

1. January 7, 2025 HPC Meeting Agenda And Packet

Documents:

[1 AGENDA\\_HPC MEETING\\_1-7-25 SPECIAL.PDF](#)  
[JANUARY 7, 2025 HPC AGENDA PACKET.PDF](#)

City of Excelsior  
Notice of Special Meeting  
of the Excelsior Heritage Preservation Commission

NOTICE IS HEREBY GIVEN that the Heritage Preservation Commission of the City of Excelsior will hold a Special Meeting on January 7, 2025 at 5:00pm. The Special Meeting shall address only the issues identified on the agenda below. The meeting will be held at 106 Center Street, Excelsior, Minnesota, MN 55331. Members of the public are welcome to attend the meeting in person.

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City of Excelsior  
Special Meeting Agenda  
Excelsior Heritage Preservation Commission

1. CALL TO ORDER/ROLL CALL
2. AGENDA APPROVAL
3. UNFINISHED BUSINESS
  - a) Appointment of HPC Chair (through February 28, 2025)
  - b) Approval of Minutes –  
December 17, 2024  
November 21, 2024, Emergency Meeting  
November 19, 2024 (continuation)  
October 29, 2024 (continuation)  
September 24, 2024 (continuation)
  - c) Site Alteration Permit, 217 First Street – City Council remanded part of the appeal to the HPC for further consideration
  - d) Preservation Design Manual, Mural Policy
4. ADJOURNMENT

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Excelsior Heritage Preservation Commission

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City of Excelsior  
Hennepin County, Minnesota

Minutes  
Heritage Preservation Commission Meeting

Tuesday, December 17, 2024

1. CALL TO ORDER/ROLL CALL

Chair Brattland called the meeting to order at 6:38pm

Commissioners Present: Caron, Brattland, Mark

Commissioners Absent: O’Hanlon, Mark

Also Present:

Kevin Staunton, City Attorney

Ali Cameron, Senior Planner

2. AGENDA APPROVAL

***Chair Brattland moved to approve the agenda. Commissioner Dahlstrom seconded. Motion passed 4/0.***

3. APPROVAL OF MINUTES

- a. Approval of Minutes – October 29, 2024 and November 19, 2024

Commissioners commented that edits still need to be made on the November 19, 2024 minutes. This was not provided at this meeting. Commissioners commented that the October minutes were continued because Chair O’Hanlon requested changes. This was also not provided at this meeting. ***Commissioner Gephart moved to delay the vote for both the October and November 2024 minutes to the next meeting because they were not provided for this meeting. Commissioner Caron seconded. Motion passed 4/0.***

- b. Approval of Minutes – November 21, 2024 Emergency Meeting

4. CITIZENS REPORT

N/A

5. NEW BUSINESS

- a. Site Alteration Permit Application – 251 Water Street (HPC No. 24-21)

Maryna Chowhan of Indigo Signs on behalf of Susan Sun (Applicant): The bracket and bracket panel could be used for future tenants. The Applicant clarified that the sign will be aluminum with acrylic lettering. Aluminum is a form of metal that has a lifetime guarantee against the elements. Aluminum as a metal is in compliance with historic standards.

Commissioners requested clarification on the sign materials and commented on drilling into the mortar joints and not masonry, as well as ensuring the placement of the sign is centered on the middle column. They also noted edits to the resolution’s conditions, findings of fact, and conclusions of law.

***Commissioner Caron made a motion to approve the SAP with specific conditions and edits to the resolution. Gephart seconded. Motion passed 4/0.***

b. Site Alteration Permit Application – 449 Second Street (HPC No. 24-22)

Staff introduced the project, noting that the mural is artistic in nature and is not classified as a commercial sign. Staff requested HPC considerations for how to move forward on the decision if the Preservation Design Manual doesn’t have guidance for lighting artistic style murals. Staff also cited that lighting an artistic mural might set a precedent in the historic district, and this is not an architectural feature being lit. If approved, there would have to be a condition for staff pre-approval of work, and potential revision to the Preservation Design Manual’s mural policy to include lighting of artistic murals that aren’t classified as “commercial signage.”

Olivia Flicker of Lake Country Builders (Applicant): Requested consideration for lighting of the mural because it's a popular traffic way, especially getting dark earlier in the evening. It would light the walkway as part of safety. The Applicant had previously discussed with the City’s Historic Consultant that exterior lighting sconces would be warm lighting and light pollution to adjacent properties would be mitigated with downward light.

Commissioners commented that it is difficult to decide at this hearing if the City’s guidelines do not specify lighting of artistic murals. There is nothing that neither prohibits nor permits artistic mural lighting. Commissioners also want to discuss acceptable forms of lighting and the broader goals for lighting in the historic district since a lot of requests have come through for lighting. Commissioners also commented that providing lighting like this on Second Street may be worthwhile, but they have to consider whether it sets a precedent; that the Applicant may need neighbor consent according to Good Neighbor Guidelines; and that the parapet lighting proposed would not be damaging a contributing historic structure, although they have denied wash lighting before. They requested that the City’s Historic Consultant gather more information on what’s being done in other cities. Commissioners requested to hold a working session in early January 2025 to potentially amend the Preservation Design Manual’s mural policy so that they can decide on this item later.

***Commissioner Caron motioned to deny the SAP in accordance with the resolution to give the HPC time to look more into lighting standards for different cases, including murals. Gephart seconded. Motion passed 4/0.***

6. UNFINISHED BUSINESS

None

7. COMMUNICATIONS AND REPORTS

a) Next Regular City Council Meeting – January 6, 2025

b) Next HPC Meeting – January 28, 2025

8. FUTURE AGENDA ITEMS

a) Special HPC Meeting Jan 7: Preservation Design Manual, Mural Policy

b) Special HPC Meeting Jan 7: 217 First Street

9. ADJOURNMENT

*Commissioner Gephart motioned to adjourn. Caron seconded. Motion passed 4/0. The meeting adjourned 7:24pm.*

Respectfully submitted,

Ali Cameron  
Senior Planner

**2024 ATTENDANCE**

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Brattland	A	X	P	P	P	P	P	P	A	P	P	P
Caron	A	X	P	P	P	A	P	P	A	P	P	A
O’Hanlon	P	X	P	P	A	P	P	PR	P	P	P	P
Mark	P	X	A	P	A	P	P	P	P	P	P	A
Gephart	P	X	P	P	P	P	P	P	P	P	P	P
Dahlstrom	P	X	P	P	P	P	P	P	P	P	P	P

SM – Special Meeting

WS – Work Session

P – Present

PR – Present Remotely

A – Absent but gave prior notice

U – Absent without notice

X – Not applicable (cancelled meeting or not yet on HPC)

City of Excelsior  
Hennepin County, Minnesota

Minutes  
Heritage Preservation Commission Emergency Meeting

Thursday, November 21, 2024

1. CALL TO ORDER/ROLL CALL

Chair O’Hanlon called the meeting to order at 9:59AM.

Commissioners Present: Dahlstrom, Caron, O’Hanlon, Gephart, Mark

Commissioners Absent: Brattland

Also Present: Ali Cameron, Senior Planner

2. AGENDA APPROVAL (AND STATEMENT OF NEED FOR AN EMERGENCY MEETING)

***Commissioner Caron motioned to approve the agenda for the emergency meeting. Commissioner Dahlstrom seconded. Motion passed 5/0.***

3. UNFINISHED BUSINESS

- a. Site Alteration Permit Application – 262 Lake Street (HPC Case No. 2024-19) – review and approve HPC Resolution No. 2024-19 documenting decision made at the November 19, 2024 meeting.

Commissioners provided feedback for grammatical changes and clarifications to the conditions. ***Commissioner Caron made a motion to approve the changes and adopt the Resolution. Commissioner Gephart seconded. Motion passed 5/0.***

- b. Site Alteration Permit Application – 217 First Street (HPC Case No. 2024-20) – review and approve HPC Resolution No. 2024-20 documenting decision made at the November 19, 2024 meeting.

Commissioners discussed clarifications about the divided lights and the diamond-shape pattern. They provided feedback on grammatical changes and clarifications to the conditions. ***Commissioner Caron made a motion to approve the changes and adopt the Resolution. Commissioner Dahlstrom seconded. Motion passed 5/0.***

4. ADJOURNMENT

***Commissioner Caron made a motion to adjourn the meeting. Commissioner Gephart seconded. Motion passed 5/0.*** The meeting was adjourned at 10:09AM.

Respectfully submitted,

Kevin Staunton  
City Attorney/Assistant City Manager

## 2024 ATTENDANCE

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Brattland	A	X	P	P	P	P	P	P	A	P	P	
Caron	A	X	P	P	P	A	P	P	A	P	P	
O'Hanlon	P	X	P	P	A	P	P	PR	P	P	P	
Mark	P	X	A	P	A	P	P	P	P	P	P	
Gephart	P	X	P	P	P	P	P	P	P	P	P	
Dahlstrom	P	X	P	P	P	P	P	P	P	P	P	

SM – Special Meeting

WS – Work Session

P – Present

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A – Absent but gave prior notice

U – Absent without notice

X – Not applicable (cancelled meeting or not yet on HPC)

City of Excelsior  
Hennepin County, Minnesota

Minutes  
Heritage Preservation Commission Meeting

Tuesday, November 19, 2024

1. CALL TO ORDER/ROLL CALL

Chair O’Hanlon called the meeting to order at 6:34pm

Commissioners Present: O’Hanlon, Caron, Brattland, Mark, Gephart, Dahlstrom

Commissioners Absent: N/A

Also Present:

Kevin Staunton, City Attorney

Julia Mullin, Community Development Director

Ali Cameron, Senior Planner

Amy Lucas, Historic Consultant (online)

2. AGENDA APPROVAL

Chair O’Hanlon requested recognition that this day, November 19, 2024, is her last day chairing the HPC meeting. Chair O’Hanlon requested to add this discussion as well as continuation to item 7c of the agenda. ***Commissioner Caron motioned to approve the agenda with this discussion under item 7c. Gephart seconded. Motion passed 6/0.***

3. APPROVAL OF MINUTES

a) HPC Minutes of October 29, 2024

Commissioners requested the October 2024 minutes be approved at the next meeting to provide adequate review time of the September 2024 continuation minutes that should have also been included. They were not approved in October since they did not include all items from 217 First Street applicant’s late materials submitted. They also requested the verbiage “motion” and “move” for commissioners and chair be edited in the October minutes.

***Commissioner Caron motioned to continue the October minutes and the previous September minutes with appropriate edits to the next December HPC meeting. Gephart seconded. Motion passed 6/0.***

4. CITIZENS REPORT

a. None

5. NEW BUSINESS

a) 10 Water Street – Sketch Plan

Staff provided background information about the project. This is a second version of a sketch plan; a revision of the original that was presented to the HPC on March 26, 2024, which provided recommendations for revisions. Staff noted that the major change of this revision is

that the original sketch plan was for a Boutique Hotel at the site, where residential units would be on the top floor. This new revised sketch plan is no longer a hotel, but rather a mixed use of residential units that are short- and long-term rentals. The applicant and developers are present and requesting discussion and feedback from the HPC on elements such as building height, materials, massing, orientation, and the façade along Lake Street and Water Street.

Matt Mithun the owner, Tim Marco & Marco McLane the developer, and Evan Jacobsen the architect (Applicant): The applicant introduced the sketch plan revision, mentioning that the team had met with the HPC, the Planning Commission, and the City Council over the past seven months to discuss the Boutique Hotel originally. They also held a neighborhood meeting the week of November 11, 2024 to get feedback. The applicant wants to incorporate historic design as much as possible. The intention is to make a 4-sided building which integrates the experience of streetscape, residential, and public. There is also restaurant space with dining, and green space with terrace seating.

Commissioners provided feedback on height, building mass, step backs, alignment with other storefronts, design materials, windows, design materials, colors, and protection of the historic charm. They advised the applicant to continue their work, encouraging them to make efforts to decrease the massing and stories, and other alterations as noted.

b) 262 Lake Street – Site Alteration Permit (HPC No. 24-19)

Staff introduced the item for the Kalorama Cottage renovation, new addition, and garage demolition, and that this is the second Site Alteration Permit hearing to the HPC. For this hearing, the applicant is discussing the 10 conditions the HPC requested at the previous hearing on September 24, 2024. The Commission invited the Applicant to speak about the 10 conditions and plans for meeting them.

Katie Kuisle, Building Reuse Consultant, representing owner Troy Mathwig (Applicant): The applicant went through the ten conditions previously set by the HPC and explained how the materials submitted for this second hearing would satisfy them. The conditions involved wood siding, windows, front doors, front porch, foundation, rear addition, mechanical systems, landscape and grading, permit approvals, on-site reviews, and lighting.

Commissioners reviewed each itemized condition and advised that an approved resolution, buildable plans, and confirmed that the applicant does not need variances and/or any approved variances shall warrant the applicant the ability to begin the permitting process. The HPC will hold an emergency meeting on Thursday, November 21 at 10:00 AM to ensure the new resolution is reviewed with the revised findings and conditions.

***Commissioner Gephart motioned to adopt Findings of Fact and Conclusions of Law as amended at this meeting, and the conditions amended at this meeting for Resolution 2024-20. Commissioner Brattland seconded. Motion passed 6/0.***

c) 217 First Street Site Alteration Permit Application (HPC No. 24-20)

City staff introduced the item. The applicant is returning to the HPC with a new Site Application Permit for three changes to the house regarding windows, specifically window materials, divided light windows on the rear of the house, and the siding.

Rob and Kara Tyler (Applicant): The applicant would still like the aluminum-clad windows, the divided light windows, and modification to the HPC condition to allow for a fiber cement lap siding as a substitute for siding that is deteriorated and damaged and can't be repaired, although a full evaluation has not yet been made.

Commissioners discussed the item and reminded the applicant that the previous condition for the aluminum-clad windows was denied. Regarding divided lights, the HPC had previously advised the applicant to replace the windows with more neutral, single pane windows that would not draw attention from the exterior, and divided light windows were not recommended. Per the siding, commissioners requested a plan to evaluate the siding that is beyond repair, for the applicant to apply a new SAP, and laid out specific conditions. Commissioners also discouraged setting a precedent of applicant re-approaching the HPC and requesting reconsideration of previous conditions denied or discouraged.

***Commissioner Gephart made a motion to deny windows with aluminum cladding because it doesn't fit with the historic guidelines and the Secretary of Interior Standard #6. Dahlstrom seconded. Motion passed 6/0.***

***Commissioner Brattland motioned to approve the proposed divided lights on the non-historic existing rear addition doors and windows only. Commissioner Dahlstrom seconded. Motion passed 2/4. (O'Hanlon, Mark, Gephart, and Caron were against)***

***Gephart made a revised motion to deny the application for window materials, other than single-pane glass windows. Commissioner Mark seconded. Motion passed 4/2. (Brattland and Dahlstrom were against)***

***Commissioner Caron motioned that per Condition 1, covering the new addition and garage addition with Hardie board siding 4" is approved; that any of the siding on the historic structure that is removed shall be reviewed by staff; and that the applicant may remove one layer of siding, and if there's no salvageable wood underneath (to be reviewed and confirmed by staff), the applicant may continue with replacing the siding with the same type of 4" Hardie board to overlap with the non-historic addition. This motion will take the place of Condition #3 of Resolution 2010-14. Gephart seconded. Motion passed 6/0.***

6. UNFINISHED BUSINESS

None

7. COMMUNICATIONS AND REPORTS

- a) Next Regular City Council Meeting – December 2, 2024
- b) Next HPC Meeting – December 17, 2024.
- c) Chair O'Hanlon's Final HPC Meeting – Commissioner Brattland gave accolades to Chair O'Hanlon for her service to the HPC. Chair O'Hanlon will be moving forward to the City Council next year 2025.

