Request for City Council Committee Action from the Department of Community Planning & Economic Development – Planning Division

Date: January 15, 2009

To: Council Member Gary Schiff, Chair, Zoning and Planning Committee
Members of the Committee

Referral to: Zoning and Planning Committee

Subject: Appeal of the Heritage Preservation Commission action approving a demolition of a historic resource at 2863 East Lake of the Isles Parkway after reviewing the results of a designation study.

Recommendation: The Heritage Preservation Commission adopted staff recommendation and approved the demolition of a historic resource at 2863 East Lake of the Isles Parkway after reviewing the results of a designation study.

Previous Directives: On November 2, 2007 the City Council, following the recommendation of the Zoning & Planning Committee, directed the commencement of a designation study for 2863 East Lake of the Isles Parkway.

Prepared or Submitted by: Brian Schaffer, Senior City Planner, 612-673-2670

Approved by: Jack Byers, Planning Supervisor, 612-673-2634

Presenters in Committee: Brian Schaffer, Senior City Planner

Financial Impact (Check those that apply)
_x_ No financial impact (If checked, go directly to Background/Supporting Information).
___ Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
___ Action provides increased revenue for appropriation increase.
___ Action requires use of contingency or reserves.
___ Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
___ Other financial impact (Explain):
___ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact (use any categories that apply)
Ward: 10
Neighborhood Notification: The East Isles Residents' Association is the appellant and was notified of the appeal application on January 5, 2009.
City Goals: See staff report.
Comprehensive Plan: See staff report.
Zoning Code: See staff report.
Living Wage/Job Linkage: Not applicable.

End of 60/120-day Decision Period: Not applicable
Other: Not applicable.

Background/Supporting Information Attached: Ross D'Emanuele, on behalf of the East Isles Residents' Association, has filed an appeal of the decision of the Heritage Preservation Commission **approving** a Demolition of an Historic Resource for a structure located at 2863 East Lake of the Isles Parkway after the completion of a designation study.

The Heritage Preservation Commission voted 8-0 to adopt staff recommendation and approve the Demolition of an Historic Resource on December 2, 2008. The Heritage Preservation Commission added four conditions to their approval:

1. The proposed new construction must meet City Code requirements for new construction in the R1A and Shoreland Overlay Zoning Districts regarding height, massing, set backs, and preservation of neighborhood character.
2. Demolition of the existing structure at 2863 East Lake of the Isles Parkway will not proceed until all land use approvals are secured.
3. Demolition of the existing structure at 2863 East Lake of the Isles Parkway will not proceed until all land use approvals are secured for adjacent property/properties.
4. Demolition and land use approvals for adjacent property is not approved herein and must be applied for under separate cover.

The appellant filed the appeal on December 12, 2008.

On September 11, 2007 the Minneapolis Heritage Preservation Commission approved an application to allow for the demolition of 2863 East Lake of the Isles Parkway. This action was appealed by the Lowry Hill History Committee and was subsequently heard by the Zoning & Planning Committee of the City Council. On November 2, 2007, the Minneapolis City Council denied an application to allow for the Demolition of a Historic Resource at 2863 East Lake of the Isles Parkway and directed the commencement of a designation study for the property.

Supporting Material

A. Appellant Statement of Appeal
B. December 2, 2008 HPC Meeting Minutes
C. December 2, 2008 HPC Staff Report with the following Attachments
    1. "Determination of Eligibility of Heritage Preservation Designation" prepared by Landscape Research LLC
    2. Materials provided by the Lowry Hill History Committee at the Zoning & Planning Committee of the City Council on October 25, 2007
    3. City Council Actions from November 2, 2007
    4. Heritage Preservation Commission Actions from September 11, 2007
    5. Heritage Preservation Commission Staff Report from September 11, 2007
    6. Letter of East Isles Residents Association dated November 26, 2008
D. Materials provided by the Lowry Hill History Committee at the December 2, 2008 HPC meeting.
E. Letter from Paul Clifford Larson at the December 2, 2008 HPC meeting.

Minneapolis Heritage Preservation Commission

December 2, 2008, Room 317 City Hall

Staff: Brian Schaffer

Planning Supervisor: Jack Byers

Date of Appeal: January 15, 2009

ITEM SUMMARY

Address: 2863 East Lake of the Isles, Historic Resource, Ward 10

Description: Follow up item on the Designation Study results from the September 11, 2007, hearing on the demolition of an historic resource.

Action: Approved demolition with conditions.

TRANSCRIPTION

Chair Larsen: Ok, then we have our two public hearing items for this evening and we'll move to our first item, 2863 East Lake of the Isles, Historic Resource, Ward 10, staff Brian Schaffer for the designation study results.

Staff Schaffer: Chair Larsen, Commissioners, is that visible on your screens?

Chair Larsen: No, not too bright, a little fuzzy.

Staff Schaffer: Most of what you will be seeing is included in your packets. What you see before you is just an aerial photograph which was part of the original application. Before I get started I'm going to run through the background a little bit and then move into the staff report, just to give you a quick update as to where we came from and where we are today.

On September 11, 2007, this commission conditionally approved an application for demolition of an historic resource at 2863 East Lake of the Isles Parkway. This staff report is included in the packets that you have before you. That action was appealed by Lowry Hill History Committee and heard by the Zoning and Planning Committee on October 25, 2007. At that meeting, the appellant provided about a 50-page packet of material which is also included in your packet and was also used by staff in their analysis for the designation study. On November 2 the full City Council adopted the Z&P recommendation and upheld the appeal and ordered a designation study of the structure at 2863 East Lake of the Isles. On September 17, 2008, Landscape Research provided staff with a document entitled "Determination of Eligibility of the Heritage Preservation Designation." This document is also included in your packet of material and was also used by staff for the analysis of the designation study. For the analysis of the designation study, staff looked at two things: the seven designation criteria and also the integrity of the structure and how it meets

those seven criteria. Moving into a brief description of the property, and there are many of you that may not have been around the first time this came through, the structure at 2863 was constructed in 1900 for Henry Waldron. It was constructed by George Cook. There is no architect of record on the building permit that we can find, that is associated with this structure. It was originally designed in a simple Queen Anne style with clapboard siding. In 1911 this structure was moved from its original location which was 2867 to the parcel adjacent to it, 2863. It was moved by Charles Waldron, which was Henry's younger brother. Besides being moved in 1911, the structure had numerous modifications including new windows, two rear additions, alterations to the dormers, stucco, and modification of the front porch. These additions have resulted in the structure's current design which is more suggestive of a Mission Style than its original design. You can see, here is an existing picture of the structure. This was included in your staff reports and it actually furnishes part of the research that was done by Landscape Research on behalf of the applicant property owner. You can see the front porch and the stucco. Also included in the staff report is a picture of the property from 1915, you can see how it was originally designed. If you look at this photograph, also included in some of the materials by the original appellants, Lowry Hill History Committee, this is the structure after it was moved to its current site at 2863. You can kind of see the side of 2867 there and you can see the adjacent property. This is the subject property as it was originally constructed.

In your staff report, staff went through and evaluated the structure on all seven criteria for designation. This analysis I will gladly go into further in depth with that analysis, but my intention today was to focus on the three items that were brought forward by the appellant that triggered the designation study. These were focused on criteria #1, #3, and #6 in the designation criteria. So the first one is "the property is associated with significant events or the periods that exemplify broad patterns of cultural, political, economic, or social history." In their appeal materials the appellant, Lowry Hill History Committee, suggest that the property at 2863 East Lake of the Isles meets this criteria. Quoting from the material they provided:

> "The Waldron Houses reflect a certain period of Social History (1900-1919) when the Lake of the Isles area was sprinkled with wood frame cottages and populated with middle-class small business families. By the late 1930s the modest residences had been replaced with larger and more stately buildings. The "twin" Waldron Houses are "survivors" of this early Minneapolis period of economic and social development."

The report prepared by Landscape Research, which was submitted in September of this year, also states that at the time the picture was taken, and which I showed you before, the 1915 photograph, the $500 house which was the cost to construct the house at 2863 East Lake of the Isles appeared typical of the small, simple houses built around the city's lakes. The report goes on to hypothesize that the uncertainty about future land use along the rail corridor and proximity to the developing commercial area along West Lake Street and the streetcar hub at Hennepin Avenue and Lake Street may have been the factors that attracted builders of inexpensive dwellings to the area. The structure at 2863 East Lake of the Isles was constructed in 1900 and appears to be part of an early cluster of modest homes. However, the integrity of the home is severely impaired. It was moved to its current location in 1911 and significantly altered in 1936 and then again in 1938. These modifications significantly impair the historical integrity of the structure and its association with the modest dwellings built on the southeast corner of Lake of the Isles in the early 20th Century.

