1. March 25, 2025 HPC Agenda And Packet

    Documents:

    MARCH 25, 2025 HPC AGENDA.PDF
    MARCH 25, 2025 HPC PACKET.PDF

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

NOTICE IS HEREBY GIVEN that the Heritage Preservation Commission of the City of Excelsior will hold its regular monthly meeting on March 25, 2025 at 6:30 P.M. 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.

Members of the public are welcome to attend the meeting either in person at the city offices or by joining via Zoom online or by telephone at:

Join Zoom Meeting
https://us02web.zoom.us/j/87054079168

Meeting ID:
870 5407 9168

Dial by your location
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
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+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)

City of Excelsior

Heritage Preservation Commission Meeting Agenda

Tuesday, March 25, 2025, 6:30 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. CONSENT AGENDA
    a. Approval of Minutes – February 25, 2025
4. CITIZEN REPORTS OR COMMENTS
5. NEW BUSINESS
    a. 287 Water Street – Site Alteration Permit
    b. 205 Mill Street – Site Alteration Permit Amendment
    c. 2024 SHPO Certified Local Government Report Review
6. UNFINISHED BUSINESS
7. DISCUSSION ITEMS
    a. 2025 City Council Goals for the HPC
8. COMMUNICATIONS & REPORTS
    a. Next Regular City Council Meeting – April 7, 2025
    b. Next HPC Meeting – April 29, 2025
    c. Updates
9. FUTURE AGENDA ITEMS
    a. 236 Lake Street – Site Alteration Permit

b. 355 Second Street – Site Alteration Permit

c. 449 Second Street – Follow-Up

10. ADJOURNMENT

2025 ATTENDANCE

	Jan 7 SM	Jan 28	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Brattland	P	NA	A										
Caron	P	NA	P										
Mark	P	NA	A										
Gephart	P	NA	P										
Dahlstrom	P	NA	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)

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Caron	P	NA	P										
Mark	P	NA	A										
Gephart	P	NA	P										
Dahlstrom	P	NA	P										

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City of Excelsior
Hennepin County, Minnesota

Minutes
Heritage Preservation Commission Meeting

Tuesday, February 25, 2025

1. CALL TO ORDER/ROLL CALL

   Chair Gephart called meeting to order at 6:32 PM.

   Commissioners Present: Caron, Gephart, Dahlstrom
   Commissioners Absent: Mark, Brattland
   Also Present:
   Julia Mullin. Community Development Director
   Ali Cameron, Senior Planner
   Jennifer Caron, City Councilmember HPC Liaison

2. AGENDA APPROVAL
   Staff requested to add one item under Communications on the agenda, that Councilmember Caron is in attendance and shall be introduced as the Councilmember Liaison to the HPC for Quarter 1 for the year. ***Commissioner Caron moved to approve the agenda with the added item. Commissioner Dahlstrom seconded. Motion passed 3/0.***

3. CONSENT AGENDA
   N/A

4. CITIZEN REPORTS OR COMMENTS
   N/A

5. NEW BUSINESS
   N/A

6. UNFINISHED BUSINESS
   A) Approval of Minutes – January 7, 2025 Special Meeting
   Commissioner Caron moved to approve the January 7, 2025 special meeting minutes with corrections noted. Commissioner Dahlstrom seconded. Motion passed 3/0.

   B) Approval of Minutes – November 19, 2024 (continued)
   Commissioner Caron moved to approve the November 19, 2024 continued minutes with corrections noted. Commissioner Dahlstrom seconded. Motion passed 3/0.

   C) Approval of Minutes – October 29, 2024 (continued)
   Commissioner Caron moved to approve the October 29, 2024 continued minutes. Commissioner Dahlstrom seconded. Motion passed 3/0.

   D) Approval of Minutes – September 24, 2024 (continued)
   Commissioner Dahlstrom moved to approve the September 24, 2024 continued minutes. Commissioner Caron seconded. Motion passed 3/0.