8. FUTURE AGENDA ITEMS

- a. Next HPC Chair

9. ADJOURNMENT

*Chair O’Hanlon moved to adjourn. Commissioner Caron seconded. Motion passed 6/0.* The meeting adjourned at 10:02PM.

Respectfully submitted,

Kevin Staunton  
City Attorney/Assistant City Manager

**2024 ATTENDANCE**

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Brattland	A	X	P	P	P	P	P	P	A	P	P	
Caron	A	X	P	P	P	A	P	P	A	P	P	
O’Hanlon	P	X	P	P	A	P	P	PR	P	P	P	
Mark	P	X	A	P	A	P	P	P	P	P	P	
Gephart	P	X	P	P	P	P	P	P	P	P	P	
Dahlstrom	P	X	P	P	P	P	P	P	P	P	P	

SM – Special Meeting

WS – Work Session

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PR – Present Remotely

A – Absent but gave prior notice

U – Absent without notice

X – Not applicable (cancelled meeting or not yet on HPC)

City of Excelsior  
Hennepin County, Minnesota

Minutes  
Heritage Preservation Commission Meeting

Tuesday, October 29, 2024

1. CALL TO ORDER/ROLL CALL

Chair O'Hanlon called the meeting to order at 6:30pm.

Commissioners Present: O'Hanlon, Brattland, Caron, Mark, Gephart, Dahlstrom

Commissioners Absent: None

Also Present:

Kevin Staunton, City Attorney

Julia Mullin, Director of Development

Ali Cameron, Senior Planner

2. AGENDA APPROVAL

***Chair O'Hanlon moved to approve the agenda. Commissioner Mark seconded. Approved 6/0.***

3. APPROVAL OF MINUTES

a) HPC Minutes of September 24, 2024

***Chair O'Hanlon moved to approve the September 24, 2024, minutes with corrections to the minutes recently suggested by Applicants Rob and Kara Tyler. Gephart seconded. Motion passed 6/0.***

4. CITIZENS REPORT

a) City staff introduced the new Senior City Planner, Ali Cameron.

5. NEW BUSINESS

a) 200 Water Street Site Alteration Permit Application (HPC No. 24-17)

City staff provided background information about the project, that the applicant is applying for a Site Alteration Permit for signage of a new restaurant called Parlour in the Downtown Historic District in the basement of the building. The proposed signage also included a comprehensive sign plan including signage for two other restaurant concepts that will occupy the main floor of the building in the near future.

Commissioners expressed revision to the conditions to address removal of the non-permitted cocktail sign at the rear of the building, additional approval requirements from the HPC for all lighting, and requested modification of the Conclusions of Law and the condition to eliminate the blade sign at Second Street.

***Commissioner Caron motioned to approve the SAP in accordance with the draft resolution, following condition revisions. Commissioner Brattland seconded. Approved 6/0.***

b) 217 First Street Site Alteration Permit Application (HPC No. 24-18)

City staff provided background, that this Site Alteration Permit Application is a continuation item from the September 24<sup>th</sup> HPC meeting, and that the HPC had approved a garage addition to the property at that time. The front porch item was shifted to this current meeting with a request for the applicant to provide two more porch design options that were a smaller version of the originally proposed porch. Thus, the three design options for the porch include 1) a large-size, width-spanning porch that leaves no lower level windows exposed and wraps around the side of the home, 2) a mid-size porch that leaves one far-left window exposed and wraps around the side of the home, and 3) a small-sized porch that leaves one far-left window exposed and doesn't wrap around the side of the home.

Rob and Kara Tyler (Applicant): The applicant provided a flyover video rendering of what Option 1 large-size porch would look like. They would prefer Option 1.

Commissioners expressed mixed concerns over whether the porch should be allowed at all based on the historic guidelines but leaned towards Option 3 because it maintained the historic integrity of the home better than the other two options. They stated it would also be less likely to set a precedent because it would not be an addition to the front façade, but rather an expansion upon the existing non-original and non-historic portico. They requested amended conditions that the applicant provide measured plans for staff review and permitting, that the materials for the base of the front porch be wood skirting and brick under the columns, and the porch shall not be enclosed.

***Commissioner Caron motioned to approve the SAP for Option 3 with the porch portico design in accordance with the resolution, including amended language to the conditions. Chair O'Hanlon seconded. Approved 5/1. (Commissioner Gephart voted against)***

6. UNFINISHED BUSINESS

None

7. COMMUNICATIONS AND REPORTS

- a) Trolley Tour Reschedule
- b) 173 Second Street Update
- c) Next Regular City Council Meeting – November 4, 2024
- d) Next HPC Meeting – November 19, 2024. ***Chair O'Hanlon motioned to move the November meeting one week earlier from November 26 to November 19, 2024. Commissioner Gephart seconded. Approved 6/0.***

8. FUTURE AGENDA ITEMS

- a) Discussion on identifying “character-defining features” is moved to next HPC hearing

9. ADJOURNMENT

***Chair O'Hanlon moved to adjourn. Dahlstrom seconded. Approved 6/0.***

The meeting adjourned at 8:00pm.

Respectfully submitted,

Kevin Staunton  
City Attorney/Assistant City Manager

**2024 ATTENDANCE**

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Brattland	A	X	P	P	P	P	P	P	A	P		
Caron	A	X	P	P	P	A	P	P	A	P		
O'Hanlon	P	X	P	P	A	P	P	PR	P	P		
Mark	P	X	A	P	A	P	P	P	P	P		
Gephart	P	X	P	P	P	P	P	P	P	P		
Dahlstrom	P	X	P	P	P	P	P	P	P	P		

SM – Special Meeting

WS – Work Session

P – Present

PR – Present Remotely

A – Absent but gave prior notice

U – Absent without notice

X – Not applicable (cancelled meeting or not yet on HPC)

City of Excelsior  
Hennepin County, Minnesota

Minutes  
Heritage Preservation Commission Meeting

Tuesday, September 24, 2024

1. CALL TO ORDER/ROLL CALL

Chair O’Hanlon called the meeting to order at 6:41 p.m.

Commissioners Present: Dahlstrom, Gephart, Mark, O’Hanlon

Commissioners Absent: Brattland, Caron

Also present:

Staff Kevin Staunton, City Attorney

Amy Lucas, Historic Consultant

2. AGENDA APPROVAL

***Commissioner Gephart motioned to approve the agenda with the addition of Item #7c. Commissioner Mark seconded. Motion passed 4/0.***

3. APPROVAL OF MINUTES

a) HPC Minutes of August 27, 2024 (continuation)

***Commissioner Gephart motioned to approve the August 27, 2024 continuation minutes. Commissioner Dahlstrom seconded. Motion passed 4/0.***

4. CITIZENS REPORT

a) None

5. NEW BUSINESS

a) 355 2<sup>nd</sup> Street Site Alteration Permit (HPC No.24-11)

Historic Consultant Lucas presented the proposal and explained the application for a blade sign. Commissioner O’Hanlon asked which blade sign option was going to be used with or without address. Applicant Leif Eikevik indicated that he is willing to work with City on location. The HPC agreed that vertical board indicated in application was appropriate.

***Commissioner Gephart motioned to adopt the resolution and findings of fact for the Site Alteration Permit. Commissioner Dahlstrom seconded. Motion passed 4/0.***

b) 406 2<sup>nd</sup> Street Site Alteration Permit (HPC-No.24-13)

The City's Historic Consultant Amy Lucas presented the proposal and explained the application for signage, awnings, parapet lighting and rear fence.

Shannon Hart of Studio Grey and Quentin College of New History (Applicant): The applicant discussed their exploration of gooseneck lights over the parapet and that the letters of the sign are externally backlit with a "glow", lighting conduit, application for historic tax credits, their awnings to match historic images, patching mortar joints with Jahn M1110 Historic Pointing Mortar product for mortar restoration (to be reviewed by staff), the rear fence that would include existing greenery and painting with Benjamin Moore historic color chart, and the new entrance stoop that will exhibit a tile mosaic.

Commissioners expressed concern: the HPC does not approve backlit signs and that this sign pushes the boundary and sets a precedent; that LED is a white light and only warm light in the historic district is permitted; and that the conduits would also cause issues. The Preservation Design Manual supports this. Moreover, the backlighting of the fence sign on the back patio needs to be investigated further. They recommended a new lighting design overall and that backlighting at the patio would have to be approved. Commissioners also questioned why awnings couldn't be installed in the window opening. They also discussed that the brick and mortar would need to be repaired when the gooseneck lighting and the "Red Sauce Rebellion" sign are removed. Commissioners reviewed the door handle samples and were not in favor of the first one on the top-left of the exhibit. Commissioners also asked about the proposed tile at the stoop entrance, and that it should be a pattern and not a sign. Any work done should have minimal damage to the building. The HPC itemized and amended the conditions on the resolution.

***Commissioner Dahlstrom motioned to adopt the resolution and findings of fact of the Site Alteration Permit with added conditions. Commissioner Dahlstrom seconded. Motion passed 4/0.***

c) 217 First Street Site Alteration Permit (HPC-No.24-14)

The City's Historic Consultant Amy Lucas presented the proposal and explained the application as it related to the Historic Preservation Manual design guidelines. Ms. Lucas explained the proposed garage addition and porch addition. City staff also noted that some changes were made and the materials came in too late for full staff review at this meeting.

Kara and Rob Tyler (Applicant): The applicant explained the project of a house fire with 6 rooms affected in June 2024. At the September 2024 Planning Commission, they received approval for the proposed garage. They're now proposing two new windows and a front porch. The applicant believes the front porch would not remove the historic character. The building has undergone several alterations and that surrounding houses have porches. The applicant also discussed the divided lights option on the windows would provide more privacy.

Commissioners preferred a smaller front porch which may be more acceptable if it is 40% less the current proposed size and requested the applicant return with new designs. Commissioners also commented that the windows and doors should be full panel glass and

could be treated for privacy. They questioned whether the divided lights from the windows and doors could be removed. Commissioners commented that staff could approve the rear doors and windows, but not the porch. Commissioners did not think the garage was controversial with the Preservation Design Manual. Commissioners expressed consideration for the wood siding, and the HPC would need to evaluate whether any wood siding under the vinyl siding could be repaired.

The HPC revised the conditions for the resolution, to include staff review of the windows at the rear, the door material, and siding after it is evaluated for historic integrity. The garage is approved as proposed. Other conditions included removing denial of the concrete block foundation on the porch, and that the new Hardie Plank on the garage must match the width of any historic siding discovered on the house. Commissioners also noted that this item needs to be continued to the next meeting because the applicant's changes and materials came in late.

***Commissioner Gephart made a motion to adopt the resolution and findings of fact of the Site Alteration Permit with added conditions. Commissioner Mark seconded. Motion passed 4/0.***

d) 252 Water Street Site Alteration Permit (HPC-No.24-15)

The City's Historic Consultant Amy Lucas presented the proposal and explained the application as it related to the Historic Preservation Manual design guidelines. Ms. Lucas explained the application for parapet repair, windows at rear and rooftop alterations.

Elizabeth Lari of Plan Force (Applicant): The applicant introduced the project and understands the rooftop concerns.

Commissioners expressed concern that the rooftop addition is too large and that the deck must be smaller in size. They requested the applicant return with new designs with a smaller stair and deck.

***Commissioner Gephart made a motion to adopt the resolution and findings of fact of the Site Alteration Permit with added conditions. Commissioner Mark seconded. Motion passed 4/0.***

e) 262 Lake Street Site Alteration Permit (HPC-No.24-16)

The City's Historic Consultant Amy Lucas presented the proposal for the house rehabilitation, garage demolition, rear addition, new foundation and explained the application as it related to the Historic Preservation Manual design guidelines.

Katie Kelcie of New History and Troy Mathwig (Applicant): The applicant explained that they would be working with Jepson to do the house lift and pour the new foundation. The applicant clarified that the diamond windows in the gable will remain and be repaired. The applicant agreed that they're willing to meet with staff for the wood repair including carpenters and architect and provide shop drawings for wood windows. They explained the excavation would be from the front, and that the demo contractor wants plaster to remain inside. The garage will have wood siding.

Commissioners inquired about the details for window replacement and lifting the house. Regarding the windows, they wanted to know about the wood windows' existing conditions at the façade and requested the applicant work with a window repair specialist to evaluate their repairability, although the window evaluation report would not be binding. Regarding the house lift and excavation, commissioners asked about the excavation plans from the front or back of the property and noted that moving the house might damage the windows. The evaluation of windows should come first to reduce risk. The report should include why windows are being replaced instead of restored. Restoration of all façade windows is a requirement. They also requested to review the foundation design. All conditions in the resolution will need to be met and staff can meet with carpenters and the architect for wood repair and replacement and windows on-site before work commences.

***Commissioner Gephart made a motion to adopt the resolution and findings of fact of the Site Alteration Permit with added conditions as amended. Second by Commissioner Dahlstrom. Motion passed 4/0.***

6. UNFINISHED BUSINESS

None

7. COMMUNICATIONS AND REPORTS

- a) Next Regular City Council Meeting-October 7, 2024
- b) Next HPC Meeting-October 29, 2024
- c) New item-Commissioner Gephart is investigating another streetcar trolley tour for early October. Staff Kevin Staunton will send a memo to all HPC members to find an acceptable date.

8. FUTURE AGENDA ITEMS

- a) Discussion on identifying “character-defining features” is moved to the next HPC hearing

9. ADJOURNMENT

***Commissioner Gephart motioned to adjourn the meeting. Commissioner Dahlstrom seconded. Motion passed 4/0.***

The meeting was adjourned at 10:11 P.M.

Respectfully submitted,

Kevin Staunton  
City Attorney/Assistant City Manager

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Brattland	A	X	P	P	P	P	P	P	A			
Caron	A	X	P	P	P	A	P	P	A			
O'Hanlon	P	X	P	P	A	P	P	PR	P			
Mark	P	X	A	P	A	P	P	P	P			
Gephart	P	X	P	P	P	P	P	P	P			
Dahlstrom	P	X	P	P	P	P	P	P	P			

SM – Special Meeting

WS – Work Session

P – Present

PR – Present Remotely

A – Absent but gave prior notice

U – Absent without notice

X – Not applicable (cancelled meeting or not yet on HPC)

# MEMORANDUM

Item 3(d): Preservation Design Manual, Mural Policy

Prepared by: Ali Cameron, Senior Planner



1

**Goals** 

- 1. Review the city's mural policy and decide whether it should include lighting of artistic non-commercial style murals.
- 2. Determine the goals for the lighting the city's Historic District and setting precedents.
- 3. Consider adopting a resolution to amend the mural policy in the Preservation Design Manual to include lighting of artistic, non-commercial sign style murals.