Moving on to the third designation criteria: "The property contains or is associated with distinctive elements of city identity." The structure has been identified as a contributing structure to the potential Lake of the Isles Historic District, which was brought forward as a nomination in 1984 and again identified in 2006 in the Mead and Hunt historical properties survey of the Calhoun Isles area. The focal point of the proposed district was the lake itself, which contains three islands and is bordered by parkland and a system of parkways, pedestrian paths, and bridges which are in turn bordered by a ring of private residences. The more than 100 private residences, with associated secondary structures and landscapes, lend architectural significant to the proposed district. The residences also provide the district's visual and physical boundaries. Although the property at 2863 East Lake of the Isles contributes to the potential Lake of the Isles Historic District which is distinctive to the identity of Minneapolis, there is no evidence that this individual property itself is distinctive to the City's identity.

I'm going to pause here to kind of remind you that the focus of this designation study was on this property and it must be directed only towards this property and not the surrounding context of the potential historic district. Once again, we are here to determine whether this property meets criteria for this designation, not whether the property is a part of the potential historic district or whether it contributes to that potential historic district.

Moving on to the sixth criteria for designation: "The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects." The materials provided by the appellant state that the structure at 2863 East Lake of the Isles Parkway was designed by John W. Lindstrom, as called out in the material he is Minneapolis' most prolific bungalow and pattern house builder in the early 20th Century. Building permit data indicates that the structure at 2867 East Lake of the Isles Parkway was designed by J. W. Lindstrom and constructed in 1911. This structure that we are speaking about today, the subject structure at 2863 East Lake of the Isles, does not have an architect attributed to its design. The building permit on record for 2863 East Lake of the Isles does not include an architect, as I said before, but only a builder, George Cook. George Cook was a significant builder at the time, he actually built the Lakewood Cemetery Memorial Chapel, which is a locally designated structure. However, the structure at 2863 has been altered through various remodeling projects that were not supervised or completed by George Cook. The current structure at 2863 East Lake of the Isles does not exemplify the work of George Cook as a master builder due to these modification that were not supervised by him and does not warrant designation under this criteria for its association with him.

To conclude my staff report here, the property at 2863 East Lake of the Isles does not meet any of the seven criteria for designation as an individual landmark, so with that staff recommends that the Heritage Preservation Commission approve the demolition of the Harry B. Waldron House at 2863 East Lake of the Isles Parkway. I may have skipped over some things so I will open it up to questions.

Chair Larsen: Questions of staff … Commissioner Elliott:

Commissioner Elliott: I noticed in both the staff report and then also in one of the attachments which was the Landscape Research report that the focus is on 2863 East Lake of the Isles Parkway and it is referred to as the Waldron House and then in the attachment with the Lowry Hill History Committee report they really focus on the twin Waldron houses, particularly referring to the site as two pieces of property. Can you comment on, or do you have a sense of whether, what is the importance of looking at this as a site with two structures which is how the Lowry Hill History Committee looks at it, versus looking at it as a single structure.

Staff Schaffer: Chair Larsen, Commissioner Elliott, that's a very good question. Staff's purview when we looked at the structure was as a single. That's how it came forward for demolition and the way we review demolition permits, that's what staff is authorized to review under. Staff followed the project to the commission and followed also the City Council's recommendation to do a designation study for the structure at 2863. You can look at 2867 but the focus of this last year's research is only for 2863 East Lake of the Isles. The properties were owned, the property itself was one property at one time, owned by Harry Waldron. Upon his move to become a fruit farmer out west in Oregon his brother moved back and built this new house which is 2867. In doing so, he moved the current property over to that site, which is just adjacent to it. So you can call it the twin houses, but the focus and the architectural significance that was lended to the structure by John W. Lindstrom which was identified as the architect for 2867 does not lend itself to 2863. There was no architect on record, John Lindstrom according to the information provided by the appellant showed that he opened up his office in 1902, two years after the structure was constructed. So even if he was the architect for the structure at 2863 …

Chair Larsen: Let me ask a clarifying question. So, it is staff's opinion that Lindstrom opened his office in 1902 therefore he couldn't have designed this building in 1900.

Staff Schaffer: Chair Larsen, that would be staff's opinion, yes. Actually, we rely mostly on the building permit information which shows no architect of record for this site.

Chair Larsen: But you're saying it does show that the neighboring home was designed by Lindstrom at a later time?

Staff Schaffer: At a later date, 11 years later after this one was constructed.

Chair Larsen: Does that answer your questions, Commissioner Elliott? Are there any other questions for staff at this time? Commissioner Crippen.

Commissioner Crippen: Just to see if you could clarify or amplify a little bit more the potential issue between finding #6 and #7, which is that you are concluding individually this doesn't merit designation but collectively it does contribute to the potential district, and if I understand that correctly that's because you hold it to a higher standard for an individual landmark, is that right?

Staff Schaffer: Chair Larsen, Commissioner Crippen, I believe that would be correct. What we're looking at here is the integrity of the structure. The integrity has been modified since it's original construction. What could be argued is intact is its location, even though it's been moved it was part of the larger period of time when Lake of the Isles was created and that lends a significance. And really what lends significance is the actual structure, not necessarily the design of the structure but the actual presence itself, creating that architectural wall along the Lake of the Isles.

Commissioner Crippen: So practically speaking if we agree that this is a contributing structure to the potential district, if it wasn't a potential district but was actually a district, would you have a different recommendation on demolition?

Staff Schaffer: Chair Larsen, Commissioner Crippen, if this was a designated district, if we would have gone through the process of designating a Lake of the Isles District, and this property is truly contributing to the district as staff has stated, staff may have a different viewpoint, yes.

Chair Larsen: Yes, that is one of the challenges that we face. Ok, any other questions of staff before we open it up to the public hearing? Ok, seeing none, thank you sir, we may have some other questions for you at another time. We'll open up the public hearing, is there anyone that wishes to speak either for or against this application, please step forward and please state your name for the record.

Chris Horty: My name is Chris Horty, I've lived at 2867 East Lake of the Isles Parkway for 34 years. I purchased the house at 2863 East Lake of the Isles Parkway in January 2003 from my neighbor Denita Meyers, who is now deceased. My original intent was to restore the property, but after a full inspection I found excessive deterioration including water damage to the foundation and extensive wood, plaster, and stucco rot. The rehabilitation cost was getting higher than the house value and the house did not appear to merit architectural value or detail worth preserving. The house did not have built in buffets, special woodwork, or exposed wood beam ceilings. I reviewed the property with an architect, a building official, and a salvage company and applied for a demolition permit in August of 2007. I did not know the City would review the permit for Heritage Preservation, however I complied with the past year and a half of interim protection as required by City Planning Department. I hired my own historic consultants to review the significance of this property. Amy Lucas of Landscape Research is going to discuss her findings about the property at 2863 East Lake of the Isles Parkway. Also my architect, Tom Van Housen, is available to speak about the house I am requesting to demolish.

Chair Larsen: Thank you very much. Is there anybody else that wishes to speak for or against, please step forward.

Amy Lucas: Hi, I am Amy Lucas of Landscape Research and I won't walk you through the entire report but I did want to go through two points that have come up. One being the twin house discussion. The property, 2863, now sits here. It originally did sit against the railroad tracks here and was built in 1900 for Harry and Harriett Waldron. When Harriett died in, I think 1909 or 1911, they did leave this area for awhile and they did show up in census records as being on a fruit farm. They were grocers, Harry and his brother Charles were grocers on Lyndale. They may have gone out there for some time. When they came back,

Harry never came back to this area again. His brother Charles took this house that sat here, moved it to 2863. 2863 after that became a rental property until they left the area in 1922. They did build 2867 and that was by Lindstrom and I do have the building permit here. They stayed in this property until 1922 and went out to California after that. Then both of these went back and forth as rental properties and ownership; 2863 more so with a lot of rental history. Some of it is briefly in this report. The second question, the twin houses, I'm not sure where that came from. There is 10 years separating these two houses. They were not built in the same architectural style or by the same architects. I think the fact that brothers are listed on the building permits may have led some people to that conclusion. The 1984 Lake of the Isles Historic District nomination, looking back at that, and I did not review that in length doing this report, but I do know that nomination fairly well, many of the properties in Lake of the Isles if you went back and looked at them since that report was completed probably do have a lot of integrity issues and I think that if you examine that report today and looked at the significance, I think that it would be a very different report. I think that designation studies have a lot more research and history behind them than usually one paragraph on a property. The 1984 report was kind of at those early standards for designation studies and those standards don't usually apply these days when it comes to research and lawyers and public hearings, but I'm just here to answer any questions about the report.

