HPC, City leadership came up with those goals and vision. And what I'm hearing here tonight is a lot of issue related to that density vision and also to zoning and planning which are not in our purview here. And I'm concerned, as much as I agree with the aesthetic arguments that folks are making. I'm concerned that this is a stretch for us to really look at the design of this building because it seems like it's coming to us on a technicality because of these two lots being put together. So that's a big concern for me that we technically have some authority on this but, should we? I don't know.

Chair Faucher: Ok. Commissioner Hunter Weir.

Commissioner Hunter Weir: Still reading. I did find the original study and I did find the map. The map does include the empty lot as part of the parcel. And there's a statement. The F.E. Day House stands promptly on a double lot on the southwest corner. So that was a factor, or at least something noticed when the designation study was done. And it is in the map, it does show the empty lot.

Chair Faucher: Commissioner Lackovic had a good point about things being able to take on significance in their own way. So, yeah, that makes it all the more challenging. Commissioner Bengtson.

Commissioner Bengtson: I feel that the fact that we haven't all been able to look at that document and understand the designation exactly is a, hamstrings us a little bit on commenting on it, because I do see both sides of the argument. I do see that allowing access through a historic site to another site is a potential issue. However, they're not required to have any

parking. Thereby they could just eliminate that garage in the backyard and thereby we've made the matters worse in the neighborhood, and then the same thing with the fact that the period of significance, there was another building on that site. To say that someone wouldn't be allowed to build on that site would be kind of disingenuous with the study that was done. That there was another building on that other lot, not to mention it is a lot and therefore they should be allowed to build on it as long as there's not historic significance to the vacant lot. So I very much would prefer to continue this item to have the ability to review that, landmark designation, to make sure that we all understand exactly what was designated and how to approach the issue.

Chair Faucher: Is there any additional information from the applicant that would be helpful or from staff?

Commissioner Mack: I'd like to see the material samples.

Chair Faucher: Anything else? Commissioner Bengtson.

Commissioner Bengtson: I also would say too that should we approve this historic variance, I'd like staff to brief us on how we would amend the landmark designation to remove the second lot from the designation, since it will no longer really be appropriate for it to be included. So it would be my preference then that if we would go through and approve this variance and allow this structure to be build, we would remove the landmark designation from the property so that it's not considered in any way shape or form by anyone to be a part of the historic property.

Chair Faucher: Ok. Commissioner Olson did you have something?

Commissioner Olson: Yes, as long as we're asking for things, maybe look at how the architect could make the building less overpowering, either by reducing the height or the setback or using different materials or something to reduce the impact.

Chair Faucher: Ok. Thank you. Commissioner Vork.

Commissioner Vork: Adding to that I have another question that I would be interested in the answer of. I'd be interested to know, and I apologize if this was brought up and I missed it, when the two were put together, was that at the request of the owner? And the reason that I ask that is that I purchase two lots that were adjacent at one time about ten years ago and the PIDs were combined and I did not request that and I did not discover that until I tried to sell them separately. So I'd just kind of like to know if that was intentional.

Chair Faucher: Alright, Commissioner Bengtson. Wait staff has something....

Staff Dvorak: I would just suggest that we go two cycles to April 19 because everyone needs time to redesign and rewrite a staff report.

Chair Faucher: Alright, Commissioner Bengtson.

Commissioner Bengtson: I'd like to make a motion to continue the certificate of appropriateness and historic variance for 1900 Colfax Ave S, to the April 19 meeting.

Commissioner Vork: Second.

Chair Faucher: Any further? All those in favor indicate by saying aye.

Aye: Bengtson, Faucher, Hunter Weir, Lackovic, Mack, Olson, Vork

Chair Faucher: Opposed? Abstentions? Ok thank you.

5. 1900 Colfax Avenue South, Ward 7
Staff report by [Hilary Dvorak](#), BZH 29041

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt staff findings for the applications by St. Paul Development Corporation for the F. E. Day House located at 1900 Colfax Avenue South:

A. Certificate of Appropriateness.

Action: The Heritage Preservation Commission **continued** the certificate of appropriateness to allow the construction of a new four-story, five-unit residential building on the southern half of the property next to the landmark building, two cycles to the April 19, 2016, Heritage Preservation Commission public hearing.

Absent: Hartnett, Stade
This item was continued

B. Historic Variance.

Action: The Heritage Preservation Commission **continued** the historic variance to maintain the existing setbacks for the landmark from the interior property line, two cycles to the April 19, 2016, Heritage Preservation Commission public hearing.

Absent: Hartnett, Stade
This item was continued