2

**Agenda**

- 1. Background
- 2. Assessment and Analysis of Other MN Mural Lighting
- 3. Analysis of the Excelsior Mural Policy
- 4. Staff Recommendations and Next Steps



**EXCELSIOR**  
MINNESOTA

3

**Background** 

4

### History: Mural policy development



**HPC December 20, 2020:** Commissioner Salita presented new language for the mural policy to be added to the Preservation Design Manual.

• January 19, 2021: New language was submitted to the Planning Director.

**HPC January 21, 2021:** Commissioner Salita presented a draft of the mural language. Commissioners recommended to provide staff further direction.

• August 2021: Staff finalized the mural section and it was added to the Preservation Design Manual.

5

### History: Mural policy in action



**July 24, 2023:** Mark and Joel Olson (449 Second Street) submitted a Site Alteration Permit to create a mural on the southeast exterior of their commercial building.

**HPC Aug 3, 2023:** The HPC approved the 449 Second Street mural using the new mural policy.

• 2023: The mural was painted.

6

### History: Mural policy in action



**Oct 30, 2024:** Lake County Builders inquired about adding lighting to the existing mural on the same 449 Second Street property.

• Nov 6, 2024: Staff visited the site, advised to apply for a Site Alteration Permit.

**Nov 26, 2024:** Lake County Builders submitted a Site Alteration Permit to add lighting to the mural.

• Staff noted there was insufficient guidance in the Preservation Design Manual and City's Building Code for lighting artistic style, non-commercial sign murals.

7

### History: Mural policy moving forward



**HPC Dec 17, 2024:** The HPC reviewed the Site Application Permit but tabled the request due to the insufficient guidance from the Preservation Design Manual and the City's Building Code for lighting.

• The HPC requested city staff to research what other cities are doing in terms of lighting murals.

**HPC Jan 7, 2025:** The HPC called a special meeting to discuss the potential changes to the mural policy to address lighting artistic non-commercial murals, the broader goals for lighting in the City's Historic District, and whether lighting sets a precedent.

8

# Assessment and Analysis of Other MN Mural Lighting



9

## Montgomery, MN




Population: 3.25K  
 Location: First Street South & Ash Street  
 District: Historic  
 Mural Type: Artistic  
 Lighting: 7 pink old-style gooseneck drilled into brick wall  
 Application: Mural painted on plywood  
 Regulations: No special regulations for historic district at this time

10

## Minneapolis, MN




Population: 415.1K  
 Location: 515 1st Avenue NE  
 District: Historic Landmark  
 Mural Type: Artistic  
 Lighting: 4 Black modern gooseneck drilled into parapet  
 Application: Mural painted directly on brick  
 Regulations: TBD

11

## Minneapolis, MN




Population: 425.1K  
 Location: 328 West Broadway Ave  
 District: Non-Historic  
 Mural Type: Artistic  
 Lighting: 5 black sconce lights drilled into brick wall  
 Application: Painted directly on brick wall  
 Regulations: TBD

12

**Minneapolis, MN**



Population: 425.1K  
 Location: 211 East Lake Street  
 District: Non-Historic  
 Mural Type: Artistic  
 Lighting: 2 black lantern drilled into brick wall  
 Application: Painted directly on brick wall  
 Regulations: TBD

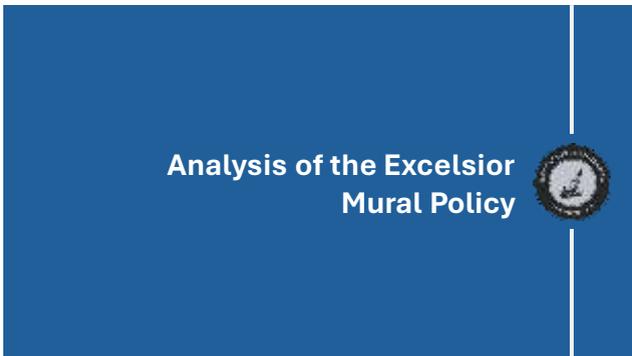
13

**Analysis**

- Several lit murals exist throughout MN cities.
- Lit murals exist in both historic and non-historic districts.
- Lighting includes sconces and gooseneck attached directly to a brick wall or parapet with conduit running through the wall or piping.
- Standards applied in Minneapolis where Historic Preservation and city ordinance exists.
- Standards not applied in Montgomery because no historic standards exist.

14

**Analysis of the Excelsior Mural Policy**



15

**Analysis: Preservation Design Manual**

- A mural is a painting, mosaic, fresco, or other artwork attached or applied directly to the exterior of a structure by or on behalf of a building owner. A mural does not include commercial signage, graffiti, billboards, campaign signs, or ghost signs.
- Murals (like ghost signs) are considered public, rather than signs, but murals that contain logos, slogans, brands, names, trademarks, or advertising messages of any kind are considered signs and are subject to the commercial sign guidelines and City zoning standards applicable to signage.

*Does not include language or standards for lighting artistic, non-commercial sign murals. See Mural Policy Attachment with suggested edits.*

16

### Analysis: City Commercial Signage Building Code

- Sec 20-10 – Site Alteration Permit, when required. The following minor alterations are subject to administrative approvals: (1) Painting, except for murals
- **Commercial signage code has the only applicable standards for murals that have been classified as commercial signs but does not encompass artistic style murals.**

*See Mural Policy Attachment with suggested edits.*

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## Staff Recommendations and Next Steps

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### Staff Recommendations

1. Determine broader goals for lighting of artistic and non-artistic style murals in the Historic District.
2. Review the Preservation Design Manual current and suggested language around mural lighting.
3. Consider integrating language from the City's Commercial Signage code on lighting to be applied to artistic non-commercial sign style murals.
4. Adopt a new mural policy that includes mural lighting to be incorporated and published in the Preservation Design Manual.

19

### Next Steps

1. Staff to provide the revised mural policy resolution to the HPC meeting on January 28, 2025.
2. Staff to revise the Preservation Design Manual based on the amendment and present it at the HPC meeting on January 28, 2025.

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## PRESERVATION DESIGN MANUAL MURAL POLICY

### ***\*Suggested edits and changes in Italics***

#### **Excelsior Preservation Design Manual**

*Murals that contain logos, slogans, brands, names, trademarks or advertising messages of any kind are considered signs and are subject to the commercial sign guidelines and City zoning standards applicable to signage. Once installed, any restoration, alteration or removal of a mural shall be subject to a Site Alteration Permit Review.*

#### Murals

A mural is a painting, mosaic, fresco or other artwork attached or applied directly to the exterior of a structure by or on behalf of the building owner. A mural does not include commercial signage, graffiti, billboards, campaign signs or ghost signs. Murals (like ghost signs) are considered public art, rather than signs, but murals that contain logos, slogans, brands, names, trademarks or advertising messages of any kind are considered signs and are subject to the commercial sign guidelines and City zoning standards applicable to signage.

M.1 In general, if masonry was originally unpainted, it should not be painted.

M.2 Murals should not conceal or obscure any architectural features.

M.3 Murals shall not be located on the primary elevation of a structure.

M.4 Murals shall be in compliance with the requirements of the zoning code. Murals must be consistent with the sign regulations in place within the City of Excelsior and any comprehensive sign plan approved for the building.

M.5 Murals shall not contain obscenity, hate speech or terroristic threats, fighting words, defamation, blackmail, incitement to imminent lawless action, threats of bodily injury or death, or solicitation to commit crimes.

M.6 The name or signature of the artist may be placed on the mural but shall be limited in scale and not a prominent visual feature of the work.

M.7 Review of a mural shall be limited to assessment of the scale, location, size, colors, format and degree to which the proposed mural damages or detracts from the architectural features of the façade of the building on which it is proposed to be placed, rather than its artistic merit, for the purpose of preserving the character and integrity of the historic district, site or structure.

M.8 Once installed, any restoration, alteration or removal of a mural shall be subject to Site Alteration Permit review.

M.9 A mural that is applied to another surface to be attached to a building shall be installed in a manner that does not damage the building to which it is attached when installed or removed, and shall not extend beyond the plane of the building or property line.

### *Mural Lighting*

*Lighting for other kinds of signage should be limited to direct illumination by soft/warm LED or compact florescent light fixtures. (Signage and Lighting Section, Preservation Design Manual)*

*CL.2: Light fixtures shall be appropriate to the building's architectural period. Light fixtures shall be appropriate to the building's architectural period. (Commercial Lighting Guidelines, Preservation Design Manual)*

*CL.3: Light fixtures should be low profile and have minimal projection from building face. (Commercial Lighting Guidelines, Preservation Design Manual)*

*CL.5: The light source should not be visible from the public right-of-way. (Commercial Lighting Guidelines, Preservation Design Manual)*

*CL.8: Light fixture mounting brackets and hardware should be anchored into mortar, not masonry. (Commercial Lighting Guidelines, Preservation Design Manual)*

*CS.22: Commercial sign lighting fixtures should be simple in design or concealed. "Commercial sign lighting fixtures should be simple in design or concealed." (Lighting for Signs Section, Preservation Design Manual)*

*CS.23: Spot or up-lit lighting for signs is recommended. (Lighting for Signs Section, Preservation Design Manual)*

### ***\*\*New Suggested Preservation Design Manual standards and codification as "ML" to depict Mural Lighting language taken from the City's Commercial Signage and Outdoor Lighting Building Code sections***

*ML.10 All artificially illuminated signs shall only use that amount of artificial light as is needed to light the sign. All signage shall utilize illuminating devices mounted on top and facing downward of the display structure or lighting directed up toward the sign. Specifically, wattage and lumen output of all light sources shall be kept to a minimum necessary to accomplish this purpose. All lighting shall be of a warm color and glare or reflected light which is a by-product of all light shall be kept to a*

*minimum. Artificial light sources shall not be placed at any height taller than is essential to accomplish the intended purpose. (City Code Sec 24-11a, Commercial Signage)*

*ML.11 Artificial light fixtures shall be of a design such that the light sources (e.g., the light bulb) is fully enclosed by opaque material and does not project beyond them, and such that light may be transmitted in only one direction except that incandescent light bulbs with a wattage of 50 watts or less or neon tubes need to be fully enclosed. Any diffusers must be flush mounted to the opaque fixtures such that no part of the light source, the diffuser itself, or the like, projects beyond the opaque portion of the fixture. (City Code Sec 24-11d, Commercial Signage)*

*ML.12 All artificial light sources shall be contained in fully opaque fixtures which control the light such that the light is directed either straight down or straight up or is located so close to the sign that there is no broadcast or glare of light beyond the sign. It is intended that the visibility of the light source itself (e.g., the light bulb) be minimal. (City Code Sec 24-11e, Commercial Signage)*

*ML.13 All artificial illumination of signs shall be turned off at the close of business or at 11:00p.m., whichever occurs later. (City Code Sec 24-11e, Commercial Signage)*

*ML.14 Intensity. No light source... which cast light on adjacent property exceed four-tenths foot candles (meter reading) as measured at the property line, per the method outlined in 16-5e. (City Code Sec 16-5d, Outdoor Lighting)*

*ML.15 Method of measuring light intensity. The foot candle level of a light source shall be taken after dark with the light meter held six inches above the ground with the meter facing the light source. A reading should be taken with the light source on, then with the light source off. The difference between the two readings will be identified as the light intensity. (City Code Sec 16.5e, Outdoor Lighting)*

*ML.16 Performance Standards. Commercial district standards: Any lighting used to illuminate an off-street parking area, structure, or area shall be arranged so as to deflect light way from any adjoining property or from any public right-of-way... (City Code Sec 16.5(f)(2), Outdoor Lighting)*

*ML.17 The luminaire shall contain a cutoff which directs and cuts off the light at an angle of 90 degrees or less. (City Code Sec 16.5f(2)(a), Outdoor Lighting)*

*ML.18 Light sources shall not be permitted so as to light adjacent properties in excess of the maximum intensity defined in 16.5d. (City Code Sec 16.5f(2)(b), Outdoor Lighting)*

*ML.19 ...A light source mounted on a building shall not exceed the height of the building. In no case shall the height of a light source mounted... on a building exceed the height limits of the zoning district in which the use is located... (City Code Sec 16.5f(2)(d), Outdoor Lighting)*

*ML.20 Location: The light source of an outdoor light fixture shall be setback a minimum of five feet from a street right-of-way and three feet from an interior side or rear lot line. (City Code Sec 16.5f(2)(e)(1), Outdoor Lighting)*

City of Excelsior  
Heritage Preservation Commission

A Resolution to Amend the Historic Preservation Design Manual  
Mural Policy  
HPC 2025-01

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FINDINGS OF FACT

1. At the HPC meeting on December 22, 2020, Commissioner Salita presented proposed language for a mural policy to be added to the Historic Preservation Design Manual (“the Manual”) and requested that staff organize it into ordinance form with a request that all comments on the proposed language be submitted to the Planning Director by January 19, 2021. Commissioner Caron recommended that the proposed language be placed in the Manual.
2. At the HPC meeting on January 21, 2021, Commissioner Salita presented Item 5(b) as a draft of the mural language to be added to the Manual. Commissioner Salita also collected comments from various other commissioners to draft the language. The HPC recommended that commissioners should provide staff direction on how they would like to proceed with mural discussion.
3. In August 2021, city staff finalized a mural section policy for the Manual as an internal document that was did not make it on future HPC agendas for final approval of inclusion in the public-facing Manual.
4. On July 24, 2023, Mark and Joel Olson of 449 2<sup>nd</sup> Street submitted a Site Alteration Permit to create a mural on the southeast exterior of the building. The building was constructed in 1901 and was originally zoned as Residential but is now part of the Commercial district.
5. At the HPC meeting on August 3, 2023, the HPC approved the 449 2<sup>nd</sup> Street mural SAP from Mark and Joel Olson using the internal mural guidelines.
6. On October 30, 2024, new developer Joe Aldecocea of Lake Country Builders at 449 2<sup>nd</sup> St requested guidance on the approval process for adding lighting to the existing mural on the property.
7. On November 6, 2024, city staff visited the site at 449 2<sup>nd</sup> St to review and sent follow up recommendations to the developers to submit a new Site Application Permit for the lighting. Staff also sent guidelines regarding murals per the Manual and per the city’s commercial signage code.

8. The requests from the applicants at the 449 2<sup>nd</sup> Street property encouraged city staff to revisit the mural policy again.
9. On December 17, 2024, the HPC reviewed the Site Application Permit for lighting the mural but tabled the request due to insufficient guidance from the Preservation Design Manual and the City's Building Code for lighting artistic style, non-commercial sign murals.
10. A special HPC meeting was scheduled for January 7, 2025 to discuss amendments for the mural policy and lighting goals for the City's Historic District.

#### CONCLUSIONS OF LAW

1. The City's Preservation Design Manual does not include language or standards for lighting artistic-style, non-commercial signage murals.
2. The City's Building Code includes language only for murals that are classified as commercial signs.
3. Lighting of murals in the City's Historic District may set a precedent.
4. City staff have provided evidence of lit artistic style murals from other cities in Minnesota in both historic and non-historic districts as requested by the HPC.