Chair Larsen: Ok, is there anybody else that wishes to speak either for or against this application, please step forward.

Bob Glancy: Commissioners, my name is Bob Glancy. I live at 4842 Northrup Drive. I've been a neighborhood historian in the Lake of the Isles neighborhood for 30 years. I served on this esteemed commission for 5 years and I'm currently on the Board of Directors of the Hennepin History Museum. Before I begin my own comments, Paul Larsen who testified a year ago had hoped to be here tonight but could not at the last minute. He has written a letter which I believe you have in front of you. Paul has asked me if I would read it into the record.

Chair Larsen: It is in the record, by us having it, it is in the record. So if you don't want to read it, you don't have to.

Bob Glancy: I would like to.

Chair Larsen: Ok.

Bob Glancy: "I am an architectural historian of the Upper Midwest of twenty-five years standing. This letter addresses my concerns regarding the preservation of the house at 2863 East Lake of the Isles, particularly in the light of the designation study now under review. Three issues are worthy of examination not extended to them in the study.

1. As originally conceived, the bungalow was not an outstanding design in its own right, but it is so far as I know the first documented bungalow in the Twin Cities. St. Paul has none that I know of dating before 1902. The bungalow movement was of such critical importance to the building of the city that so rare an early moment of it is worth preservation attention.
2. Prior to the completion of its dredging and shoreline enhancements, Lake of the Isles was host to a wide range of homes, nearly all of them smaller and less elaborate than what we now associate with the Lake District. These are all part of Minneapolis's heritage, and we need to be particularly cautious about our treatment of the few remaining examples of that early period.
3. Demolition always raises the question, to be replaced with what? The plans I have seen (this goes back to a year ago) are for a sizeable lateral expansion of the neighboring bungalow, and that raises as many issues as the demolition. The Secretary of the Interior's Standards for Rehabilitation are very clear about the undesirability of imitating original construction, as they also inveigh against additions with considerable larger mass than the original building. Both provide a false sense of history by swallowing up our architectural heritage rather than preserving it." signed Paul Clifford Larson.

I'd like to just briefly do a flashback through history. We've heard about the Lake of the Isles historic district that was proposed in 1987. I'm guessing that many of you may not know the background of what

happened 21 years ago. Many neighbors were in favor of that district, however one owner of a property on the lake in particular was able to persuade many others of the falsehood that they couldn't change anything about their homes if this were to become a district and that they would have to jump through hoops to do any changes at all. I'm sure you have heard this kind of false information before. But many did support the district, but unfortunately it did not pass. If that district had been approved and became reality, several things would not have happened in the last 21 years. We would not have had two houses on Lake of the Isles torn down. We would not have had this house torn down, 95% of it torn down, leaving only wall standing before they rebuilt, all under the pretense of remodeling. We also had a house burn down which is currently being replaced by a McMansion which is not appropriate either. And a few other houses that have been horribly remuddled beyond recognition on the parkway. This hearing should be about whether two more pieces of a historic district should be lost to create a mini-mansion that as presented last year, and I have a photo from last year's hearing. This mini-mansion would not fit into the district. This is a side elevation. A few months ago this commission appropriately denied the demolition of a house at 1900 Colfax which would have been replaced with an 8-unit condo building. I believe that we are in the same situation tonight deciding on whether something else inappropriate would replace this bungalow. Now this is the last time you will probably see us before you because if this historic resource is torn down the owner can pretty much build whatever he wants to on the land because it's not within an historic district. He wouldn't have to apply for a demolition permit, he could tear it down or at least 95% of it again and call it a remodeling. If this historic bungalow is lost, you will not have a say in what replaces it because no one has stepped forward to renominate the ill-fated Lake of the Isles historic district. I can no longer nominate anything but my own house, because I am no longer a commissioner, but each of you can. And if any of you are willing to do that I am prepared to give you all of my assistance to make that district a reality.

Chair Larsen: Please step forward.

Diane Montgomery: Good evening. I'm going to keep it moving here. I am Diane Montgomery, Lowry Hill History Committee. I see a number of faces on the HPC this year that were not here when we first started talking about this property and I'm very pleased to see that Brian in his report included a number of the print items that we submitted in our report. However, there were over twelve people who also came forth and testified and some of the verbal testimony you don't have in front of you. The Lowry Hill History Committee in their letter tonight, which you got late, does have a list of not only the attachments that were print to their handout but also a list of some of the verbal experts who came to speak up for these properties. The History Committee's letter tonight primarily focuses on the designation study process that resulted from the City Council Z&P's directives to the Planning Department to prepare a designation study, an individual designation study, for the property. The property at that time was referred to one of our twin Waldron houses, the 2863 that has been the exclusive focus tonight of discussion. At that time there was no understanding on the part of any of the people who spoke to the Z&P nor prior to that to the HPC that this designation study would be undertaken by the owner, paid for by the owner, and most of the research provided in that study paid for and directed by the owner. I don't need to remind you that the owner is the person who petitioned to demolish the building and it would seem to be somewhat self serving. I think that in the presentation of the staff report they put on equal status on one hand the Lowry Hill History Committee and on the other hand the designation study that was privately produced. It gives equal weight to both of them. Can I remind you that one person at the behest of the petitioning property owner prepared one report and there were over 20 people and a number of document archives and cited sources that were the source of the Lowry Hill History Committee's appeal and initial presentation on this. So I hope that you don't hold those in equal weight. They weren't intended to be of equal weight and I hope you also would weigh the impartial comments particularly by Paul Clifford Larson who is a noted architect, publisher of and writer of a half dozen books, he is the most noted authority in at least our area on the bungalow movement. He does live in St. Paul. He has no ax to grind on what's happening on Lake of the Isles next door to him. He doesn't live here. A number of people came out and spoke to the importance of these properties who don't live within a block of them or a mile of them. These were impartial experts and I hope that you would weigh their testimony. I also hope that you would go back and look at some of the appellant information that was originally presented to the Z&P verbally and to the prior HPC hearings on this. I have two specific points that were brought up verbally in prior testimony that need to be brought up tonight because Ms. Lucas, the creator of the Horty designation study, was also not present at those hearings and neither did she testify. There was a question as to whether or not it might have been possible let alone

probably that the architect, Lindstrom, who did not sign the building permit for the early 1900 Waldron house, could he have created this house? Would he have been the architect? Are there architectural details or characteristics of the 1900 Lindstrom house that were repeated in other Lindstrom material? Needless to say that would require a comparison of dozens and dozens of books, some of the architectural historians who spoke at the last hearing went through Keith's book, Keith's magazine, and went through the Lindstrom books which are part of the Anderson library archives. They did, and Paul Larson's testimony in the last hearing was that there were characteristics, albeit not a signed architecture name on the building permit in the earliest 1900 house, the 2863 house, as Lindstronian, I guess he would call it, a Lindstronian characteristic, and right next door to it, which was the origin of the twinning, was a mid-period Lindstrom house. Both of them bungalows. Bungalows that survive are very rare and Paul Clifford Larson felt that this was an important enough point to not only speak to it, write to it in the last two hearings, but write a letter today as well. And I hope that you would give that some weight. Lindstrom's biographical information was also presented in the testimony in the prior hearings. Lindstrom did come to Minnesota after 1892, however prior to opening his own architectural office which there is documentation for, which Ms. Lucas found, he was a draftsman in the Orph architectural office in St. Paul and they worked in Minneapolis and built bungalows as well. So, there is by not my expertise but in the prior expert testimony given on the characteristics of Lindstrom, the characteristics of Lindstrom and the importance of the bungalow movement, and in this house. Ample evidence that's already been presented and should be on the public record in front of you.