7. COMMUNICATIONS AND REPORTS

   a) Next Regular City Council Meeting – March 3, 2025

   b) Next HPC Meeting – March 25, 2025

   c) Updates

      a. 449 Second Street
      b. 406 Second Street
      c. 217 First Street
      d. 173 Second Street
      e. 254 Lake Street (added)

   d) Introduction to Councilmember Caron as the City Council HPC Liaison for Quarter 1

8. FUTURE AGENDA ITEMS
   a. 2024 SHPO Certified Local Government Report Review
   b. 205 Mill Street – Site Alteration Permit Amendment

9. ADJOURNMENT
   Commissioner Caron moved to adjourn the meeting. Commissioner Dahlstrom seconded. Motion passed 3/0. The meeting adjourned at 7:50 PM

Respectfully submitted,

Ali Cameron
Senior Planner

2025 ATTENDANCE

	Jan 7 SM	Jan 28	Feb 25	Mar 25	Apr 29	May 27	June 24	July 22	Aug 26	Sept 23	Oct 28	Nov 18	Dec 16
Brattland	P	NA	A										
Caron	P	NA	P										
Mark	P	NA	A										
Gephart	P	NA	P										
Dahlstrom	P	NA	P										

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THE CITY OF EXCELSIOR MINNESOTA

MEMORANDUM

Re: Item 5a—287 Water Street SAP Application (HPC 2025-02)

Date: March 25, 2025

To: Heritage Preservation Commission

From: Ali Cameron, Senior Planner

60/120 Day Deadlines: April 26/June 25

Background and Application

The application: On February 25, 2025, Colleen Anderson of Old Jimmie's Smokehouse BBQ, submitted a Site Alteration Permit (SAP) application to install a walk-up food service window on the southwest secondary elevation wall, abutting the parking lot of their building at 287 Water Street. They also propose to install an awning within the frame of the walk-up food service window; to add signage to the valance of the awning; and to attach a business blade sign to the northwest front façade along Water Street. This property is zoned for commercial use, the building is a non-contributing structure and in the historic downtown district.

The applicant plans to include a sidewalk café in front of the restaurant along Water Street to catch patrons who are circulating from the indoor service counter and the outdoor walk-up food service window. The applicant will apply for a license from the City and comply with the City's Zoning requirements. They'll also pay for and manage their trash with mobile trash receptacles next to the walk-up food service window. The applicant will submit a final litter collection plan to city staff to keep the premises and adjacent public thoroughfares free of refuse.

Red Leaf Partners owns the building at 287 Water Street, which includes 289 Water Street on the lefthand side (current site of Olive's restaurant). Red Leaf also owns the parking lot at 291 Water Street to the southwest side of the building. The walk-up food service window would be installed to face the parking lot, which is a developable parcel. The property owner has informed the applicant that they will develop the parking lot in the coming years, in which case the walk-up food service window would be consequently filled in with a new building.

This proposal includes two new signs, which will equal three total. A wall sign for the BBQ is already painted on the secondary elevation as a white mural sign encased in a white rectangular frame. It shares the frame with Olive's wall sign. The wall sign from the most recent tenant Nautical Bowls had previously been approved and painted within the same frame space. The property owner switched the sign over to the new BBQ painted signage in January 2025. The existing BBQ wall sign dimensions are 59 inches by 33 inches (13.5 square feet).

Background: Old Jimmie's Smokehouse BBQ is a family-owned business that currently has four permanent restaurants in Hudson WI, Arden Hills MN, Shakopee MN, and Minneapolis MN. It also has seasonal locations in Hayward WI and at the US Bank Stadium in the Twin Cities. The owner has familial roots in the Famous Dave's restaurant business, recipes that have been passed down, and a third generation pitmaster. While many BBQ restaurants have an in-house smoker, this is the only restaurants that has an in-house smoker, overnight smoked meat, and the sides made from scratch, made fresh daily in small batches with no freezer. Everything is as handmade as possible. The modality of the smokehouse has been very popular at the other locations and the applicant expects it will activate the area around the parcel and the downtown historic district with visitors from far and wide. The applicant believes that the combination of the walk-up food service window and the sidewalk café will ease the pressure of their expected demand, which has been demonstrated at other locations.