#### CONDITIONS

1. The Preservation Design Manual's Mural Policy shall be revised with language from the city's commercial signage code on commercial sign lighting to be inclusive of artistic style murals.
2. The HPC shall review and approve the amended mural policy with new language surrounding artistic style mural lighting.
3. The HPC shall adopt the amended mural policy section if approved to be published officially in the public-facing Manual.

Adopted by the Heritage Preservation Commission of the City of Excelsior, Minnesota, this 7<sup>th</sup> day of January, 2025.

#### **HERITAGE PRESERVATION COMMISSION**

\_\_\_\_\_  
TBD, Chair



# MEMORANDUM

3(c) 217 First Street – Applicant appeal to city

**Re:** council partially remanded to HPC

**Date:** January 7, 2025

**To:** Heritage Preservation Commission

**From:** Julia Mullin, Community Development Director

## Application

Rob and Kara Tyler (“Applicant”), owners of 217 1<sup>st</sup> Street, Excelsior, MN 55331, appealed to the city council the HPC decision made at the November 19<sup>th</sup> HPC meeting, documented in HPC Resolution 2024-22. The city council denied one item in the appeal and remanded the second item of the appeal, proposed divided lights in doors on the right side of the home, back to the HPC for consideration and decision. This Special Meeting was scheduled in order for you to consider this remanded item.

## Background

At your meeting on November 19<sup>th</sup> the Applicant requested that the commission modify 3 conditions included in HPC Resolution No. 2024-14 to permit:

- (1) the new windows going into the left (north) side of the building be wood windows with aluminum cladding;
- (2) the windows on the right side (south) and rear (east) side of the existing house to have square divided lights; and
- (3) the use of fiber cement lap siding with a 4” exposure on the existing non-historic rear addition and new garage addition.

At your November 19<sup>th</sup> meeting you took action to require the following:

- (1) the two windows proposed for the left side of the structure shall be wood, and not clad in aluminum or any other material;
- (2) the windows proposed for the right side of the structure on the non-historic addition, may not have divided lights;
- (3) the applicant may replace the vinyl siding on the non-historic rear addition portion of the house with fiber cement board and may use that same material on the garage addition.

HPC Resolution 2024-22, adopted by the HPC, details these decisions. The Resolution is attached.

## Applicant Appeal

The applicant appealed the HPC’s decisions regarding the windows, #1 and #2 above, to the City Council. The applicant requested:

- (1) that the two windows proposed for the left side of the structure be aluminum clad; and
- (2) that the windows in the three doors on the right side of the structure, in the non-historic addition, have divided

lights. The applicant had proposed a square pattern, which the HPC denied. At the Council meeting, the applicant also proposed a hybrid pattern, with both squares and diamonds.

The City Council heard the appeal at their meeting on December 16, 2024; they considered the applicant's request and argument and the record including HPC staff reports and resolutions.

The Council denied the request that the windows on the left side of the structure be aluminum clad and upheld the HPC's determination that the windows must be wood. The Council remanded to the HPC the applicant's request to have divided lights in the three doors on right elevation. The applicant proposed an alternative design at the Council meeting, a hybrid pattern of square and diamond divided lights. The Council remanded this item to the HPC with the direction to determine whether there is a divided light pattern that would meet the Preservation Design Guidelines and Secretary of the Interior Standards, and if so to approve one, or whether only windows with no divided lights meet the guidelines and standards.

### **Summary of Request and Analysis**

To provide you with analysis of the two issues, staff has attached the memo and attachments from the Council's December 16<sup>th</sup> meeting recommending that the Council uphold the HPC's decision on these two matters; and the memo and attachments from your meeting on November 19<sup>th</sup> when you considered the modifications that the applicant was requesting.

The Council concurred with findings that the proposed divided lights in the new doors do not meet the Secretary of the Interior's Standards for Rehabilitation #9 which requires that new work shall be differentiated from the old and shall be compatible with architectural features to protect the historic integrity of the property. Or Preservation Design Guidelines RA2 and RA3 that state additions should be compatible and should be simple in design. Proposed square divided lights introduce a new design element to the structure, and as they are located immediately adjacent to the existing diamond divided lights at the rear of the side elevation they are incompatible with existing windows. Doors in this location with no divided lights, as required by the HPC, would be compatible with the existing historic windows.

The Applicant proposed to the city council an alternative divided light pattern for the doors, a hybrid of squares and diamonds, different from the pattern on existing windows. The council considered the alternative and remanded the appeal of the divided light decision to the HPC for resolution.

### **Recommended Action**

It is recommended that the HPC consider the applicant's request and arguments to find an alternative divided light pattern for the doors on the right side elevation of the home that is compatible with the structure (adjacent diamond pattern windows) and satisfies the Preservation Design Guidelines or to determine that in order to meet the Guidelines no divided lights are permitted in these doors.

### **Attachments:**

- December 16, 2024 memo to City Council for appeal
- Applicant's presentation to City Council on December 16, 2024
- November 19, 2024 memo and attachments to Heritage Preservation Commission
- HPC Resolutions 2024-14, 2024-18, 2024-22 approving Site Alteration Permits with Conditions for 217 First Street





# MEMORANDUM

8(b) - Appeal of HPC Decision for 217 First

**Re:** Street

**Date:** December 16, 2024

**To:** City Council

**From:** Kevin Staunton, Asst. City Mgr./City Atty

**60/120 Day Deadlines:** December 26, 2024/February 24, 2025

Pursuant to section 20-14 of the Excelsior City Code, Rob and Kara Tyler (the “Applicants”) have appealed the decision of the Heritage Preservation Commission (“HPC”) on Conditions 1 and 2 of HPC Resolution No. 2024-22 approving a Site Alteration Permit (“SAP”) for 217 First Street.

## Procedural Background

This is the third application since August by the Rob and Kara Tyler (“Applicant”), owners of 217 1st Street, Excelsior, MN 55331. The first application was made in August and considered by the HPC at its September 24 meeting. It resulted in the adoption of Resolution 2024-14 (attached). The second application was a follow up to the first application to consider the front porch proposed by the Tylers. It resulted in the approval of an expansion of the portico on the front of the house and was considered by the commission at its October meeting. It resulted in the adoption of Resolution No. 2024-18 (attached).

The Planning Commission and City Council also considered applications for variances for lot and building coverage and for a setback. Those meetings took place before the Planning Commission on September 23, and before the City Council on October 7, at a special council meeting on October 30, and at the regular Council meeting on November 17.

This third application sought to modify the first three conditions in Resolution No. 2024-14. The HPC met on November 19 to consider the application. At its November 19 meeting (and at a special follow up meeting on November 21), the HPC approved a change to Condition No. 3 in HPC Resolution No. 2024-14. It rejected the request to modify Conditions Nos. 1 and 2.

## The Appeal

The Notice of Appeal focuses on the two conditions on which the HPC declined to change their previous decision.

### 1. Window Replacement

The first item is the windows on the northwest face of the house (the left side as you face the house). The applicants are proposing to install two windows near the front façade of the house. The Applicants argue that the HPC erred by requiring the replacement windows to be wood without aluminum cladding. They base their appeal on this issue on the assertion that the City’s Preservation Design Manual (the “Design Manual”) does not expressly require that replacement windows be made of the same material as the originals. See Notice of Appeal at 1-2. While the Residential Windows Guidelines in the Design Manual does not expressly deal with the precise situation that we have in this case (i.e., replacement of windows long after they have been removed - and covered up), the Residential Windows section of the Design Manual “strongly discourages” the use of aluminum or vinyl clad windows as replacements for original windows:

## Replacement Windows

Recently, replacement aluminum and vinyl-framed windows have become widely available. Replacement of historic wood windows with these modern windows can greatly harm the integrity of a historic structure and is strongly discouraged. While gridded designs are available in these aluminum and vinyl replacement windows to make them appear to be more “historic,” the gridding is usually sandwiched between panes of glass and not laid out in a historic pattern.

Design Manual at 62 (emphasis added). In addition, Standard No. 6 of the Secretary of the Interior’s Standards provides that:

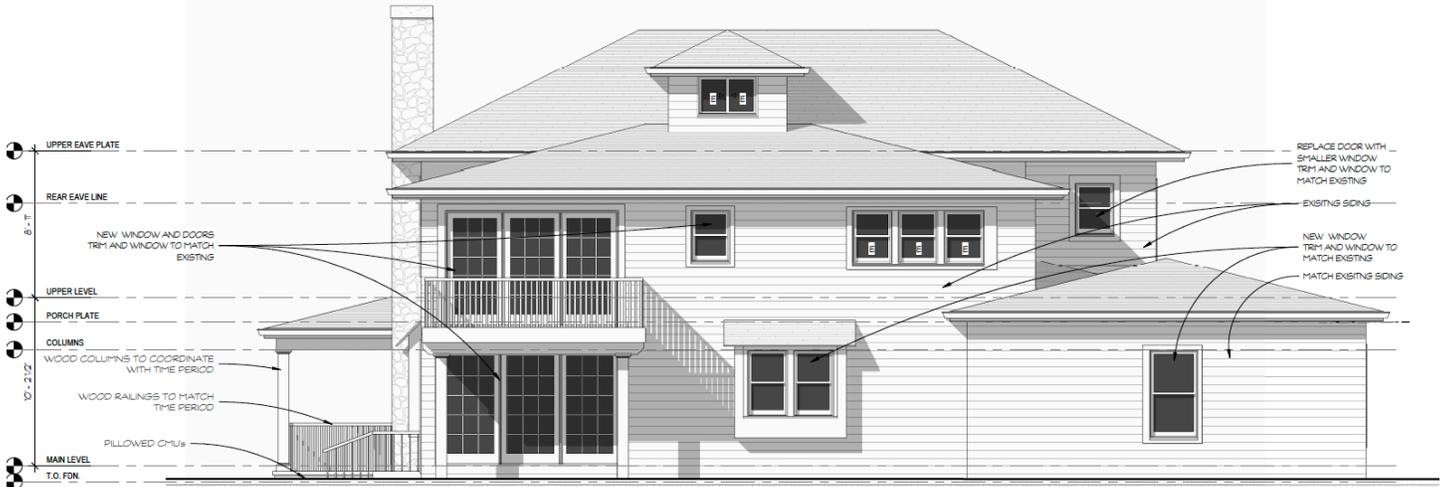
Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old design, color, texture, and other visual qualities and where possible, materials.

Secretary of the Interior’s Standards #6 (in the Design Manual at page 5). Accordingly, it is not surprising that, at the hearing before the HPC, one of the longest serving commissioners said that he could not recall a time when the commission had approved aluminum clad windows on a facade that is visible from the street. It is also worth noting that the commission required the owner of 262 Lake Street to use only wood windows for replacement on the front and front-most sides of the house at the same meeting where one of the Applicants’ applications was considered.

### 2. The Divided Lights

The second item is the divided lights on the doors that will be added to the southeast façade (the right side as you face the house from the street) and to the rear of the house. It is captured best on the images below.





Northeast (rear) Façade

The Applicants assert that the HPC incorrectly determined that the divided lights on the rear and side of the house are a new design element that is not permitted under the guidelines. They point to many instances where different design elements exist on a house. They note that different design elements can and have been determined to be compatible with an existing landmark.

As noted in paragraph 2 of the conclusions of law in Resolution No. 2024-22, the concern was not merely with the introduction of a new design element but with the particular location of the doors with the divided lights immediately adjacent to the diamond divided lights at the rear of the side elevation. This is highlighted in the elevation above which shows the awkwardness of those two design elements next to each other. Per the same design standards that the Applicants point to, this is not compatible with the original design element and the HPC correctly called out that issue. By contrast, there is not nearly the concern with the divided lights on the rear of the house because they are not adjacent to the diamond divided lights and, accordingly, do not detract from that element.

## CONCLUSION

The HPC reasonably determined that the windows on the left front side of the house should not be clad with aluminum and that the doors on the right rear of the house should not have a divided light design that detracts from the historic diamond lights design. They could have added a diamond divided lights or done a window with no division to make it compatible with the adjacent windows but adding the square divided lights in that location renders the new doors incompatible with the existing windows.

**RECOMMENDED ACTION:** Adopt Resolution No. 2024-62 upholding the HPC’s decision in HPC Resolution No. 2024-22.

## Attachments:

- Resolution 2024-62 Denying the Appeal of the HPC’s Decision
- Record before the HPC
- HPC Resolution No. 2024-22
- HPC Resolution No. 2024-14
- HPC Resolution No. 2024-18
- Notice of Appeal

CITY OF EXCELSIOR  
CITY COUNCIL  
RESOLUTION NO. 2025-05

**RESOLUTION PARTIALLY DENYING AND PARTIALLY REMANDING TO THE HERITAGE PRESERVATION COMMISSION THE APPEAL OF THE HERITAGE PRESERVATION COMMISSION'S DECISION DENYING THE ADDITION OF ALUMINUM CLAD WINDOWS ON THE LEFT SIDE OF THE HOUSE AND WINDOWS WITH DIVIDED LIGHTS ON THE RIGHT SIDE OF THE HOUSE AT 217 FIRST STREET AS DOCUMENTED IN HERITAGE PRESERVATION COMMISSION RESOLUTION NO. 2024-22**

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WHEREAS, Rob and Kara Tyler, the owners of 217 First Street, Excelsior, MN 55331, ("Applicants") have applied for a Site Alteration Permit to construct a rear garage, front porch, two windows and remove a brick chimney at 217 First Street; and

WHEREAS, the Heritage Preservation Commission ("HPC") considered Applicant's original application at its meeting on September 24, 2024 and adopted Resolution No. 2024-14 issuing a site alteration permit with conditions; and

WHEREAS, the HPC considered the Applicant's second application on October 29, 2024, for a revised front porch and adopted Resolution 2024-18 issuing a site alteration permit with conditions;

WHEREAS, the HPC considered the Applicant's third site alteration permit application to amend conditions 1-3 of the original Resolution No. 2024-14 at its meeting on November 19, 2024; and

WHEREAS, the HPC met on November 21, 2024, to finalize the documentation of the HPC's consideration on November 19<sup>th</sup> of the Site Alteration Permit application and approved part of the Applicants' application and denied the remainder via adoption of HPC Resolution No. 2024-22; and

WHEREAS, the Applicants appealed the HPC's decision documented in Resolution 2024-22 to the city council per Excelsior City Code § 20-14 within the proper time and the city council held a public hearing regarding the merits of the appeal at its December 16, 2024 meeting.

NOW, THEREFORE, IT IS RESOLVED, that the Applicants' appeal is partially denied and partially remanded to the HPC based on the following:

**FINDINGS OF FACT**

1. Rob and Kara Tyler, owners of 217 First Street, Excelsior, MN 55331 ("Applicants") have applied for a site alteration permit to construct a two-car attached garage, full-width front porch, removal of a brick chimney, replacement of siding, replacement of windows

on the rear and side of the non-historic portion of the house, and install two new windows in their previous location at 217 First Street.

2. The building at 217 First Street is an individually designated Landmark.
3. The City of Excelsior has adopted the *Secretary of the Interior's Guidelines for Rehabilitation* (the "Secretary's Guidelines") and the *City of Excelsior Preservation Design Manual* (the "Design Manual") as reference guidelines for HPC review.
4. The HPC adopted three resolutions regarding this project, Resolution 2024-14, Resolution 2024-18, and the subject Resolution 2024-22, issuing three site alteration permits with conditions.
  4. Resolution 2024-22 includes a Conclusion stating that it shall replace HPC Resolution 2024-14. Resolution 2024-18 shall remain in effect and govern the addition of a front porch to the house.
4. The city council held a public hearing on the Applicants' appeal at its meeting on December 16, 2024, where it heard from the Applicants, staff, and members of the public regarding the appeal.
5. The Applicants seek to reverse the decision of the HPC on two issues both documented in Resolution 2024-22 – (1) the condition that new windows located on the left side of the house near the front façade must be made of wood and may not have aluminum cladding; and (2) the condition that the doors on the right side of the house near the rear elevation may not have divided lights.

#### **CONCLUSIONS OF LAW**

1. The proposed two new windows on the northwest (left) façade of the house are sufficiently close to the front façade to be seen from the public right-of-way and are proposed to be clad with aluminum. They are proposed in a location where today there are no windows, however, historically there were window openings. The proposed windows will match the shape and size of the historic windows. The Design Manual strongly discourages the cladding of replacement windows with vinyl or aluminum and the Secretary of the Interior's Standards for Rehabilitation #6 requires where possible that replacement of a distinctive feature shall match the old materials. Since it is possible here to use wood windows, the appeal is not successful.

2. Three doors with divided lights are proposed at the rear of the right side elevation of the house. The proposed divided lights are square-shaped. Adjacent to the proposed doors on the historic portion of the house, there are windows with a diamond pattern divided light on the upper sash. The proposed divided lights in the new doors do not meet the Secretary of the Interior's Standards for Rehabilitation #9 which requires that new work shall be differentiated from the old and shall be compatible with architectural features to protect the historic integrity of the property. The proposed diamond pattern divided lights will not be differentiated from and will conflict with the existing diamond-shaped divided lights and are therefore not acceptable. Doors in this location with no divided lights, as required by the HPC, would be compatible with the existing historic windows.
3. The Applicant proposed to the city council an alternative divided light pattern for the doors, a hybrid of squares and diamonds, different from the pattern on existing windows. The council considered the alternative and remanded the appeal of the divided lights to the HPC for resolution.

Adopted by the City Council of the City of Excelsior, Minnesota, this day 6<sup>th</sup> day of January 2025.

\_\_\_\_\_  
Gary Ringate, Mayor

ATTEST:

\_\_\_\_\_  
Theresa Bajda, City Clerk

\_\_\_\_\_  
Kristi Luger, City Manager

# Condition 1: New windows where no historic windows remain

*Request: allow use of wood clad windows.*

Location of new windows:

- Secondary elevation
- Set back 62+ ft from property line
- Limited visibility from street (even more limited when vegetation is present on trees)



# Proposed window material: wood clad

Clarification of proposed window material: wood clad (not aluminum or vinyl framed).

Difference:

- The structure of the window is wood; exterior is wrapped with thin layer of aluminum to protect the wood from the elements.
- Proposed windows will be custom-made to match historic grid pattern and profile will be consistent with wood window (underlying structure is wood).

# Condition 1: Excelsior's Design Manual guidance

Excelsior's Design Manual standard for residential windows does not require new windows to match original materials.

## Window Guidelines

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- RW.1 Windows should be preserved and maintained (including lintels, sills, surrounds, pediments, and hoods) in their original location, size, and design, with original materials and numbers of panes. *N/A: speaks to preserving existing original windows.*
- RW.2 If windows are deteriorated beyond repair as determined by a preservation professional, the installation of new windows shall match the original window in design, size, proportion and detail. *Guideline does not require new window to match original in MATERIAL (as is specifically required in RW.1). Guideline speaks to deteriorated existing original window but does not specifically address missing windows.*

Administrative approval available for windows with substitute materials: “Administrative approval may be available for: ... (3) replacement in kind (or substantially in kind) of windows..., including use of compatible substitute materials.” *Design Manual pg. 7*

# Condition 1: Secretary of the Interior's Standard 6

The language of the Secretary of the Interior's Standard 6 cited by HPC in its denial speaks to replacement of deteriorated (existing) distinctive features, not to new windows where original windows are missing:

*“Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old design, color, texture, and other visual qualities and where possible, materials.”*

The National Park Service guidance titled “**Windows that Meet the Standards**” differentiates between treatment of existing windows and missing historic windows.

# Condition 1: Windows that Meet the Standards



## Historic Preservation Tax Incentives

### Replacement Windows that Meet the Standards

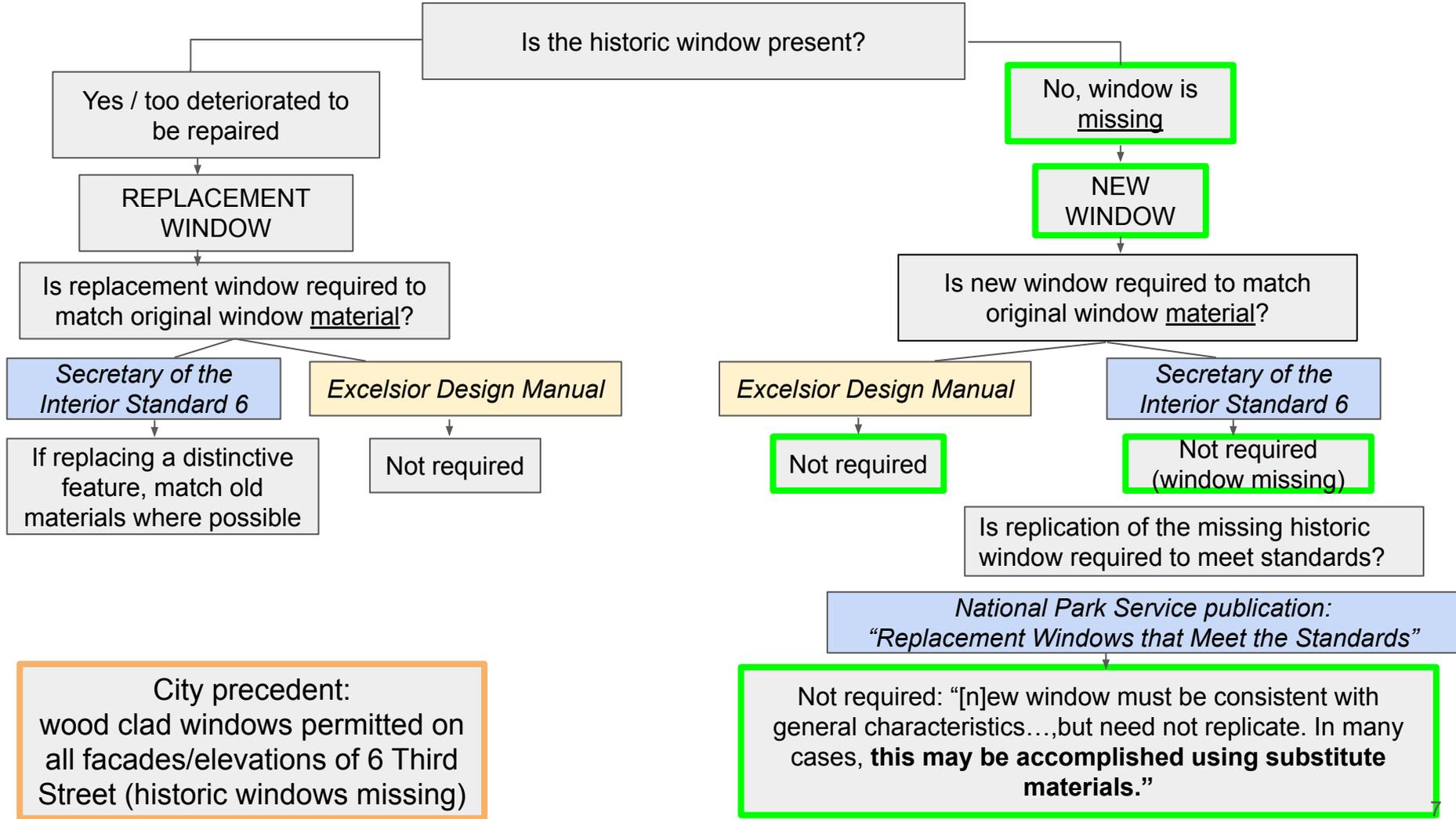
#### Replacement Windows Where No Historic Windows Remain

Replacement windows for missing or non-historic windows must be compatible with the historic appearance and character of the building. Although replacement windows may be based on physical or pictorial documentation, if available, recreation of the missing historic windows is not required to meet the Standards. Replacement of missing or non-historic windows must, however, always fill the original window openings and must be compatible with the overall historic character of the building. The general type of window – industrial steel, wood double-hung, etc. – that is appropriate can usually be determined from the proportions of the openings, and the period and historic function of the building. The appearance of the replacement windows must be consistent with the general characteristics of a historic window of the type and period, but need not replicate the missing historic window. In many cases, this may be accomplished using substitute materials. There may be some additional flexibility with regard to the details of windows on secondary elevations that are not highly visible, consistent with the approach outlined for replacing existing historic windows. Replacing existing incompatible, non-historic windows with similarly incompatible new windows does not meet the Standards.

# Condition 1: Precedent allows wood clad windows where original windows are missing

The city's past precedent likewise demonstrates that wood clad windows are permitted under the Guidelines in the context of new windows where historic windows are missing:

Wood clad windows were permitted on all facades of the Landmark structure at 6 Third Street (historic windows were missing).



## Condition 2: Proposed divided lights on non-historic rear addition

*Request: allow use of divided lights as proposed on non-historic addition.*

Location of proposed windows:

- Secondary elevation
- Set back 88+ ft from front property line
- Limited visibility from street (even more limited when vegetation is present on trees)



# Initial decision based on standard not present in Guidelines

- HPC's initial denial was premised on a standard not present in Guidelines: that introduction of a new design element does not meet the Guidelines.
- The historic preservation consultant's memo advised Commissioners as follows:
  - Applying the guidelines: "The doors feature a new design element that was historically not present on this house."
  - Conclusion: "The proposed divided lights do not meet the guidelines."

Following our subsequent Site Alteration Permit request in which we noted the Guidelines do not prohibit introduction of a new design element, the city attorney confirmed the same: "[n]othing in the Guidelines or the Manual prohibits the introduction of a new design element into an addition to a historic house...."

# Review of initial decision: continued focus on new design element vs. compatibility as a whole; disregarded evidence of historic presence of design

- Consultant's guidance at meeting again focused on introduction of a new design element versus whether elements can be compatible
- Split vote at meeting; resolution reflected different rationale
- What was missed: evaluation of compatibility as a whole; evidence of design element present on property currently and in past; Design Manual guidance toward latitude and flexibility; location of proposed window (secondary elevation 88+ ft back)

Some HPC Commissioners expressed concern over the precedent of applicants returning to HPC to request modifications.

# Historic presence on property shows compatibility



# Taking a step back: Excelsior's Design Manual guiding principles in applying the guidelines

“Rather than infringing on a citizen’s freedom of expression, a historic district ordinance should clearly define the distinct features and characteristics of the community that are important to its citizens. Property owners should then be allowed the greatest latitude of expression, consistent with the criteria identified as necessary to maintain the community’s integrity.” *Design Manual pg 6, Apply the Design Guidelines*

# Excelsior Design Manual - Residential Additions

- RA.2: [Additions] should be of a compatible design in keeping with the original building's design, roof shape, use of materials, color, and location of windows, and cornice heights, etc.
- RA.4: Additions shall appear distinguishable from the historic building, not an exact copy of it. The addition should be...constructed of materials and features compatible with the historic fabric of the house.

***Compatible is not a standard of “preferred” or “more neutral”; it does not require sameness. Compatible = capable of existing together in harmony.***

# Compatibility through lens of allowing “the greatest latitude of expression”

Does the rear addition as designed compromise the community’s historic integrity?

*If no, allow greatest latitude of expression.*

Does the rear addition as designed damage the integrity of the historic resource?

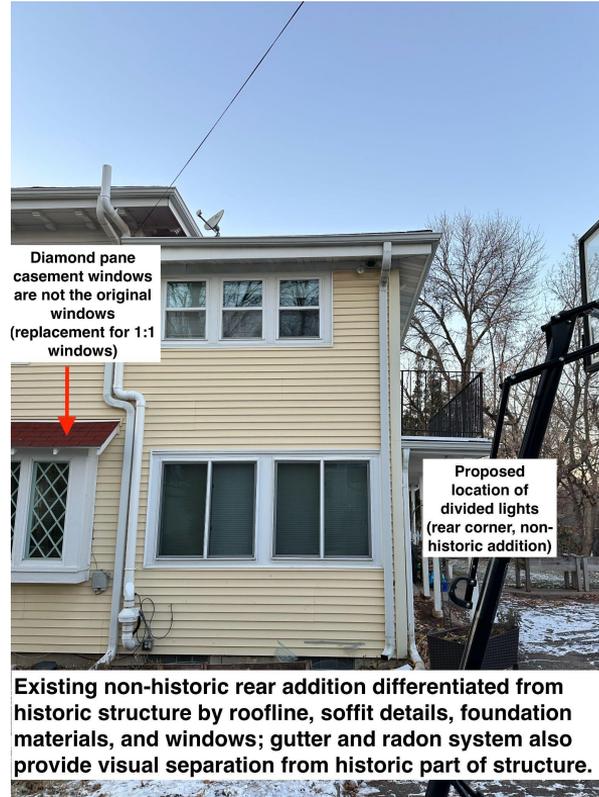
*If no, allow greatest latitude of expression.*



# Compatibility cont'd

Is the rear addition as designed capable of existing in harmony with the historic structure?

*If yes, allow greatest latitude of expression.*



## Compatibility: historic presence on property

The proposed windows are compatible: square divided lights and diamond divided lights, including in close proximity, are already present on property both now and long ago.

Contrast with the full single-pane doors/windows consultant has deemed acceptable: no full-pane, full-height doors or windows present on property now or historically.



# Compatibility: precedent and prevalence in Landmarks

- Different design elements in close proximity - including significantly different styles as a whole - have been deemed compatible (see pg 5).
- Landmark and other historic properties regularly include mixed design elements in close proximity (see pg 6-7)

# Alternative



If council finds divided lights as proposed do not meet guidelines, we request Council consider the following alternate compatible design that *references*, but do not *duplicate*, historic windows.

# Alternate divided light design for consideration



# MEMORANDUM

**Re:** Item 5(c) – 217 First Street SAP Application

**Date:** November 19, 2024

Kevin Staunton, City Attorney/Assistant City

**To:** Heritage Preservation Commission

**From:** Manager,

**60/120 Day Deadlines:** December 26, 2024/February 24, 2024

## Background and Application

Rob and Kara Tyler (“Applicant”), owners of 217 1<sup>st</sup> Street, Excelsior, MN 55331, have applied for a third site alteration permit. This application is essentially requesting that the commission modify 3 conditions included in HPC Resolution No. 2024-14 and 2024-18 (both attached hereto) to permit (1) the new windows going into the left (north) side of the building be wood windows with aluminum cladding; (2) the windows on the right side (south) and rear (east) side of the existing house to have square divided lights instead of diamond divided lights; and (3) the use of fiber cement lap siding with a 4” exposure on the existing non-historic rear addition and new garage addition.