Lastly there's the word bungalow. Bungalow is not a part of the staff report. The word bungalow, it's called small house, lesser quality house, less grand house … it's a bungalow. Both of these houses are bungalows and its their bungalow character that makes them not grand. They are not Queen Anne houses. I know they're not Queen Anne houses and I'm not an architectural historian. They are not Queen Anne houses, they are bungalow houses, that is a style unto itself and Lindstrom put on the national map, he has a nationally designated house in Seattle that he designed, he put Minnesota's bungalows on national recognition, so therefore he is a major rank architect and by expert testimony has most probably contributed to this very earliest Lindstronian, to use the word, houses at 2863. This is a special little gem and it's been somewhat glanced over in the prior discussions. There was much discussion on this in the last, there are a series of hearings now on this property, I think there ought to be a book eventually on the story of these houses.

The second point is the ownership of this house, it did belong, it was initially in the house of small tradesman, a small tradesman family, you've heard the story of the Waldron brothers, I won't go through all of it, there's only a small portion missing. There are descendants that were always living in this house. These weren't the primary houses of the Waldron brothers and their descendants over the years. These were summer cottages, this is a summer cottage through the 1920s. And the family of the last owner, I believe it was the niece, came to the last hearing and presented family pictures showing her prior family in that house, the interior of the house as it was when it was acquired from Mr. Horty, and it did have the hardwood, the fireplaces, and there were pictures that she brought that showed that and which have since been salvaged out, but that's not the fault of the house. She also pointed out to us that she was a direct descendant of the last owner/occupant of the house prior to Mr. Horty, but that owner, Bernita, was a direct relative and they were all direct relatives. There were no distance sales between these two houses. They were all related over the years. The Furbers were related to the Waldrons and that small bit of history has been omitted. It's omitted from the public files unless you know who is related to whom and that testimony was presented at the last hearing. So this is a direct descendant, probably the same extended family and therefore it is an important part of social history. My heaven's sakes, where do we have another house like that in that area of the City that speaks to that genre of early Lakes area activity and inhabitants.

With those two points, I have one last point and if you have any questions. We wanted to refute the staff finding that there was none of the seven points, or six points, that would be criteria upon which an individual designation would be merited exist. I've already pointed out two of them, number one and number four, the architectural style related to an important architect and also a genre in the social history of the city that are omitted both from the staff report, clearly without the oral history of the family and the prior history, who'd know? But that's why it's important to have unbiased and neutral people who are experts coming forward to give you all information and not only the owners of the houses. So we would

ask you to please designate this house. It is a twin house in the sense of if this is destroyed there has already been clearly stated intentions of the owner to expand his house. The expansion pictures were submitted to the City. They've been shown by Bob Glancy. It will be a mega monster, excuse me a large house, and it will, any change to the second house, the late Lindstrom house, will also contribute to lessening its value as a historic property for Minneapolis. So many houses around Lake of the Isles are gone or changed, and we've heard testimony on that. These houses you can fix. Thank you very much.

Chair Larsen: Thank you very much. Alright, is there anybody else that wishes to speak either for or against this application please step forward.

Tom Balcom: Mr. Chairman, members of the Commission, my name is Tom Balcom. I'm a historical consultant and I live in the Tangletown neighborhood. I've lived in Minneapolis all my life. I don't know what else I can add here beyond what Bob and Diane have said but I did submit a letter back a year ago when this was up for discussion and it's on page 38 of your larger packet. I just want to read a little bit of what I said and it kind of goes to what Paul Clifford Larson's point number 3 is. I said the applicant's proposed East Lake of the Isles Parkway house design is a box like structure with narrow rectangular windows and reminds me of a house that was built a few years ago on the northwest corner of Lyndale Avenue and Minnehaha Parkway, this is right adjacent to the neighborhood I live in. This house is totally out of character and a non-contributing structure to the proposed Minnehaha Parkway Historic District. A similar outcome will certainly result for the proposed Lake of the Isles Historic District if this project is allowed to proceed as proposed. I urge you to vote against demolition of the structure. Thank you for allowing me to speak.

Chair Larsen: Thank you very much. Anybody else, please step forward.

Ross D'Emanuele: My name is Ross D'Emanuele and I'm the president of the East Isles Resident Association which is the neighborhood association in which this property sits. Out neighborhood association has talked about this matter a number of times including when it last came up for demolition and I believe you have a letter from us stating our position opposing the demolition for the property and I don't want to repeat our position in our letter because you have that. But I wanted to personally come down just to make one point which is not as a architectural historian but what I see in the record is an awful lot of people have looked at this a great deal and the record seems to be a little muddled. There are reasonable arguments on both sides. There is a dispute about whether the bungalow style has a distinctiveness that merits designation. There is a dispute about whether an architect designed the building or not, and I don't have definitive answers on that but the question that I'd ask you to consider is in the context of that type of record why take a chance? I mean, obviously once the building is gone you can't unring that bell and it's gone so both for that reason and the reasons we set out in the letter, the neighborhood association asks you to oppose the demolition.

Chair Larsen: Thank you very much. Is there anybody else that wishes to speak for or against this application, please step forward.

Jean Deatrick: I'm Jean Deatrick and I live at 1821 Dupont Avenue South and I am hear because of Hill & Lake Press. I've been the editor of Hill & Lake Press which serves the neighborhood surrounding Lake of the Isles and as many of you know we have opposed demolition of our historic housing for a long time and I can say with assurance that when we've covered these issues, proposed demolitions over the years, I've received so much support, so many people are opposed to destroying our houses, and the only people who've ever been angry are the owners who want to tear a house down. And so we do go on record that we are trying to preserve our neighborhood. We believe in restoration and believe me I've lived in several old houses and everything can be restored and brought back to its original beauty. And I feel very strongly that if we allow the houses that are a little smaller, perhaps, or not as grand, or the ones that have been altered badly, if we allow them to be torn down, there won't be much of a neighborhood any more. It'll change dramatically and we won't have tour busses coming in saying look at all these old houses and I think if we tear down a house we diminish the entire neighborhood and I urge you to vote against this demolition. Thank you.

Chair Larsen: Thank you. Is there anybody else that wishes to speak either for or against this application, please step forward. Ok, seeing none I'm going to close the public hearing. Commissioners, what's your pleasure? Commissioner Morse Kahn.

Commissioner Morse Kahn: Thank you.. Thank you to everybody that spoke. I listened very carefully and there are a number of points that I would like to make or reiterate without opinion or weight. The first one to me is the most critical in that the principals of Landscape Research both of whom I know are among the most professional folks I know working in a 5-state area. If they were hired to do a job, they did a job and though they were hired by this individual and his intentions are not pleasing to you I have no doubt that the work done by Landscape Research was of the highest caliber and the result may not have proven out to be in favor of the current property owner. Early bungalows are not uncommon, even the earliest ones. I do agree that those that are in proximity to our lakes may merit special attention. It has been pointed out that Lindstrom was not working in this city at the time that this property was built. Minneapolis (tape gap from switching side A to side B) in that it has among the highest rates of return and retention of occupancy, that means in sociology terms that families return not only to the same neighborhoods in which they were born and raised but frequently to the same house in which they lived. So the continued occupancy of this building by this extended family is not as unusual as we might believe and in my mind possibly is not considered for merit in this situation. It is noted that the property was in considerable deterioration at the time of purchase. Whether or not it has been allowed to deteriorate we cannot determine. That is, if it was visible from the exterior I would like to see documentation of that progress that is available. I do feel that the greatest challenge to the Lowry Hill community and East Isles community is not the disappearance of the old structure but the probably appearance of the new structure and that it does not feel a fit to the neighborhood. I see both sides of this argument, I'm simply reading into the record considerations that I've made note of as you have testified. Thank you Chairman.

Chair Larsen: Thank you. Commissioner Elliott.

Commissioner Elliott: I wanted to clarify some questions with staff if that's ok. One of the questions, there was a reference to the 1984 historic survey of the potential Lake of the Isles historic district … I thought, and I can't find the quote, but I thought that we'd had a follow up study by Mead & Hunt in 2006. Could you, did that have any additional information on this particular property as a contributing structure?

Staff Schaffer: Chair Larsen, Commissioner Elliott, there wasn't a designation study of that district, it was basically a resurvey of the Isles, Lowry Hill, and a few other areas. It was done and the summary of that report is probably about a paragraph or about a page of information. For the most part it reiterates what was done in the 1984 study.