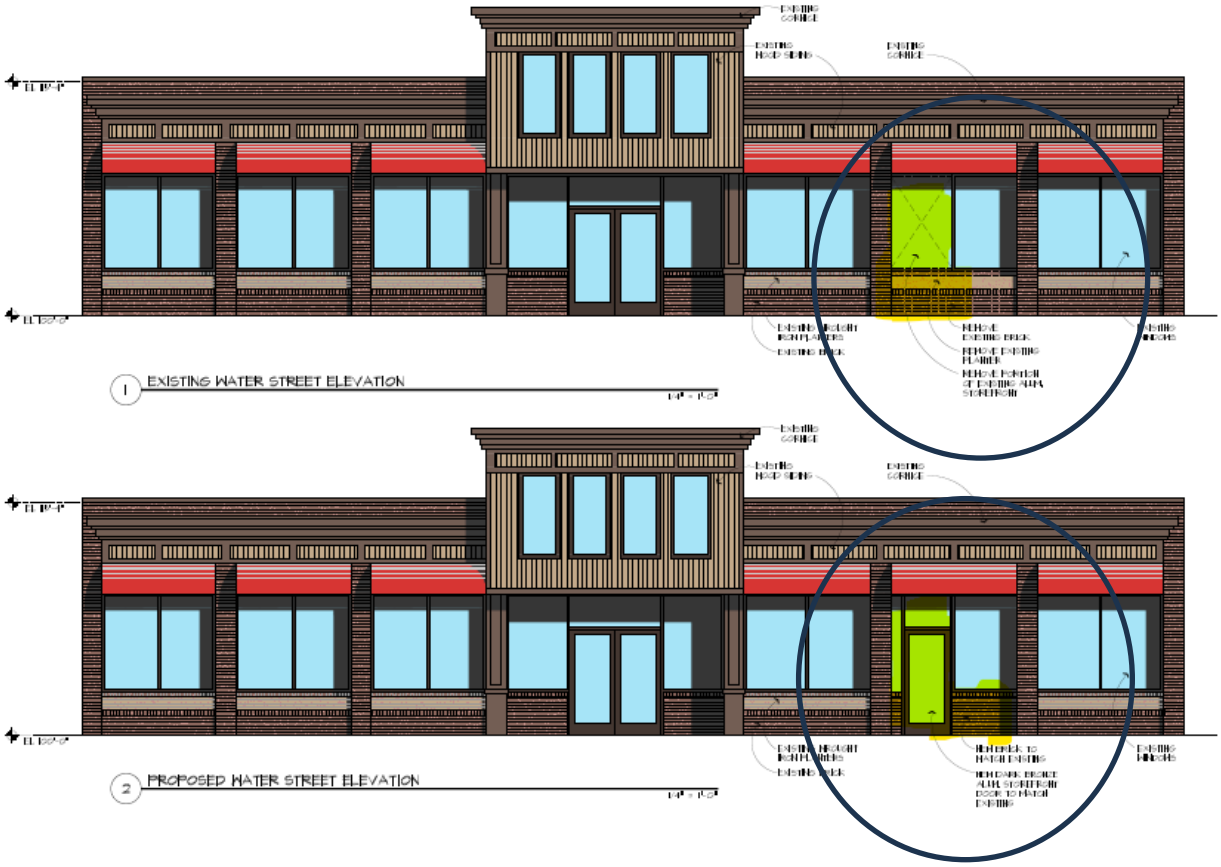
History

The building includes 289 Water Street (Olive's on the lefthand side) and 287 Water Street (Old Jimmie's Smokehouse BBQ on the righthand side). The centerpiece upper portion of the building between the two restaurants features four single pane windows that are spanned by French style wrought iron decorative railings, decorative trim and a wood cornice. The lower portion of the building with the restaurants features a red awning over the business windows. The former businesses in the spaces had blade signs with decorative swirl style brackets to match the building style. Former businesses include,

but are not limited to, La Petite Parfumerie, MN Surf Company, Zelaz, Perfect Pair, