

MEETING MINUTES

**WASHBURN-FAIR OAKS HISTORIC DISTRICT
DESIGN GUIDELINES UPDATE**

ENGAGEMENT: Community Event #2

April 29, 2023

Waldorf School Atrium

Attendees:

Pigeon: Tamara Halvorsen

TEN x TEN: Maura Rockcastle

City: Andrea Burke, John Smoley

HPC: Kelly Mastin

Community Members:

Matthew Trettel, Paul Smith, Greg Berry, Afshan Ismat, Tom George, Bridget Jensen, Kate Nettleman, and Samira Missaghi

The following minutes constitute TEN x TEN's understanding of the meeting. Please report any discrepancies to the author within seven (7) calendar days.

1. Introduction

- a. Tamara and Maura gave a brief presentation to the group that included:
 - i. Meeting Behavior Expectations and Respect
 - ii. Project Update and Schedule
 - iii. Design Guidelines Overview
 - iv. City Process Summary
 - v. Engagement Findings to date
 - vi. Example Updates to the Guidelines
 - vii. Q+A
- b. Audience Question: Where did you promote that you were showing up at the Earth Day Popup at Whittier Rec Center?
 - i. Answer: We mentioned it during the last meeting, which is documented in meeting minutes. As a "pop-up", we had a table and the boards we shared at our first community meeting in hopes of meeting more district community members who many have not heard about the plan yet.
 - ii. Audience member then stated that the Design Team should not be coordinating with the Whittier Neighborhood Alliance at all and should not "listen to what they say".
 - iii. The Design team explained that they did not engage with WNA during the event, simply sat at a table with the boards and comment cards to explain what the project was about to the curious neighbors and answer questions.
- c. Audience Question: When will a complete version of the new Guidelines be available on the website?
 - i. Answer: Likely in June. A link will be posted on the website, and we will email the focus group members and any community members who have included their email address on the sign-in sheets at the community meetings.
- d. Audience Question: At what point with the new Guidelines be officially adopted?
 - i. Answer: Andrea worked backwards and outlined the process for review that would commence before the guidelines would be formally adopted.
 1. Draft Guidelines to the City in mid-May
 2. City will review in May and early June.
 3. Public Comment period is 30 days.

4. Review of Public Comments by the City, Final Draft prepared (30 days)
 5. Draft Guidelines will go to the State for review (60-day review)
 6. There will be a 21-day notice period once the State approves, this will culminate in a public hearing (which community members can attend and comment), and that review will go to the HPC.
 7. HPC then adopts the design guidelines but will take into account public comments.
- e. Audience Question: Can you explain why the new guidelines are going to be better than the old ones?
 - i. Answer: The City noted that interpreting the guidelines is currently difficult. The vagueness can be advantageous, but in terms of transparency and predictability, the lack of sufficient detail is not helpful for much of our audience. The vagueness extends the HPC process.
 - f. Audience Question: Who started this initiative to update the design guidelines?
 - i. Answer: John Smoley raised his hand and explained that he initiated this process due to the reasons he outlined in the previous answer.
 - g. Audience Question: How do the design guidelines deal with new construction?
 - i. Answer: The design guidelines adapt to needs of changing times (vacancy, change, flexibility of the urban fabric) and the guidelines need to determine how new construction is compatible with the district. There is too much latitude in the guidelines today.
 - h. Audience Question: Why are new construction and existing building design guidelines in the same document? It seems draconian to specify what type of mortar can be used for bricks in contributing structures from the period of significance in the same document that allows monstrosities to be built across the neighborhood.
 - i. Answer: We can develop these guidelines to be more rigorous for new construction. This is the type of feedback we have heard so far in this process and want to continue to hear and understand. We still need to work within the Zoning regulations, but we can certainly address new construction more robustly (materials, windows, base/middle/top, how to deal with street frontage, etc).
 - i. Audience Question: How can the design guidelines manage infill and the amount of new construction happening overall? Why can't the new buildings be forced to follow the same material guidelines as existing contributing buildings?
 - i. Answer: We need to be careful not to create a false sense of history. Change is part of an evolutionary process of a city, and we do not want new buildings to be built the same as old buildings. We recommend architectural strategies that are compatible with the period of significance (arches, masonry, scale, amount of glass, etc), but that are clearly new.
 - j. Audience comment: We live in a row house a block away from here and our neighbors built a free-standing wall around their yard at the property line. HPC required that they clad the wall in brick, so they put it on the inside of the wall – facing the house. All we see on the outside is concrete. This is an example of how the current guidelines are too unspecific! It allows those types of things to happen.
 - i. I also hope that the guidelines are not too stringent – but there is a lot of room for more specificity, like mortar types and stone. Our house is made from stone that is not available anymore and we don't have an option to match it. We need to make it look like stone.
 1. Answer: Substitute materials have gotten a lot better, and we intend to expand material recommendations in the guidelines.
 - ii. I also wanted to say that we installed a geothermal furnace, and we haven't burned fossil fuels for 10 years. People don't know about this option; you should include it in the guidelines!
 - k. Audience question: We don't need ugly new buildings in the neighborhood. We feel that the city is destroying the city by allowing developers to build ugly buildings. City should be

- guiding where density should happen, which shouldn't be in our nice neighborhood. I have a question about historic character – how does it guide or relate to density?
- i. Answer: The guidelines will guide architectural character and aesthetics. Private property rights have been in existence for a long time. We manage private development within certain standards (codes, comprehensive plans, etc) and we do not feel it is appropriate to manage those development practices too intensely.
 - l. Audience Question: I have a question about the fieldwork that you mentioned your team did starting in January. What was included in that work? Did you survey the number of supportive use organizations? Did you document the increase in density?
 - i. Answer: No, we do not document ownership or use.
 - m. Audience Question: I bought my home a long time ago. It was ready to collapse. I love the beautiful row houses; I have such a respect for the HPC. I even went to a quarry in Stillwater to get sandstone to match my house – I got an award from HPC for the work! But I have concerns. I called the city when this process began to find out more information. The person I spoke to glided over the guideline issues, I asked why you are going the guideline update? The city told me that the need for affordable housing is very high and that the 2040 Comp Plan identifies development in this area. The city said that they are looking to locate affordable housing on the south side of Franklin Ave. I was frustrated by this. North Bay Construction owns property near the freeway. There was a development plan for affordable housing for that area, but then it disappeared. We have a lot of paranoia around this process because of that conversation. Is the Comp Plan going to trump the Design Guidelines? If zoning is going to trump the HPC, then all this engagement is for not.
 - i. Answer: No, the Comp Plan will not trump the Design Guidelines. The design guidelines will still limit development to ensure new buildings are compatible with the character of the historic district. Developers can come in and request exceptions to the guidelines' standards, to include heights standards. When they do that, the city asks for the reasons, staff evaluates the answers, the developers edit their proposal, then it goes to HPC.
 - ii. HPC can approve or reject staff recommendations.
 - iii. This is how developments can be approved and can get built that defy the DG.
 - iv. Applications must be approved through the heritage preservation review process before they are reviewed by the City Planning Commission for Zoning Code and Comprehensive Plan land use compliance.
 - v. The design team noted that this is the process that the community can get involved in. The public hearing is open to the public and this is where you can voice your concerns. This feedback is considered by HPC as well. Also – talk to your council person and make your concerns known!
 - n. Audience comment: Our council person doesn't listen to us – we don't have a voice.
 - i. The design team and the group encouraged each other to show up to the public hearings.
 - ii. The group notes that there are other factors for any given development that can defy the Guidelines and get approved.
 - o. Audience question: Is there any training for new council members such as an orientation to historic districts? This would be helpful!
 - i. Answer: The City noted that they did meet with her to give her a primer on the historic guidelines and the district. They also have been in touch with her during this process and invited her to the meetings and focus groups.
 - p. Audience comment: This is all about money. No developer is going to pay more than they have to pay for a nice affordable housing building. Developers offering money to the city to get approved, and the city already has a lot of money set aside to support affordable housing. This is about money and redlining. The city wants to keep undesirable development in certain areas and is trying to concentrate poverty in one area. When a developer says, "we weren't able to put brick around the whole building because we cannot afford it", its BS – this is all

- window dressing. This is how cities and corporations work. All this stuff about the Design Guidelines – the city won't follow this anyhow – why are we even here giving feedback?
- i. Another audience member chimed in and asked why low-income housing is being built here? Let's put it in Edina! The historic district is merely 5 blocks – it is a small area that should be preserved.
 - q. Audience question: Do you agree with me that the city should value this district by suggesting that new development (affordable housing) should go elsewhere? Redlining is an ongoing process, and we want it noted in the meeting minutes that we believe that redlining is continuing through this process.
 - r. At this point, there were numerous audience members with their hands raised who had not spoken or contributed to the conversation in some time. The design team moved to answer questions from these individuals.
 - s. Audience question: I am a homeowner and one of the things I've observed is that we live in a neighborhood with interesting character of residential fabric. We also have these large institutional owners. I can look out of my front door this weekend and will see tons of Art in Bloom traffic for Mia. There is a tension here, and you mentioned that earlier in the presentation. I, as a resident who invests in my neighborhood, want to believe the city when they say that these updates to the Design Guidelines will make things easier. I would look forward to that. But these institutions push us around and that has an impact on our lives. We want to feel heard by them. We don't always have a good feeling about this. I appreciate my neighbors' attentiveness for what is going on and I would like to see the Guidelines to understand how they will apply to me. My concern is about new development and whether it will serve the needs of this unique community or will it line the pockets of somebody who doesn't live here and doesn't care what happens here?
 - t. Audience comment: New buildings around the city do not look good these days.
 - u. Audience comment: I didn't see from the engagement summary notes you presented that the community wants the guidelines written that a way makes new development undesirable here. It is a continuation of institutional racism to insist that affordable housing goes here.
 - v. Audience comment: I know this discussion speaks to larger policy issues for the city – but we want to know how these guidelines can help us control this?
 - i. We invest a lot of money, sweat, and soul into maintaining these structures. Without us, these nice old buildings will go away.
 - ii. These houses exist because of us and if this is not a livable area, these buildings will fall apart.
 - iii. I am against the city supporting increased development in spite of our historic district standards and guidelines. Our own tax dollars are being used against us.
 - w. Audience comment: I am curious how you mapped contributing structures on the block from 22nd to 24th – the building MCAD is renting and the nursing home – did Pigeon intend to designate the entire church?
 - i. Answer: Tamara said that they did not make a recommendation regarding designation. Rather, we noted that there are some interesting buildings within the boundaries of the district that were constructed outside of the period of significance and that we recommended that they be considered for future evaluation.
 - x. Audience question: Mia owns the whole block on 3rd Ave at the Whittier Healthcare building (currently vacant). What are your long-range plans for that?
 - i. With Kmart coming out, we assume there will be a balanced economic housing area developed –
 1. WNA is developing a 54-unit SRO housing at Nicollet and Franklin – they are a neighborhood alliance, and this is a conflict of interest!
 2. How do we get the city to do a comp plan first, so the development isn't so willy nilly?
 - y. Audience question: I too share some of these concerns, especially around cost of living, but I want to make sure the meeting minutes reflect that not everyone at this meeting is against

new development and social services. I support them. Not everyone who lives here is against affordable housing. There are diverse opinions in this neighborhood.

- z. Audience comment: I see vacant properties around, such as those owned by MCAD and Mia, and for me, I wonder whether the guidelines can help discourage vacancy in some of these buildings? At what point can the city compel owners to get these buildings occupied?
 - i. Answer: The city referred to the private property rights again and asked the group – how much do we, as citizens, want our government to have a say over what we do with our property?
 - ii. We prioritize avoiding demolition, but we cannot push owners to address vacancy. We do have a problem properties unit that can get involved, but conditions need to get pretty dire first.
 - iii. Audience follow up comment: That is tough, as a neighbor – I just wonder – the most important thing about a city is its people. How does Mia buying a single-family home serve our community? We have a lot of concerns – where do we go to voice these concerns?
- aa. Audience comment: We acknowledge that the design guidelines will not address many of these things.
 - i. The city advised that the group meet with their council member and get involved with the planning commission process.
 - ii. They noted that all these concerns are valid, and we hear them.
- bb. Audience question: Can't HPC recommend expedited processes in the historic district for vacancy to avoid decay?
 - i. The city noted that demolition by neglect is a difficult process. First it goes on the vacant list, then there is a fee put on it, if you want a certificate of occupancy, you need to bring the building up to code compliance and get a permit to do so.
- cc. Audience comment: We need funding for these vacant properties and for our own renovations! Whittier Alliance took ownership of some homes in the 1980s or 1990s and current residents were able to buy them for \$1 with the agreement that the new owners would bring them up to code. They are still there! This strategy worked!
 - i. Answer: Regarding funding support – Pigeon recommended that the community investigate Revitalize MN, a non-profit organization advocating for residential tax credits for historic homes. RevitalizeMN is currently advocating for a state historic tax credit for "income producing" development. Tamara recommended that residents reach out and encourage future advocacy for a homeowners tax credit that is similar to the program in WI.
<https://www.wisconsinhistory.org/Records/Article/CS3942>
 - ii. MN doesn't have such a tax credit, but WI does (homeowners preservation tax credit) which offers 25% of revitalization costs to preserve your historic property. This is good – other states offer only 10%.
 - iii. This is a certified local historic district, which means that people who own income producing properties are eligible to participate in the historic tax credit program.
 - iv. Pigeon recommended reaching out to Anne Rust.

2. Next Steps

- a. Draft Guidelines will be posted online at the end of June for public comment.