Commissioner Elliott: Can I ask some additional questions?

Staff Schaffer: Yes.

Commissioner Elliott: Ok, I noticed in the first staff report back in 2007 there were several conditions and these look to me like typical conditions for any time we approve a demolition but some of them being land use approvals for the adjacent property and approval of plans for the property that we're considering for demolition and the current staff report, unless I missed it, I didn't see those same conditions and I'm wondering if we should have those conditions in this case as well. Or is there, I guess what I'm confused about is because it is a potential historic district versus a historic district, if we can have those conditions of approval.

Staff Schaffer: Chair Larsen, Commissioner Elliott, I'll answer the second part of that question first as I think it might help answer the first part. In our potential historic district, staff has consulted with our city attorney about what kind of findings we can put on based on a potential historic district that has never been adopted by the city or the city council. It has been advised that we can't condition the new structure based on its physical appearance. We can work with the applicant but we can't put a strong condition of approval. I can see Jack Byers may have a comment to make to that, but that was something that we were advised

and that we wrestled with ourselves to be quite frank. We don't intend to go against our city attorney's recommendations.

Chair Larsen: I think there's two issues. One, in terms of design, we don't have purview over that, however you are correct I would believe that the conditions in the first report are applicable or would be applicable if we ever approved a demolition permit. So in terms of the removal of the property upon land use approvals, that is something that might be appropriate at this time if you were voting for demolition.

Commissioner Elliott: Ok, then I did have another question just about the process. The appeal and then coming back is the first time I've experienced this on the commission, since this, it looks like this property was approved to be demolished by the HPC in 2007. It did go to the Z&P, which denied the demolition. Now if they've denied the demolition, why is it coming back to us?

Staff Schaffer: Chair Larsen, Commissioner Elliott, the process that would come forward is when the Zoning and Planning Committee overhears the appeals from the Heritage Preservation Commission and ultimately they in fact act as, may have to make the same findings that are legally required by you to make a recommendation. They made that recommendation, any of that action would come back to you first. Obviously if this decision is appealable and can be then heard again by the Zoning and Planning Committee, which would bring it back into their court. But it's the due process that allows the appeal and allows that process to be going through.

Chair Larsen: Let me also say something. Our options at that time was to put it under interim protection and do a designation study, or it was to approve the demolition. So our original vote was to approve the demolition, so what essentially the appeal and subsequent overturning of our demolition then enacted option number 2, the interim protection and the designation study. So, what is before us is then the result of that designation study, that path, that we could have also chosen at that time. So in some ways we are back to receiving the designation study and to determine whether this property meets designation as an individual landmark based on its own merit. So, irrespective of the fact that it is a contributing property in a potential historic district, so there are sort of two different things that we are looking at just on it's own merit just as a potential landmark. Commissioner Crippen.

Commissioner Crippen: Yes, please, another question for staff. I'm interested based on a point that came out in the public testimony status or potential avenues in the future for turning the potential district into a real district. Is a new nomination in fact required or is there an open nomination that has not been acted upon?

Staff Schaffer: Chair Larsen, Commissioner Crippen, a new nomination would be required. It was acted upon, I believe, to a certain degree. I'm not sure where that stopped, but based on our knowledge of that a whole new process would have to go forward. Amy Lucas, a former staff member here, cited the fact that it may need to be beefed up a bit, that we have the basis to start that process. As far as starting the nomination process, the commission has the ability to bring forward a nomination and you've exercised that ability last cycle when you brought forward 500 3rd Avenue North which will be heard after this item. So you do have that ability, but we would have to go back and use all that existing research and information as a basis for further analysis.

Commissioner Crippen: It seems to me this is new information based on we've seen a number of Lake of the Isles potential district things over the last couple years and my understanding was we've studied the area to death and there's a consensus at least among the preservation community that the research is done and we understand that this would be eligible to be a district. But you are saying we would want to go back and do another designation study for the district itself?

Chair Larsen: There is no designation study for the district. There's information that would lead staff to believe that there's enough information to do a designation, to … just as when we looked at this property and the applicant and anyone else who provided information, staff, provided information about the property, we can say there is a preponderance of evidence that says we should look at this further. Enough to protect it in the meantime. Similarly, there's evidence regarding a potential historic district for Lake of

the Isles. A preponderance of evidence that suggests there would be enough, but we don't know until you move forward.

Commissioner Crippen: I see, ok.

Chair Larsen: Commissioner Harrison.

Commissioner Harrison: I have a question about this potential historic district. I think a lot of us feel that it would be a very good idea to do so and that certainly the evidence is there for creating a district, but the previous effort partly failed because of strong local opposition. What I wonder is if we encourage and try to nominate this as a district again, would it fail again because of the same kind of opposition?

Chair Larsen: Is that a rhetorical question?

Commissioner Harrison: Well, we have a number of people here who know more about the area probably than the rest of us and probably have their fingers on the pulse of the people who live around the lake and would be able to answer that question.

Staff Schaffer: Chair Larsen, Commissioner Harrison, to answer your question, I'm not going to offer an opinion on that directly but I will bring to note that I believe it was prior to this property at 2867 a property I believe on West Lake of the Isles was brought forward for a demolition of a potential historic resource. At that hearing, many property owners came out, I believe, and spoke in favor of the demolition for property rights. Obviously you have many people here in the audience today that are much in favor of going forward with the historic district. I think there is firm beliefs on both sides of that and somewhere the middle ground has to be met. I won't go any further without getting myself in trouble.

Chair Larsen: Ok, while we are still on our discussion, what's your pleasure? Commissioner Elliott?

Commissioner Elliott: Before Brian steps down I have one more question. When the home, the property at 2863, was purchased in 2003, was it occupied and/or safe for occupancy and then, I was reading through all the information and I guess what I implied from the information is that it is no longer occupiable. Is my understanding correct?

Staff Schaffer: Chair Larsen, Commissioner Elliott, I can't speak to whether it was occupied or not. I think perhaps you might ask the property owner and other people that might have a better knowledge of that. As far as being occupiable, the city has never condemned, there is no level of condemnation on this structure, which would prohibit actual occupation. The applicants submitted materials at that previous demolition of an historic resource application in September 2007 that showed that the structure was in some level of disarray but I don't think there has been definitive evidence at least by the city's standpoint that this structure is not occupiable. Obviously it seems like there is a lot in need or repair. I can't speak to the utilities or anything else at this time.

Chair Larsen: I'll come in on that. I think one of the things that gets wrapped up in these kinds of discussions is 1) it's Lake of the Isles; 2) it's a nice cute little house, it's a bungalow, it's early. The property owner has not kept it in repair, it's in a state of what we understand to be disarray as staff put it. But that in and of itself, those things, are sort of peripheral to the actual item, the actual sort of task, and I think that we get sort of caught up in feelings and otherwise as to gee, gosh, I wish it was better maintained or I wish there weren't problems with it, or I wish that it hadn't been changed at some point, but the fact of it is that what the applicant has or hasn't done with the property on the interior really doesn't figure into our discussion at this point. In my mind, it's more about what is the, what's been done to the property. If we thought that it had merit as a bungalow, as a Queen Anne. If we looked at the changes that had originally been made, how has that affected the property and so in terms of we've looked at other properties that are some prime examples of the style. When we look at individual landmarks we're often looking to try to identify the cream of the crop examples that we absolutely don't want to loose. When we look at historic districts we tend to think of would we want to keep the coalition, the amalgamation of all the properties, in the district to keeping a similar style or a similar era. So if this was a historic district, gee, no we wouldn't want to loose it. But in terms of the individual, is this a prime example of a bungalow style designed by an

architect who we're not 100% sure designed it in the first place … we know he designed the one next door but we don't know about this particular property. That's in doubt. So when we look to make those kind of determinations in terms of property rights, that's where I think it gets a little sticky. We want to be certain. We want to know that we are making the right choice. No we don't want to capriciously remove a property that has potential historic significance, and I think that's what's great is the opportunity of the process. To go through the interim protection, to do the due diligence. To find out the information and weigh the information and then have an opportunity to come with all the facts as presented through the different varying means: the public hearings, the staff reports, and the other reports. So I think that's what we need to focus on, the issue at hand. Commissioner Lemmon:

Commissioner Lemmon: I think you brought up an excellent point. I think it's actually the last few hearings where we've kind of been in the situation where we did approve demolitions and we are looking at again an historic district and unfortunately they happen to be … delete that, a potential historic district as it's been identified but without the neighborhood kind of getting behind the city and really promote these districts. It would be in some ways kind of a resource use that would actually not provide a saving of a resource because we would hit that same road block. So I think really until we get to a point where, and I apologize if this somehow offends anyone, but I believe particularly in the more affluent neighborhoods where we are running into this property rights issue. Perhaps it is in all neighborhoods, but in particular where even where studies have been completed and the nominations are ready to go, we run into this roadblock from the neighborhood itself. It makes if very hard for us to assist in the protection or even begin to protect. My first gut reaction was ok let's say we'll go ahead, let's nominate this neighborhood again. Let's determine if this particular, and perhaps protect it again, but I think inevitably what we're going to run into again is that even though we could determine that, and we already have determined that that neighborhood could potentially be a resource and a district, we're running into it wouldn't necessarily lead us to being able to designate that district. So my kind of determination and where we kind of get right back to again is in some ways until something, until a tide begins to change, we're almost facing the demolition of these properties. I'm looking for someone to kind of give me something that would say no, but I don't think it's out there.