This is the third application by the Tylers. The first application was made in August and considered by the commission at its September meeting. It resulted in the adoption of Resolution 2024-14. The second application was a follow up to the first application to consider the front porch proposed by the Tylers. It resulted in the approval of an expansion of the portico on the front of the house and was considered by the commission at its October meeting. It resulted in the adoption of Resolution No. 2024-18. The Tylers’ third application now seeks to modify the first three conditions in Resolution No. 2024-14.

## Summary of Request and Analysis

### Condition #1

#### A. Summary

The first condition is as follows:

New Windows. The final detail/construction drawings for the two new west windows must be submitted to HPC staff for review and approval. Windows should be wood and have the diamond divided light pattern at the upper sash.

The request is to permit these windows to be clad in aluminum on the outside. The applicable provisions of the Design Manual are found at pages 62-63 with the Guidelines on page 63 and have been attached at Exhibit 1. The window provisions make it clear that original windows should be retained and repaired to the extent possible and that window openings should not be modified. In this case, the original windows were removed and the openings were boarded up and sided over before the applicants purchased the property. The openings have been found behind the siding and will not be modified. The windows that will be put into the openings are not original; accordingly, the issue is whether they must be made of wood or if they can be clad on the exterior with aluminum.

## B. Analysis

The windows being proposed are new and, unfortunately, the original windows were removed and disposed of many years ago. Accordingly, the requirements of RW.1 and RW.2 are not applicable in this case. While it would be desirable to have the new windows be wood (and we encourage the Applicants to use wood windows if they can), the windows are not on the primary façade of the structure or on a secondary facade that is visible from the street (RW.5) and are at least in the original openings (RW.4). Accordingly, staff recommends that this modification be permitted.

### Condition #2

#### A. Summary

The second condition is as follows:

Modifications to rear of the house. Demolition plans and elevations for the non-historic rear addition must be submitted to HPC staff for final review. Detail/construction drawings of the doors and windows without divided lights and rear railing must be submitted for HPC staff review and approval before construction begins.

The request is to permit the windows on the rear and the side of the house to have divided lights that have a square pattern rather than the diamond-pattern that exists on most of the original windows on the house. The applicants argue that this change is justified because (1) the Guidelines support greatest latitude of expression and allow flexibility, (2) the square pattern ensures that there will not be a risk of creating false history, (3) the windows with these patterns are located on the rear and at the rear-most portion of a side (secondary) elevation, (4) the square pattern design already exists on the front door to the home and in the room where these doors are side elevation divided lights are proposed to be placed, and (5) the inside of the room where the doors to the side elevation are being added already has square divided lights on french doors in that room and requiring no pattern on that elevation would leave those doors looking out of place from the interior.

#### B. Analysis

Residential window guidelines are found at pages 62-63 of the Manual. See Exhibit 1. Guidelines governing Residential Additions to Historic Buildings are found at page 69 of the Manual. See Exhibit 2 (attached hereto). There is nothing directly commenting on the divided lights in the upper sashes of windows. But there are several places that speak to the issue. While there is language in the Manual that provides, as the applicants point out, that flexibility is important in applying the rules and that there should be ways to avoid creating false history by distinguishing new additions from the historic portion of a Landmark house. There is also language that suggests that new materials should be compatible with the existing historic materials and design elements so as not to detract for the historic features of a structure. See Guidelines RA.2 and 3. And, while it is true that nothing in the Guidelines or Manual prohibits the introduction of new design elements into an addition to a historic house, the question in this case is whether the divided lights on the windows that the applicants are proposing is compatible with the diamond pattern found throughout the front facade and much of the most visible side façade.

The resolution adopted by the commission in September calls for no division as a less distracting, more compatible way to distinguish from the predominant diamond pattern of divided lights on the window sashes of the house. If the commission determines that the square divided lights are compatible with the diamond pattern, it can certainly permit them. But, if there is a determination that the square pattern is incompatible with the diamond pattern – either throughout the house or on a particular façade, it can certainly conclude that a blank pattern (as was called for by Resolution No. 2024-14) is required.

### Condition #3

#### A. Summary

The third condition is as follows:

Siding. The applicant must review the condition of the historic siding with HPC staff. Replacement or covering of historic siding is not approved. The type and dimensions of siding to be used on the house shall be determined after current vinyl siding is removed as part of the demolition to get ready for the garage addition and the modifications to the rear of the house. The applicant shall explore with staff the potential for any original siding to be salvaged before the new siding is placed on the house and return to the commission for approval of the type and dimensions of the siding to be added.

The request is to permit fiber cement lap siding with a 4” exposure on the existing non-historic rear addition and new garage addition. The applicants argue that this is consistent with the Guidelines because (1) the current siding on the front facade of the home is fiber cement, and (2) the siding on the entire house is a horizontal lap style with a 4-inch exposure (with materials that are not original). The applicants cite documents from a 2001 site alteration permit application that suggest that a determination was previously made that the siding under the vinyl on the side and rear of the structure was in poor enough condition that it was not salvageable.

#### B. Analysis

The most directly applicable section of the Design Manual is found at pages 56-57 of the Design Manual. This section (attached hereto at Exhibit 3) provides that wood siding should not be removed or resurfaced with non-wood materials on any residential structures that are designated as Landmarks. (See RWE.1-3). The Manual also notes that, “In any repair or replacement of wood siding, the distinctive wood features should be retained, or if necessary replaced with matching wood elements.” (See RWE.4). Although not directly applicable to Landmarks outside of the Historic District, the Manual also provides that, “Fiber cement planking may be used to replace highly deteriorated wood siding on secondary elevations of masonry buildings and all elevations of residential buildings in the historic district.” In addition, the Manual provides that, “Synthetic siding should be removed in the course of maintenance and improvements to properties.” (See Guideline GMe.6. at page 22).

There is a question about whether there is viable wood siding under the vinyl that remains on the house. And, even if there is viable wood siding under the vinyl, requiring it to be replaced on the secondary facades would not make sense in this case given that the house already has cement fiberboard siding on its front façade. With the Manual’s clear antipathy toward vinyl siding, it may make sense to permit removal of the vinyl siding so that it can be replaced by cement fiberboard siding. If the commission finds that the value of removing the vinyl siding exceeds the potential value of finding some original wood under the vinyl siding on facades other than the front façade, it could determine that cement fiberboard should be used on the remaining facades of the house.

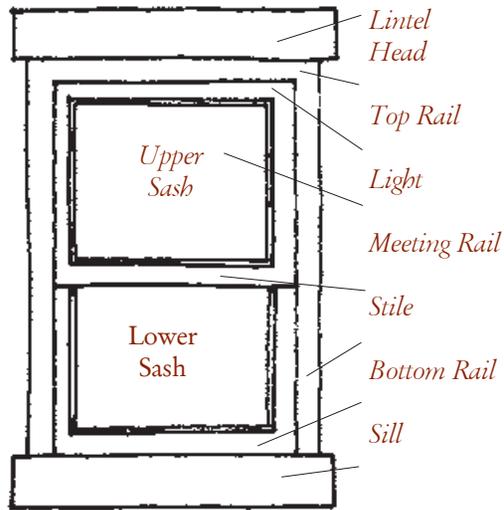
#### **Attachments:**

- Draft HPC Resolution No. 2024-21 Approving a Site Alteration Permit to permit modifications to the requirements of HPC Resolution No. 2024-14 (to be sent separately)
- SAP Application and Narrative.
- Exhibits 1-3 – Excerpts from the Design Manual

- HPC Resolution No. 2024-14 Approving a Site Alteration Permit with conditions for the construction of a front porch and rear garage
- HPC Resolution No. 2024-18 Approving a Site Alteration Permit to retain and construct a new front porch at 217 First Street

**Recommended Commission Action:** Consider the arguments presented by the applicants and either reject the request, approve the draft resolution, or modify it in some way.

# EXHIBIT 1



**Sash Window**

## Residential Windows

The pattern of windows, doors, and other openings on the facade of a historic structure strongly defines its character through their shape, size, construction, arrangement, and profile. Changing these can have a negative impact on the historic integrity of structure. Windows in historic houses were generally wood sash, although wood casement windows are common in Craftsman residences, and steel casement windows can be found in buildings constructed around World War II.

Many of the historic windows of residential structures in Excelsior have double-hung sash and a vertical orientation. Windows are important design elements and establish the visual rhythm, balance, and general character of the facade. Any alteration, including removal of moldings or changes in window size or type, can have a significant and often detrimental effect on the appearance of the building as well as on the surrounding streetscape.

Maintaining historic windows and doors often makes good economic sense, as they were typically better constructed than modern windows and have a much longer life span. Preservation of historic windows is also a much more sustainable choice than replacement. The replacement of historic windows or components including glass should be considered only as the last alternative.

If you are thinking about replacing your historic windows or doors, please consult a preservation-sensitive contractor or repairperson for suggestions on simple, inexpensive repairs which might extend their useful life.

## Replacement Windows

Recently, replacement aluminum and vinyl-framed windows have become widely available. Replacement of historic wood windows with these modern windows can greatly harm the integrity of a historic structure and is strongly discouraged. While gridded designs are available in these aluminum and vinyl replacement windows to make them appear to be more “historic,” the gridding is usually sandwiched between panes of glass and not laid out in a historic pattern.

## Storm Window

If combination metal storms are installed, they should have a baked-enamel finish. Storm windows should not have vertical or horizontal divisions which conflict with the divisions of the original sash. The installation of storm windows can help in lowering energy costs and are appropriate for older dwellings. Storm windows should be full-view design or have the central meeting rail at the same location as the historic window behind it. Windows of dark anodized aluminum or baked enamel are preferred to those of “raw” mill finish or shiny aluminum.

## Storm Window Suggestions

*Storm windows may be desirable for energy conservation. An exterior storm window can also serve to protect older wooden sashes. They should conform with the size and shape of the existing sash and be painted to match as well.*

## Window Guidelines

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- RW.1 Windows should be preserved and maintained (including lintels, sills, surrounds, pediments, and hoods) in their original location, size, and design, with original materials and numbers of panes.
- RW.2 If windows are deteriorated beyond repair as determined by a preservation professional, the installation of new windows shall match the original window in design, size, proportion and detail.
- RW.3 If only one or two windows on the main elevation of the house are deteriorated, and need to be replaced, consider moving good-condition windows of like size and design from secondary elevations to the more prominent facade.
- RW.4 Original window openings should not be covered, concealed, or down-sized to accommodate the addition of smaller, stock replacement windows.
- RW.5 New windows should not be added to primary facades or to secondary facades where visible from the street.
- RW.6 Original wood storm windows and screens should be preserved and maintained.
- RW.7 Wood-framed screens are an important component of wood-framed windows and should be used instead of the commonly available aluminum. Steel-framed screens should be used with steel-framed casement windows.
- RW.8 The addition of window screens and/or storm windows to historic windows is appropriate if the units are full-view design or have a central meeting rail to match the historic window.
- RW.9 Some mid-century and later homes were designed with metal windows. In those cases, original metal windows should be preserved and maintained, or replaced with new metal windows which are similar in appearance and materials.
- RW.10 Crank-out units should not be used to replace original double-hung sash units, particularly where visible from the public way.
- RW.11 Shutters should not be affixed to buildings not originally designed for them.
- RW.12 If there is documentation, and often remaining hardware, operable wood shutters may be mounted to the window casing.

### References

**The following publications contain more detailed information about windows.**

*Preservation Brief #3—Conserving Energy in Historic Buildings*

*Preservation Brief #9—The Repair of Historic Wooden Windows*

*Preservation Brief #10—Exterior Paint Problems on Historic Woodwork*

*Preservation Brief #33—The Preservation and Repair of Historic Stained and Leaded Glass*

## EXHIBIT 2



*An appropriate addition should complement the historic architecture with compatible siding, window size and rhythm, and roof treatment. Garage doors may be added to the back facade of a side addition.*



*Avoid the use of incompatible and multiple siding treatments and roof profiles. Also, avoid using windows that are not compatible with the original windows in size, pattern and type. Garage doors should not appear on the front facades of historic homes—unless it is a replacement door on a mid-century design that originally incorporated a front garage entry.*

### Residential Additions to Historic Buildings

Our homes should be able to adapt to the needs of each generation of occupants and this may include adding additional living space. However, with historic properties, any change in the footprint or profile of the structure should be designed to have minimal impact on the major “public” elevations. Nothing can alter the appearance of a historic structure more quickly than an ill-conceived addition. Additions cannot only radically change the appearance of a structure, but can also result in the destruction of much significant historic material in the original structure. Careful planning of additions will allow for the adaptation of historic structures to the demands of the current owner, while preserving historic character and materials.

In planning additions the best approach is to place additions where they are not visible from the street, or where they will have the least negative effect on the building’s overall form and plan. The backs of buildings are the best locations for the addition of rooms, wings, porches, or decks.

### Addition Guidelines

- RA.1 Additions shall be located at the rear or least character defining elevation of the historic structure.
- RA.2 They should be of a compatible design in keeping with the original building’s design, roof shape, use of materials, color, and location of windows, and cornice heights, etc.
- RA.3 While being compatible, additions should remain simple and not imitate an earlier historic style or architectural period. For example, a Queen Anne style rear porch addition would not be appropriate for a 1920s Craftsman/Bungalow house.
- RA.4 Additions shall appear distinguishable from the historic building, not an exact copy of it. That addition should be set back from the front-facade plane, be smaller in mass, and be constructed of materials and features compatible with the historic fabric of the house.
- RA.5 Character-defining architectural features, as well as significant landscape features and views should not be removed, damaged or hidden by new additions.
- RA.6 If an addition necessitates the removal of architectural materials, such as siding, windows, doors, decorative elements, and the like, these should be carefully removed and reused in the addition where possible.
- RA.7 Secondary entryways are generally discouraged on front-facing additions.

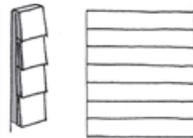


## Exterior Wall Materials and Finishes

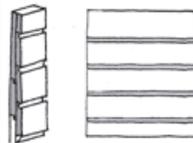
### Residential Wood Elements

In Minnesota, and throughout most of the country, wood is the most commonly used material for residential architecture. Wood is a highly durable material that, if maintained properly, will provide a long and useful life. Wood elements include clapboards, shingles, cornices, brackets, columns and balustrades. These wood features are important in defining the historic character of the building, and their retention, protection, and repair are of particular importance in rehabilitation projects.

The most common wood siding is known as clapboard, consisting of long horizontal boards that are nailed to the building's frame from the ground up. Only the tops of the boards are nailed, and the bottom of each board covered the top of the course below it. This method of nailing helps the siding to shed water. The exposed width of each clapboard (the "reveal") is an important characteristic of each individual building.



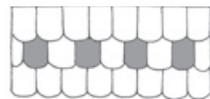
*Clapboard Siding*



*Weatherboard Siding*



*Diamond Shingles*



*Fish-Scale Shingles*

*Contrary to many manufacturer's claims, artificial siding will not significantly increase energy efficiency. The primary sources of a building's energy losses are doors, roofs, and windows. Attic insulation, weatherstripping, and storm windows are much less expensive than new siding, and they provide a higher rate of energy efficiency.*

### References

Additional information on wood surface preparation and painting, and wood replacement can be found in **BUILDING MATERIALS: WOOD** page 18 and **GENERAL WOOD GUIDELINES** page 21.

The following publications contain more detailed information about wood and siding.

*Preservation Brief #8—Aluminum and Vinyl Siding on Historic Buildings*

*Preservation Brief #10—Exterior Paint and Problems on Historic Woodwork*

*Preservation Brief #37—Appropriate Methods for Reducing Lead-Paint Hazards in Historic Housing*

*Respectful Rehabilitation—Answers to Your Questions About Old Buildings* by the Preservation Press, Washington D.C.

## Residential Wood Siding Guidelines

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- RWE.1 Wood siding should be maintained with paint or stain.
- RWE.2 Original wood siding should not be resurfaced with shingles, brick, stucco, artificial stone, brick veneer, vinyl or aluminum siding.
- RWE.3 Wood siding that has deteriorated beyond repair should be replaced only with new material resembling the original in width, thickness, profile, and texture. Residing should be restricted to only that area needing replacement.
- RWE.4 In any repair or replacement of wood siding, the distinctive wood features should be retained, or if necessary replaced with matching wood elements.

## Residential Wood Wall Shingle Guidelines

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- RWE.5 Original wood wall shingles should be repaired rather than replaced.
- RWE.6 If replacement is necessary due to deterioration, the new shingles should match the original in size, placement, texture and design.

## Residential Wood Maintenance Guidelines

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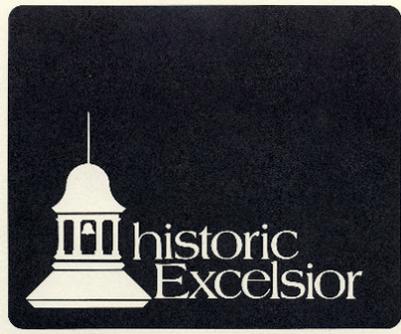
- RWE.7 Wood should be periodically checked for soft or rotted elements, splits, and insect infestation.
- RWE.8 Cracked wood can often be repaired with waterproof glue or plastic wood. Large cracks may be filled with caulk followed by putty or plastic wood. The surface should then be sanded, allowed to dry, and painted.
- RWE.9 All exposed wood should be kept painted or treated with preservatives.
- RWE.10 Use paints (oil or latex) consistent with the existing paint surface for exterior siding.
- RWE.11 Trees, shrubs, and other plants should be kept well away from the wood above the foundation to prevent damage from moisture and root movement.

## Residential Masonry Elements

Next to wood construction, brick is the second most popular construction material in Excelsior's older residential neighborhoods. Brick, stone, and stucco are widely used as exterior-finish materials. Locally manufactured brick are common materials found in Minnesota's historic homes. Early brick was hand-formed and fired from local clays. Later brick, especially that from the 20th century, was commercially made, more regularly formed and harder. When replacing brick, try to match the original as closely as possible.



*Turn-of-the-century photograph of laborers at a southern central Minnesota brickyard.*



City of Excelsior

339 Third Street, Excelsior, MN 55331

Telephone: 952-474-5233 Email:

**APPLICATION FOR A SITE ALTERATION PERMIT**

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Authority to file application:

- Ownership
- Tenant
- Other \_\_\_\_\_

If not Owner, Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Project Address: \_\_\_\_\_

Do you have an architect/engineer or other designer for this project?

- Yes
- No

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Attach the following materials for all applications:

- A current photograph of the exterior sides of the building (or site) where work will take place.
- A scaled elevation drawing of the sides of the building illustrating the work to be performed.
- A scaled site plan (for any site changes).



**HERITAGE PRESERVATION COMMISSION**  
**Site Alteration Permit Checklist**

NATURE OF SITE ALTERATION (check all that apply):

- SIGNAGE (Complete Section 1 below)
- CHANGES IN MATERIAL OR ADDITIONS (Complete Section 2 below)
- NEW CONSTRUCTION (Complete Section 3 below)
- DEMOLITION (Complete Section 4 below)
- RELOCATION OF STRUCTURE (Complete Section 5 below)
- LANDSCAPE OR PARKING ALTERATIONS (Complete Section 6 below)

I. SIGNS AND AWNINGS:

- Dimensional elevation drawn to scale identifying materials, colors, and lettering style.  
 Include height, width and depth.
- Description of any proposed lighting.
- Description of location.

For wall sign, show how and where it will be attached. For free-standing sign, show height measured from the existing and proposed grade and site plan with sign location and dimensions from property lines and dimensions from structures on lot.

2. CHANGES IN MATERIAL AND ADDITIONS:

- Scaled elevation drawing indicating proposed alterations. Minimum scale 1/4" = 1'0".  
 Color scale rendering is required for major alterations (those requiring City Design Standards approval). Include door and window design when proposed to be altered. Manufacturer's catalog data must be used, if applicable.
- Description of all exterior materials and colors.  
 Include all proposed materials samples and paint chips of proposed colors.
- Site plan showing dimensions of lot and location and dimensions of existing structures on lot.  
 Include location and dimensions of all proposed additions.
- Photographs of existing conditions from all elevations.  
 Historic photographs should accompany any request to return a structure to an earlier historic appearance.

3. NEW CONSTRUCTION:

- Scaled elevation drawing showing all sides and dimensions. Minimum scale 1/4" = 1'0".  
 Color scale rendering is required for all new construction. Include door and window design and description of all exterior design elements. Manufacturer's catalog data must be used, if applicable.

- Elevation drawings to scale showing relationship to height and massing of adjacent structures.
- Photographs of proposed site and adjoining properties.
- Site plan including building footprint and all landscape and parking features.
- Elevation drawings and material and color details for exterior features.  
Include roofs, steps, doors, windows, siding, porches, foundations, walls, etc.
- Scale model may be required for major construction, as determined by the HPC.

4. DEMOLITION:

- Justification for proposed demolition.  
Provide documentation that a building classified as historic is incapable of earning any economic return on its value as appraised by a qualified real estate appraiser. Provide proof that all reasonable alternatives for re-use and restoration have been exhausted.
- Proposed use of site after demolition.  
Include plans and construction schedule for proposed structures and evidence of compatibility with all zoning and comprehensive plan requirements. Plans must demonstrate compatibility with adjacent historic structures or sites.
- Photographs of all structures to be demolished.

5. RELOCATION OF STRUCTURE:

- Photograph of existing structure on existing site.
- Photograph of proposed site and map of location.
- Reasons for request to move structure.  
Information for relocations shall be the same as demolition (for the removal of a structure from a historic site or district) and new construction (for the relocation of a structure to a site within a historic site or district).

6. LANDSCAPE AND PARKING ALTERATIONS:

- Site plan showing location and layout.
- Description or depiction of materials, dimensions and design.  
Include location and type of vegetation.
- Photograph of affected areas of site.

Procedure for Review of Site Alteration Permits

The application for a Site Alteration Permit, completed checklist and all supporting information must be received **no later than 21 calendar days** prior to the Heritage Preservation Commission meeting. Incomplete applications will not be reviewed by the Commission. The Heritage Preservation Commission normally meets the fourth Tuesday in each month. Applicants are strongly encouraged to attend the meeting.

Decisions of the Heritage Preservation Commission may be appealed by filing notice with the City Clerk within 10 business days following the meeting.

The Site Alteration Permit does not relieve the property owner from the responsibility of obtaining any other required permits. Building permits and other permits may be required even if a Site Alteration Permit is not required. For more information, please contact Excelsior City Hall.

NOTICE TO PERSONS COMPLETING THIS FORM

Please be advised that the information requested in this application is sought for the purpose of evaluating your request.

Any information you submit with this application may be made available to various City employees, City officials, members of City boards or commissions, and the public.

You may refuse to provide any of the information requested but that refusal may limit the City's ability to act on your request or result in the denial of that request. If you believe that any information you are providing constitutes private or confidential data under the Minnesota Government Data Practice Act and you want to limit the dissemination of that data, please contact the City Manager prior to submitting that information to discuss whether dissemination of that data may be limited.

Please sign and date below and return with your application as confirmation that you were provided with this Notice.

---

Signature

Date

**City Staff Use Only:**

Downtown Historic District:

- Contributing
- Non-contributing

Designated Historic Site No. \_\_\_\_

Type of Alteration:

- Major change in materials/addition (subject to Design Standards review)
- Minor change in materials/addition (not subject to Design Standards review)
- New construction/relocation
- Landscape/parking alterations
- Demolition/relocation
- Signage/awning (Sign permit must also be filed)

Current Zoning: R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4 B-5 P Other : \_\_\_\_

Application deemed complete on \_\_\_\_\_ by \_\_\_\_\_

**Heritage Preservation Commission Action:**

On \_\_\_\_\_, the action requested in the foregoing application was:

- Approved

Conditions:

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- Disapproved

Reasons:

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City Council Determination on Appeal of HPC Action:

On \_\_\_\_\_, the City Council took the following action on the appeal:

- Sustained HPC Action
- Overturned HPC Action

## Site Alteration Permit Application narrative for November 2024 HPC meeting 217 First Street

This Site Application Permit (SAP) request is submitted to request modification of conditions set forth in resolution no. 2024-14.

### Resolution 2024-14:

**(1) Condition 1, New Windows.** We request that new windows on secondary elevation be permitted to be wood OR wood clad. The Design Manual Guidelines do not require new windows be of the same material as original windows.

#### Window Guidelines

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- RW.1 Windows should be preserved and maintained (including lintels, sills, surrounds, pediments, and hoods) in their original location, size, and design, with original materials and numbers of panes.
- RW.2 If windows are deteriorated beyond repair as determined by a preservation professional, the installation of new windows shall match the original window in design, size, proportion and detail.

As illustrated above, Guideline RW.2 provides that “the installation of new windows shall match the original window in design, size, proportion and detail” but does not require it be the same *material*. This is consistent with guidance we received in 2019 when initially pursuing adding back windows to this elevation. The windows are located on a secondary elevation that is less visible from the street, and the home itself is set back 62’ from the street.

**(2) Condition 2, Modifications to rear of house.** We request reconsideration of the originally proposed divided lights on the non-historic existing rear addition.

*Guidelines support greatest latitude of expression and allow flexibility.* The Guidelines (at page 6, in paragraph titled Apply the Design Guidelines) notes that “Rather than infringing on a citizen’s freedom of expression, a historic district ordinance should clearly define the distinct features and characteristics of the community that are important to its citizens. Property owners should then be allowed *the greatest latitude of expression*, consistent with the criteria identified as necessary to maintain the community’s integrity.”

#### **Apply the Design Guidelines**

This design manual is intended to illustrate the kinds of renovation approaches and details most likely to require Heritage Preservation Commission (HPC) approval. The HPC and the City will be able to give additional guidance in special situations. Remember that the goal is to promote and to preserve the historic character of the Downtown Historic District and the individual Landmarks.

Architecture represents local values and identity. The preservation of this cultural context, including its historic land use patterns, maintains the ties that bind people to places. The social consequences of expression, therefore, are very much in the public interest. The law, however, cannot create beauty nor guarantee that others will do so. Rather than infringing on a citizen’s freedom of expression, a historic district ordinance should clearly define the distinct features and characteristics of the community that are important to its citizens. Property owners should then be allowed the greatest latitude of expression, consistent with the criteria identified as necessary to maintain the community’s integrity.

The HPC does not seek to prevent change. Change is expected and reinvestment in the community’s historic buildings and districts is encouraged. These guidelines are designed to help accommodate change so that modifications enhance the unique character of the historic resource and so that those features that are a significant part of the property’s and Excelsior’s heritage are preserved.

The Guidelines also state (at page 13, under Flexibility of Design Review) that “Retaining as much of a building’s original fabric as possible is a key principle for preservation in Excelsior; however, *some degree of flexibility in making alterations may be considered, especially when the alterations will continue the usefulness of the historic resource. Such flexibility in the decisions are based on the significance of the property and how the alteration will affect the integrity of the historic resource.*” Use of divided lights at the rear corner of this secondary elevation will not damage the integrity of the historic resource.

*Guidelines do not prohibit introduction of a new design element.* The Guidelines do not prohibit introduction of a new design element, and in fact would seem to require introduction of a new design element if additions should be distinguishable, not an exact copy (RA.4). Any window style (other than a duplicate of an existing window) would necessarily introduce a new design element. Differentiated window styles on non-historic additions can *and have been* deemed compatible under the Guidelines.

- RA.4 Additions shall appear distinguishable from the historic building, not an exact copy of it. That addition should be set back from the front-facade plane, be smaller in mass, and be constructed of materials and features compatible with the historic fabric of the house.



Recently approved addition to Landmark property with new design elements not historically present

*No false history.* The risk of creating a false history is minimal, as the existing non-historic addition is clearly distinguishable from the original structure in height, soffit detailing, and size/pattern of window and door openings. Square divided lights are also frequently used in new, modern construction projects and are not exclusively associated with a narrowly defined period of years.

*Proposed windows are on non-historic addition and located at the rear and far back corner of a secondary elevation of such addition.* The proposed windows are minimally visible from the street and are located more than 80 feet from the front property line. Allowing the proposed divided lights on the non-historic addition in this minimally visible location will not damage the historic character of the home.

*Design element is already present on the Landmark parcel and in the home, and has also been present in the past.* The design element is already present in our home (French doors to room where divided lights are proposed) and on our parcel (cottage located approx 30 feet from addition), and the original structure itself has in the past had the same or similar square divided light pattern on the front door of the home as evidenced by photographs.

Existing French doors in our home have the proposed divided light pattern, and the new proposed doors are intended to continue the pattern within this room. Full pane windows would be inconsistent with current interior doors and the cottage design (visible from and proximate to

the proposed windows) and would introduce a new design element with no connection to anything.



*Functional, use-oriented reasons for use of proposed divided lights.* As we noted at the September HPC meeting, the divided lights as proposed offer a degree of visual privacy (breaking up an uninterrupted, full and direct view into our home from the nearby alley) while still allowing full light to travel into our home. Window treatments are not a reasonable substitute because window treatments obscure the window entirely and necessarily reduce light entering the home, versus merely providing visual interruption of an otherwise full and direct view.

**(3) Condition 3, Siding.** We request that the SAP be modified to reflect approval of fiber cement lap siding with a 4” exposure on the existing non-historic rear addition and new garage addition.

*The historic siding dimension is known.* As we noted at the September HPC meeting, a 2001 SAP application for the property addressed removal and replacement of deteriorated siding. City staff’s notes on the SAP indicate that the historic siding was horizontal lap siding with 4” exposure, and the homeowner was directed to reinstall the same or “another approved material consistent”. Current materials (fiber cement on the front facade and vinyl on all other facades) are all 4” exposure.



National Park Service Preservation Brief 8, in place during the 2001-2003 period in question, stated that: “For historic residential buildings, aluminum or vinyl siding may be an acceptable alternative only if (1) the existing siding is so deteriorated or damaged that it cannot be repaired...”, so it appears that the then-owner’s use of vinyl was considered an appropriate treatment at the time if original siding was beyond repair.

See 2001 SAP application with city staff notations on the following page.

APPLICATION FOR A SITE ALTERATION PERMIT

Date Received: JULY 10, 2001

1. Name of Applicant: CHARLES S. THOMSON Phone: 474-4693

2. Address of Applicant: 217 FIRST STREET

3. Name of Owner: ~~CHARLES S. THOMSON~~ PARLYN L. THOMSON TRUST Phone: 474-4693

4. Address of Owner: 217 FIRST STREET

5. Address of Property: 217 FIRST STREET

6. Legal Description: \_\_\_\_\_

7. Present Zoning: R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4 B-5

8. Nature of Alteration (check all that apply):

New Construction \_\_\_\_\_ : Complete Section 1

Renovation (exterior alteration, addition) X : Complete Section 2

Demolition (full or partial) \_\_\_\_\_ : Complete Section 3

SECTION 1: NEW CONSTRUCTION

Describe each building and auxiliary or other structure to be constructed on the site (use separate sheet if necessary):

looks like stress from the street  
remove old siding and replace - leaking air and water  
top of siding, 2 1/8" plywood, painted, preserved and caulked

City of Excelsior  
Application for Site Alteration Permit  
Page 4

*ordinance - 1905 siding  
Hennepin  
log siding - 4" exposure  
vapor barrier*

HERITAGE PRESERVATION ACTION

On 17 July 2001, the action requested in the foregoing application was:

1. Recommended for approval: Yes  No \_\_\_\_\_ *horizontal,*

Recommended conditions: *prime log siding to be eventually reinstalled (4" exposure within 3 years - ~~to 31st Sept~~ 07-01-03 completed, or other approved material consistent*  
Recommended disapproval for the following reasons: \_\_\_\_\_

*100 ft  
Anniversary  
metal original  
4' x 8' log siding*

CITY COUNCIL DETERMINATION ON APPEAL  
OF HERITAGE PRESERVATION COMMISSION DETERMINATION

On \_\_\_\_\_, the City Council took the following action on the appeal:

1. Recommended approval subject to the following conditions: \_\_\_\_\_

2. Disapproved for the following reasons: \_\_\_\_\_

City of Excelsior  
Heritage Preservation Commission  
Resolution No. 2024-22

A Resolution Amending Approval of a Site Alteration Permit  
to Construct a Rear Garage and Modify the Non-Historic Rear Side  
of the House, Install Two New Windows, Replace Siding,  
Remove a Chimney and add a New Front Porch at 217 First Street

---

WHEREAS, Rob and Kara Tyler, the owners of 217 First Street, Excelsior, MN 55331, (“Applicant”) have applied for a Site Alteration Permit to construct a rear garage, front porch, two windows and remove a brick chimney at 217 First Street; and

WHEREAS, the Heritage Preservation Commission (“HPC”) considered Applicant’s original application at its meeting on September 24, 2024 and adopted Resolution No. 2024-14 issuing a site alteration permit with conditions; and

WHEREAS, the Heritage Preservation Commission (“HPC”) considered Applicant’s current application (which seeks to amend conditions 1-3 of the original Resolution No. 2024-14) at its meeting on November 19, 2024; and

WHEREAS, the HPC met on November 21, 2024 to finalize the documentation (by adoption of this resolution) of the HPC’s consideration of the Site Alteration Permit application dated November 7, 2024.

NOW, THEREFORE, IT IS RESOLVED, that the Applicant is hereby approved a Site Alteration Permit with conditions to clarify the conditions originally included in Resolution No. 2024-14 based on the following:

**FINDINGS OF FACT**

1. Rob and Kara Tyler, owners of 217 First Street, Excelsior, MN 55331 (“Applicant”) have applied for a site alteration permit to construct a two-car attached garage, full-width front porch, removal of a brick chimney, replacement of siding, replacement of windows on the rear and side of the non-historic portion of the house, and install two new windows in their previous location at 217 First Street.
2. The building at 217 First Street is an individually designated Landmark.
3. The City of Excelsior has adopted the *Secretary of the Interior’s Guidelines for Rehabilitation* (the “Secretary’s Guidelines”) and the *City of Excelsior Preservation Design Manual* (the “Design Manual”) and the as reference guidelines for HPC review.

**CONCLUSIONS OF LAW**

1. The proposed two new windows are consistent with the Secretary’s Guidelines and the Design Manual because they are in a location and have dimensions of an existing window openings that had been previously covered by siding after their removal by a previous

homeowner. The request to permit the windows to be clad in aluminum is not consistent with the item #6 of the Secretary's Guidelines (listed on page 5 of the Design Manual) because they are a replacement of a Distinctive Feature of the historic structure that does not match the materials of the original windows.

2. The proposed changes to the rear of the house (other than the divided lights on the upper sashes of the windows) meet the Secretary's Guidelines and the Design Manual Guidelines for materials and design, but details outlining the demolition are needed for final review and the proposed doors with divided lights do not meet the Secretary's Guidelines and the Design Manual especially on the side of the house immediately adjacent to the historic portion of the house where the diamond pattern divide lights on the upper sash will conflict with the new design element proposed by the applicants.
3. There is precedence for removal of chimneys at the rear of historic properties when they are no longer in use and not highly visible.
4. The rear garage addition appears to meet the Secretary's Guidelines and the Design Manual for materials and design. The garage does not meet the guidelines for setback and addition of a front-facing door, but the addition is not visible from the street and the building is set back on the lot. The addition is, accordingly, not damaging to the main façade.
5. The house did not have a porch historically and this is a new addition to a public-facing facade. The proposed front porch obscures the entire first floor and proposes non-historic materials. This is inconsistent with the Design Manual's general guidance regarding additions providing that:

In planning additions, the best approach is to place additions where they are not visible from the street, or where they will have the least negative effect on the building's overall form and plan. The backs of buildings are the best locations for the additions of rooms, wings, porches, or decks.

As such it is also inconsistent with the Design Manual's general guidance regarding additions to residential structures and Guideline RA.1.

6. This HPC Resolution No. 2024-22 shall replace HPC Resolution No. 2024-14. HPC Resolution No. 2024-18 shall remain in effect and govern the addition of a front porch to the house.

### CONDITIONS

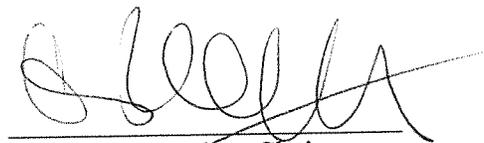
1. New Windows. The final detail/construction drawings for the two new west windows must be submitted to HPC staff for review and approval. Windows shall be wood (and

shall not be clad in aluminum or any other material) and have the diamond divided light pattern at the upper sash.

2. Modifications to rear of the house. Demolition plans and elevations for the non-historic rear addition must be submitted to HPC staff for final review. Detail/construction drawings of the doors, windows (without divided lights) and rear railing must be submitted for HPC staff review and approval before construction begins.
3. Siding. The applicant may replace the vinyl siding on the non-historic rear-addition portion of the house with fiber cement board and may use that same material on the garage addition. The applicant may also remove vinyl siding on the original portions of the house (the historic portion of the house) but may only replace the siding with fiber cement board siding after they have removed the vinyl siding and reviewed what is under the vinyl siding with staff to ensure that there is not original wood siding that can be salvaged under the vinyl siding. If staff and the applicants disagree regarding whether there is original wood siding under the vinyl, the applicant may either replace the existing vinyl siding or seek additional permission from the HPC to determine whether they can replace the siding with fiber cement board siding. Any new siding placed on the house shall be 4-inch reveal to match what is on the front of the house.
4. Garage. The garage addition is approved as proposed. Detail/construction drawings for the overhead doors must be submitted for final HPC staff review and approval before construction commences.
5. Front Porch. The front porch as designed is not approved. Applicant shall submit a smaller porch design with detailed drawings (including dimensions) of the columns, railings, stairs and foundation for HPC review and approval before any front porch changes are made. Per the requirements of HPC Resolution No. 2024-18, a modified porch addition has been approved. Conditions in that resolution shall govern any front porch modification/addition.

Adopted by the Heritage Preservation Commission of the City of Excelsior, Minnesota, this 21<sup>st</sup> day of November 2024.

**HERITAGE PRESERVATION COMMISSION**



Chrystal O'Hanlon, Chair

City of Excelsior  
Heritage Preservation Commission  
Resolution No. 2024-18

A Resolution Approving a Site Alteration Permit  
To retain a construct a new front porch at  
217 First Street

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WHEREAS, Rob and Kara Tyler, the owners of 217 First Street, Excelsior, MN 55331, (“Applicant”) have applied for a Site Alteration Permit to construct a rear garage, front porch, two windows and remove a brick chimney at 217 First Street; and

WHEREAS, the Heritage Preservation Commission (“HPC”) previously considered Applicant’s application for a porch at its meeting on September 24, 2024.

WHEREAS, the Heritage Preservation Commission (“HPC”) considered Applicant’s application at its meeting on October 29, 2024

NOW, THEREFORE, IT IS RESOLVED, that the Applicant is hereby approved a Site Alteration Permit with conditions to build a front porch at 217 First Street based on the following:

**FINDINGS OF FACT**

1. Rob and Kara Tyler, owners of 217 First Street, Excelsior, MN 55331 (“Applicant”) have applied for a site alteration permit to construct a front porch at 217 First Street.
2. The building at 217 First Street is an individually designated landmark.
3. The City of Excelsior has adopted the *City of Excelsior Preservation Design Manual* as reference guidelines for this HPC review.
4. The *City of Excelsior Preservation Design Manual* explains that the City of Excelsior has adopted the *Secretary of the Interior’s Standards* as a foundation for review.
5. The porch shall be considered a reconstruction and enlargement of the existing non-historic portico.

**CONCLUSIONS OF LAW**

1. The house did not have a porch historically and the current portico at the entrance is not original.

2. *The Secretary of the Interior's Standards* recommend that additions not destroy historic materials and be undertaken without damaging the historic property.
3. *The City of Excelsior Preservation Design Manual* recommends that additions have minimal impact on “public” elevations. The smaller porch is less impact on the historic property.
4. *The City of Excelsior Preservation Design Manual* states that deck additions *shall* be located at the rear.
5. *The City of Excelsior Preservation Design Manual* states that additions should be set back, be smaller in mass and be constructed of materials and features compatible with the house. The proposed wood columns, railing and wood skirt of Option 3 are compatible with the house.
6. The proposed Option 3 porch design follows the recommendations of the HPC from the September 24, 2024, meeting, which recommended that the front porch not extend the full width of the first floor and leave at least one bay of historic windows visible. Option 3 proposes a wood skirt at the base of the porch, which is compatible to the historic materials of the house.

#### **CONDITIONS**

1. The proposed Option 3 porch is approved with the condition that the applicant provide measured plans for final staff review and permitting.
2. The materials used for the base of the porch shall be wood skirting and brick underneath the columns pictured in the supplemental photo provided at the October 29<sup>th</sup> HPC meeting.
3. The open porch shall not be enclosed.

Adopted by the Heritage Preservation Commission of the City of Excelsior, Minnesota, this 29<sup>th</sup> day of October 2024.

**HERITAGE PRESERVATION COMMISSION**

  
Chrystal O'Hanlon, Chair

City of Excelsior  
Heritage Preservation Commission  
Resolution No. 2024-14

A Resolution Approving a Site Alteration Permit  
to construct a rear garage, install two new windows,  
remove a chimney and add a new front porch at 217 First Street

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WHEREAS, Rob and Kara Tyler, the owners of 217 First Street, Excelsior, MN 55331, (“Applicant”) have applied for a Site Alteration Permit to construct a rear garage, front porch, two windows and remove a brick chimney at 217 First Street; and

WHEREAS, the Heritage Preservation Commission (“HPC”) considered Applicant’s application at its meeting on September 24, 2024.

NOW, THEREFORE, IT IS RESOLVED, that the Applicant is hereby approved a Site Alteration Permit with conditions to build a garage, install two new windows, and remove a chimney at 217 First Street based on the following:

**FINDINGS OF FACT**

1. Rob and Kara Tyler, owners of 217 First Street, Excelsior, MN 55331 (“Applicant”) have applied for a site alteration permit to construct a two-car attached garage, full-width front porch, removal of a brick chimney and install two new windows at 217 First Street.
2. The building at 217 First Street is an individually designated landmark.
3. The City of Excelsior has adopted the *City of Excelsior Preservation Design Manual* as reference guidelines for this HPC review.

**CONCLUSIONS OF LAW**

1. The proposed two new windows are consistent with the Guidelines in the City of Excelsior *Preservation Design Manual*.
2. The rear addition appears to meet the Guidelines for materials and design, but details outlining the demolition are needed for final review and the proposed doors with divided lights do not meet the Guidelines.
3. There is precedence for removal of chimneys at the rear of historic properties when they are no longer in use and not highly visible.

4. The rear garage addition appears to meet the Guidelines for materials and design. The garage does not meet the guidelines for set back and addition of a front-facing door, but the addition is not visible from the street and the building is set back on the lot. The addition is, accordingly, not damaging to the main façade.
5. The house did not have a porch historically and this is a new addition to a public-facing facade. The proposed front porch obscures the entire first floor and proposes non-historic materials. This is inconsistent with the Design Manual's general guidance regarding additions providing that:

In planning additions, the best approach is to place additions where they are not visible from the street, or where they will have the least negative effect on the building's overall form and plan. The backs of buildings are the best locations for the additions of rooms, wings, porches, or decks.

As such it is also inconsistent with the Design Manual's general guidance regarding additions to residential structures and Guideline RA.1.

### CONDITIONS

1. New Windows. The final detail/construction drawings for the two new west windows must be submitted to HPC staff for review and approval. Windows should be wood and have the diamond divided light pattern at the upper sash.
2. Modifications to rear of the house. Demolition plans and elevations for the non-historic rear addition must be submitted to HPC staff for final review. Detail/construction drawings of the doors and windows without divided lights and rear railing must be submitted for HPC staff review and approval before construction begins.
3. Siding. The applicant must review the condition of the historic siding with HPC staff. Replacement or covering of historic siding is not approved. The type and dimensions of siding to be used on the house shall be determined after current vinyl siding is removed as part of the demolition to get ready for the garage addition and the modifications to the rear of the house. The applicant shall explore with staff the potential for any original siding to be salvaged before the new siding is placed on the house and return to the commission for approval of the type and dimensions of the siding to be added.

4. Garage. The garage addition is approved as proposed. Detail/construction drawings for the overhead doors must be submitted for final HPC staff review and approval before construction commences.
  
5. Front Porch. The front porch as designed is not approved. Applicant shall submit a smaller porch design with detailed drawings (including dimensions) of the columns, railings, stairs and foundation for HPC review and approval before any front porch changes are made.

Adopted by the Heritage Preservation Commission of the City of Excelsior, Minnesota, this 24<sup>th</sup> day of September, 2024.

**HERITAGE PRESERVATION COMMISSION**



Chrystal O'Hanlon, Chair