Chair Larsen: Commissioner Anderson, did you want to respond to that?

Commissioner Anderson: Having lived in the district when the proposal was made, I can tell you there were strong, strong opposition and I don't imagine that has changed all that much. So having said that, regretfully I'm going to move that we approve the demolition of the house located at 2863 Lake of the Isle Parkway.

Commissioner Lemmon: And I'll second that.

Commissioner Kelley: May I make a friendly amendment to that? It's just to include condition number 2 from the previous report which is right near the back of the packet. It is demolition of the existing structure at 2863 East Lake of the Isles Parkway will not proceed until all land use approvals are secured. If I understood the previous discussion, that would not be out of bounds even in a potential historic district.

Commissioner Lemmon: I agree as well.

Chair Larsen: I would also, let's see here … I'm looking at the other recommendations, in fact, I think item number one is a given. Well, actually, it's not a given in the fact that they could apply but at the same time you could apply for a variance, so what we're saying is the condition is that it does meet those. So I'll make a friendly amendment to add item #1, this is, we're looking back here at the original staff findings and recommendations, so to make a friendly amendment to add:

1. The proposed new construction must meet City Code requirements for new construction in the R1A and Shoreland Overlay Zoning Districts regarding height, massing, set backs, and preservation of neighborhood character.
2. Demolition of the existing structure at 2863 East Lake of the Isles Parkway will not proceed until all land use approvals are secured.

3. Demolition of the existing structure at 2863 East Lake of the Isles Parkway will not proceed until all land use approvals are secured for adjacent property/properties, land use proposals, or additions or alterations to neighboring property …

No, I'm not going to do that. It's basically, since it's a separate property, item number three would be:

3. Demolition of the existing structure at 2863 East Lake of the Isles Parkway will not proceed until all land use approvals are secured for the adjacent property/properties.
4. Demolition and land use approvals for adjacent property is not approved herein and must be applied for under separate cover.

And that would be 2867. So that's my friendly amendment. Is that acceptable to the motioner? Yes? To the Seconder? Yes? Commissioner Crippen.

Commissioner Crippen: Question regarding those amendments. If I understood staff correctly, we, those are either redundant because another board or commission or whomever is, while doing that, what we're trying to do here with those amendments are urge that variances not be allowed.

Chair Larsen: Correct, in the item regarding the code requirements.

Commissioner Crippen: So my understanding from staff is that we don't have a formal say, so I'm wondering if we need to change the language from must to should or recommended.

Chair Larsen: We can leave it at must.

Commissioner Crippen: Ok.

Chair Larsen: Let them determine otherwise. That would be fine. Commissioner Morse Kahn.

Commissioner Morse Kahn: I'd like to simply add a comment that in the absence of a designated historic district we are dealing solely with the structure itself and that it is clear from evidence provided from all sides that the exterior of the building has been severely compromised by redesign, rehabilitation, and I won't use the word restoration because I don't believe the house was restored. So that if we took the building on its own merits under criteria, we would no longer find it eligible for designation. It is utterly unlike what it may once have been. We have photographs to show that, on that basis alone I could not find a way to consider it even locally designateable.

Chair Larsen: Right, that is what we are saying. And the other side of that is that if it was still in existence upon a historic district for Lake of the Isles, that even such it would be a contributing property. Ok, alright any further discussion? Seeing none, we'll call the roll.

Clerk: Can I just clarify that number one is read as is, number two is read as is, number three just the first sentence, and number four is read as is?

Chair Larsen: Ok, we have, yes. One, as is; two, as is; three just the first sentence, correct; and 4 as is.

Clerk: Ok, thank you. Commissioner Morse Kahn?

Commissioner Morse Kahn: Aye.

Clerk: Elliott?

Commissioner Elliott: Aye.

Clerk: Anderson?

Commissioner Anderson: Aye.

Clerk: Crippen?

Commissioner Crippen: Aye.

Clerk: Larsen?

Chair Larsen: Aye.

Clerk: Lemmon?

Commissioner Lemmon: Aye.

Clerk: Harrison?

Commissioner Harrison: Aye.

Clerk: Kelley?

Commissioner Kelley: Aye.

Chair Larsen: Ok, that motion carries. Thank you very much and thank you for coming down and we certainly encourage you to talk to the neighborhoods and encourage a district. Talk to your councilmembers as well. Thank you very much.

CITY OF MINNEAPOLIS
CPED PLANNING DIVISION
HERITAGE PRESERVATION COMMISSION STAFF REPORT

FILE NAME: 2863 East Lake of the Isles Parkway
CATEGORY/DISTRICT: Historic Resource
CLASSIFICATION: Historic Resource
APPLICANT: City of Minneapolis, CPED- Planning
PUBLICATION DATE: November 25, 2008
DATE OF HEARING: December 2, 2008
APPEAL PERIOD EXPIRATION: December 12, 2008
STAFF INVESTIGATION AND REPORT: Brian Schaffer (612) 673-2670
REQUEST: Designation Study

A. BACKGROUND

On September 11, 2007 the Minneapolis Heritage Preservation Commission approved an application to allow for the demolition of 2863 East Lake of the Isles Parkway. This action was appealed by the Lowry Hill History Committee and was subsequently heard by the Zoning & Planning Committee of the City Council. On November 2, 2007, the Minneapolis City Council denied an application to allow for the Demolition of a Historic Resource at 2863 East Lake of the Isles Parkway and directed the commencement of a designation study for the property. CPED-Planning placed the burden of the study on the applicant. CPED-Planning staff advised the applicant in the scoping of the study. In June of 2008 the applicant hired Landscape Research LLC to conduct research on the property and on September 17, 2008 staff received a report entitled "Determination of Eligibility of Heritage Preservation Designation" prepared by Landscape Research LLC for the property at 2863 East Lake of the Isles Parkway.

The following report gives further analysis and means to the report prepared by Landscape Research LLC, materials provided by the Lowry Hill History Committee, and previous studies including the "Lake of the Isles Historic District-Draft National Register Nomination." The following study satisfies the City Council directive to conduct a designation study of 2863 East Lake of the Isles Parkway.

B. DESCRIPTION

Located at 2863 East Lake of the Isles Parkway the subject property is a one and one-half story frame single family structure. The vernacular style house has features suggestive of the Mission architectural style with its exterior stucco, "Juliet" balcony, red roof, and arched front porch openings. Originally located at 2867 East Lake of the Isles Parkway, the house was built for Henry Waldron in 1900 and was moved to its current location in

1911 when Charles Waldron had a new house constructed at 2867 East Lake of the Isles Parkway.

George Cook built the 24 feet by 25 feet structure at 2863. It was designed in a simple Queen Anne architectural style with a clapboard exterior. Several modifications have occurred to the building to make it seem more suggestive of the Mission architectural style than its original Queen Anne style. In 1936, day laborers replaced the windows on the house and added a rear addition. In 1948, day laborers altered dormers and completed a 10 by 10 by 8 foot rear addition. In 1948 and 1949 the Perma Stone Company of Minneapolis covered the clapboard exterior with stucco. It appears that during this time the porch was remodeled and arches added in its openings.

C. ANALYSIS OF SIGNFICANCE

Section 599.210 of the Minneapolis Code of Ordinances identifies seven criteria which shall be considered in determining whether a property is worthy of designation as a landmark. They include:

(1) The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.
(2) The property is associated with the lives of significant persons or groups.
(3) The property contains or is associated with distinctive elements of city identity.
(4) The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.
(5) The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.
(6) The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.
(7) The property has yielded, or may be likely to yield, information important in prehistory or history.

1. The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.

In their appeal materials the appellant, Lowry Hill History Committee, suggest that the structure at 2863 East Lake of the Isles meets this criterion for designation.

> “The Waldron Houses reflect a certain period of Social History (1900-1912) when the Lake of the Isles area was sprinkled with wood frame cottages and populated with middle-class small business families. By the late 1930’s the modest residences had been replaced with larger and more stately buildings. The ‘twin’ Waldron Houses are 'survivors’ of this early Minneapolis period of economic and social development.”

The September 2008 Landscape Research report states:

> "The Waldron House was not alone on Block 4; building permits suggest that two houses on lots to the east at 2862 and 2854 James Avenue South were also constructed in 1900. Nearby, 2850 James Avenue South was built in 1906 and three others were built in 1907 including 2838 James Avenue South and 2847 and 2841 East Lake of the Isles Parkway. 2825 East Lake of the Isles Parkway was competed in 1909. All eight early 20th-century houses remain today, with major exterior alterations."

The Landscape Research report also states that "at the time of a 1915 photograph, the $500 house at 2863 appeared typical of the small, simple houses built around the city's lakes." The report goes on to hypothesize that the "uncertainty of about future land use along the rail corridor and proximity to a developing commercial area along West Lake Street and the streetcar hub at Hennepin Avenue and Lake Street may have been factors that attracted builders of inexpensive dwellings" to the area.

The "Lake of the Isles Historic District Manual" from 1984 also speaks to the modest or inexpensive dwellings built in the southeast corner of Lake of the Isles. The Lake of the Isles area "experienced two definitive periods of accelerated building activity; the first on the east parkway from 1905 to 1915, and the second on the west parkway from 1910 to 1929. The east parkway residences were primarily of frame and frame stuccoed construction whereas the west parkway expansion was dominated by masonry and frame stuccoed structures."

The structure at 2863 East Lake of the Isles Parkway was constructed in 1900 and appears to be part of an early cluster of modest homes in the area. The 2008 report by Landscape Research states that 2863 is one of a handful of properties constructed in the area during this time period, it also indicates that like the subject structure, these remaining structures have been highly altered from their original state. The structure at 2863 was moved to its current location in 1911 and significantly altered in 1936 and then again around 1938. These modifications significantly impair the historical integrity of the structure and its association with the modest dwellings built in the southeast corner of the Lake of the Isles in the early 20th century.

2. The property is associated with the lives of significant persons or groups.

The structure at 2863 East Lake of the Isles Parkway was built for Harry B. Waldron in 1900. The report prepared by Landscape Research provides an analysis of the inhabitants

of the structure at 2863 East Lake of the Isles Parkway. The following are highlights from the information prepared by Landscape Research.

Harry B. Waldron and his brother Charles J. Waldron operated a grocery store at 2256 Lyndale Avenue South. They were both born in Ohio in 1864 and 1867 respectively. Harry was married to Harriet Waldron and Charles Waldron was married to Eva Waldron. In 1909 Harriet, Harry's wife, died. Charles, Eva, and the recently widowed Harry Waldron then moved to Fruit Valley in Klickitat, Washington where in 1910 they were listed as owners of a fruit farm. In 1911 Charles and Eva returned to Minnesota where they obtained a building permit to move the house at 2867 East Lake of the Isles to the neighboring lot at 2863 East Lake of the Isles and construct a new house at 2867. Charles continued to be a proprietor of a grocery store until 1920 where he appears to have become a travel agent. Harry died in 1919.

It appears that Charles and Eva continued to live at 2867 East Lake of the Isles Parkway and rented the house at 2863 to several individuals. In 1922 they moved to Los Angeles and in 1925 they sold the property at 2863 to Fred N. and Dorothy Furber; Fred was a lawyer. In 1929 John C and Hilda Jacobson purchased the property; John was an engineer with the Water Power Company. George W. Meyers, a railroad or streetcar conductor, and his wife Manita purchased the house in 1936. George died in 1956 and Manita died in 1987. The house was transferred to a family member, Bernita Meyer and then sold to Christopher Horty, in 2002.

Though all the inhabitants contributed to our society in their own significant ways, none of their contributions can be considered significant enough to warrant the local designation of this property.

3. The property contains or is associated with distinctive elements of city identity.

The property at 2863 East Lake of the Isles is associated with the creation of Lake of the Isles out of the swamp lands and the subsequent creation of the parkway and the "Grand Rounds." The structure has been identified as contributing to the Lake of the Isles Potential Historic District which was brought forward as a nomination 1984 and identified again in the 2006 Mead & Hunt Historical Property Survey of the Calhoun-Isles Area. The focal point of the proposed District is the lake itself, which contains three islands and is bordered by parkland and a system of parkways, pedestrian paths, and bridges which are in turn bordered by a ring of private residences. The more than 100 private residences, with associated secondary structures and landscapes, lend architectural significance to the proposed district. The residences also provide the district's visual and physical boundaries.

Although the property at 2863 East Lake of the Isles contributes to the potential Lake of the Isles Historic District; which is distinctive to the identity of Minneapolis, there is no evidence that this individual property, itself, is distinctive to the City's identity.

4. The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.

The structure at 2863 is a one and one-half story wood framed structure. It was originally designed in a simple Queen Anne architectural style. The historical architectural integrity of the structure is impaired by the numerous alterations that have resulted in the structure's style being now suggestive of the Mission architectural style. There is no evidence that suggests the structure embodies distinctive characteristics that are significant enough to warrant designation under this criterion.

5. The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.

The structure was moved from its original site at 2867 East Lake of the Isles to allow for the construction of a new structure in 1911. The movement of a house on a lot to accommodate another is not particularly unique in Minneapolis or necessarily rare. It is interesting to note that a driveway was not added to this property, this lack of driveway allowed for the retention of what appears to be natural grade or at least the grade after the platting and subdivision of Russel's Third Addition. There is no evidence that suggests the design of the structure or the site is significant enough to warrant designation under this criterion.

6. The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.

The materials provided by the Appellant states that the structure at 2863 East Lake of the Isles Parkway was designed by John W. Lindstrom, "Minneapolis' most prolific bungalow and pattern house builder of the early 20th Century." Building permit data indicates that the structure at 2867 East Lake of the Isles Parkway was designed by the architect Lindstrom and constructed in 1911. In fact, the materials provided by the Lowry Hill History Committee include a pattern for a bungalow that appears to be an exact replica of the structure at 2867.

The building permit on record for the construction of 2863 East Lake of the Isles Parkway does not include an architect, only a builder- George Cook. None of the research provided by Landscape Research or the information of file at the City of Minneapolis indicates that there was an architect on record for this structure that was constructed in 1900. The absence of an architect on a building permit is not uncommon

and there is no evidence to suggest that there was an architect attributed to the structure. Based on the appellant's research Lindstrom, the alleged architect of the structure, did not open up his architectural office until 1902.

Even if evidence was produced showing that Lindstrom was the architect for the structure at 2863 the architectural integrity of the structure is poor. The structure at 2863 has been altered through various remodeling projects that were not designed by an architect or Lindstrom. The current structure at 2863 East Lake of the Isles Parkway does not exemplify the work of Lindstrom or the original architect (if there was one) as a master architect and does not warrant designation under this criterion for its association with Lindstrom.

George Cook, the builder of 2863 East Lake of the Isles Parkway, was born in Canada. He arrived in the United States in 1880 and started his construction company in 1885 with partner Willard Pike. Cook completed several important projects in Minneapolis, including the Lakewood Cemetery Memorial Chapel (1908), Dunwoody Institute (1916, 1923) and Hennepin Avenue Methodist Church (1913). In the 1920s he also completed Lake Minnetonka residences for the Crosby, Harrington, and Van Dusen families.

George and his wife lived at 2400 Colfax Avenue South between 1900 and 1920. In 1930 they moved to 2400 Bryant Avenue South. They had two sons, and in 1940 George F. Cook, one of George's sons, incorporated the firm. The George F. Cook Construction Company is presently located in Golden Valley, Minnesota.

The Harry B. Waldron House at 2863 East Lake of the Isles and George Cook's other highlighted projects illustrates the diversity of the projects Cook undertook. The evidence suggests that George Cook became a talented and sought after builder over his career with works such as the Lakewood Cemetery Memorial Chapel, a locally designated landmark, in his portfolio. The structure at 2863 has been altered through various remodeling projects that were not supervised or completed by George Cook. The current structure at 2863 East Lake of the Isles Parkway does not exemplify the work of George Cook as a master builder and does not warrant designation under this criterion for its association with him.

7. The property has yielded, or may be likely to yield, information important in prehistory or history.

The subject property is located in Russell's Third Addition, which was platted in 1886 and the structure constructed in 1900. The Lake of the Isles and the surrounding parkway was created through property acquisition in 1887 and the dredging and filling operations

the transformed the swampy areas and stagnant water into the present day lake continued until 1911. There does not appear to have been any structures or development on the site prior to the structure being constructed in 1900 and moved to its current location in 1911. Based on the available research there is no reason to believe that property is likely to yield any more important prehistory information than any other site in the area.

D. INTEGRITY

The structure at 2863 East Lake of the Isles was moved to its current location 11 years after it was constructed in 1900. Through various remodeling projects, the structure has undergone a transformation from its original Queen Anne style to a style more suggestive of the Mission style of architecture. The interior does not retain notable historic fabric such as light fixtures, woodwork, tile or fireplaces and many of the walls have been stripped to the lath.

In their evaluation of integrity, Landscape Research, consulted the U.S. Department of Interior, National Register Bulletin "How to Apply the National Register Criteria for Evaluation" which was revised in 1998. Landscape Research makes the following conclusion about the integrity of the structure citing this bulletin:

> The property was moved from its original location and has also undergone major alterations to the siding and porch as well as poorly constructed additions to the rear, compromising historic location, design, setting, materials, and workmanship. While the building remains in residential use (although vacant) and the feeling and association remain generally intact, the NRHP states "their retention alone is never sufficient to support eligibility of a property."

E. APPLICABLE ORDINANCES:

Chapter 599. Heritage Preservation Regulation

ARTICLE V. DESIGNATION

599.200. Purpose. This article is established to promote the preservation of historic resources by providing the commission with authority to recommend the designation of landmarks and historic districts and to adopt design guidelines for designated properties. (2001-Or-029, § 1, 3-2-01)

599.210. Designation criteria. The following criteria shall be considered in determining whether a property is worthy of designation as a landmark

or historic district because of its historical, cultural, architectural, archaeological or engineering significance:

(1) The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.

(2) The property is associated with the lives of significant persons or groups.

(3) The property contains or is associated with distinctive elements of city identity.

(4) The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.

(5) The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.

(6) The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.

(7) The property has yielded, or may be likely to yield, information important in prehistory or history. (2001-Or-029, § 1, 3-2-01)

599.220. Nomination of property. Nomination of a property to be considered for designation as a landmark or historic district shall be submitted to the planning director on a nomination application form approved by the planning director and shall be accompanied by all required supporting information. A nomination may be made by any of the following:

(1) A member of the heritage preservation commission.

(2) A member of the city council.

(3) The mayor.

(4) The planning director.

(5) Any person with a legal or equitable interest in the subject property. (2001-Or-029, § 1, 3-2-01)

599.230. Commission decision on nomination. The commission shall review all complete nomination applications. If the commission determines that a nominated property appears to meet at least one of the criteria for designation contained in section 599.210, the commission may direct the planning director to commence a designation study of the property. (2001-Or-029, § 1, 3-2-01)

599.240. Interim protection. (a) Purpose. Interim protection is established to protect a nominated property from destruction or inappropriate alteration during the designation process.

(a) Effective date. Interim protection shall be in effect from the date of the commission's decision to commence a designation study of a nominated property until the city council makes a decision regarding the designation of the property, or for twelve (12) months, whichever comes first. Interim protection may be extended for such additional periods as the commission may deem appropriate and necessary to protect the designation

process, not exceeding a total additional period of eighteen (18) months. The commission shall hold a public hearing on a proposed extension of interim protection as provided in section 599.170.

(b) Scope of restrictions. During the interim protection period, no alteration or minor alteration of a nominated property shall be allowed except where authorized by a certificate of appropriateness or a certificate of no change, as provided in this chapter. (2001-Or-029, § 1, 3-2-01)

599.250. State historic preservation office review. The planning director shall submit all proposed designations to the state historic preservation officer for review and comment within sixty (60) days. (2001-Or-029, § 1, 3-2-01)

599.260. City planning commission review. The planning director shall submit all proposed designations to the city planning commission for review and comment on the proposal within thirty (30) days. In its review, the city planning commission shall consider but not be limited to the following factors:

(1) The relationship of the proposed designation to the city's comprehensive plan.

(2) The effect of the proposed designation on the surrounding area.

(3) The consistency of the proposed designation with applicable development plans or development objectives adopted by the city council. (2001-Or-029, § 1, 3-2-01)

599.270. Designation hearing. Following completion of the designation study the commission shall hold a public hearing to consider the proposed designation, as provided in section 599.170. Any person having a legal or equitable interest in a nominated property shall be allowed reasonable opportunity to give testimony or present evidence concerning the proposed designation. (2001-Or-029, § 1, 3-2-01)

599.280. Commission recommendation. Following the public hearing, the commission shall make findings with respect to the proposed designation and shall submit the same together with its recommendation to the zoning and planning committee of the city council. In making its findings and recommendation, the commission shall consider the designation criteria contained in section 599.210, the information contained in the designation study, the state historic preservation officer's comments, the city planning commission's comments, the planning director's report and all testimony and evidence received at the public hearing relating to the designation. (2001-Or-029, § 1, 3-2-01)

599.290. City council decision. The city council shall make the final decision on all designations. (2001-Or-029, § 1, 3-2-01)

599.300. Design guidelines. The commission shall adopt design guidelines for landmarks and historic districts. Prior to adoption, the planning director shall submit all proposed design guidelines to the state historic

preservation officer for review and comment within sixty (60) days. (2001-Or-029, § 1, 3-2-01)

F. FINDINGS:

1. The research provided by the Landscape Research, the research provided by the Lowry Hill History Committee, and the staff analysis within this report satisfy the requirement of a designation study.
2. The structure at 2863 East Lake of the Isles was constructed in 1900 by George Cook; there is no specific evidence that identifies an architect attributed to the design of the structure on the building permit.
3. The structure was moved to its current location from 2867 East Lake of the Isles Parkway in 1911. The structure has had several modifications including additions, stucco, new windows, and a new front porch that have transformed the architectural style of the structure from Queen Anne to a style suggestive of Mission.
4. The historical integrity of the location, materials, workmanship, and design of the individual structure are severely impaired by two factors. First, being moved from its original site. Second, it's numerous additions that were not supervised by an architect or the original builder, George Cook.
5. The structure is one of a handful of modest structures that were constructed along the East Lake of the Isles Parkway. However, the modifications to the structure significantly impair its historical integrity and its association with those modest dwellings built in the early 20th century.
6. The property at 2863 East Lake of the Isles does not meet any of the seven criteria for local designation as an individual landmark.
7. The structure at 2863 East Lake of the Isles has been identified as a contributing structure to the potential Lake of the Isles Historic District.
8. The parcel at 2863 East Lake of the Isles Parkway remains within the boundaries of the potential Lake of the Isles Historic District. Any new construction at the site will be a part of the ring of structures around the Lake of the Isles that have potential significance and will be evaluated at such time when the entirety of the potential district might be considered for nomination.

G. STAFF RECOMMENDATION:

Staff recommends that the Heritage Preservation Commission **approve** the demolition of the Harry B. Waldron House located at 2863 East Lake of the Isles Parkway.

Attachments

A. "Determination of Eligibility of Heritage Preservation Designation" prepared by Landscape Research LLC
B. Materials provided by the Lowry Hill History Committee at the Zoning & Planning Committee of the City Council on October 25, 2007
C. City Council Actions from November 2, 2007

D. Heritage Preservation Commission Actions from September 11, 2007
E. Heritage Preservation Commission Staff Report from September 11, 2007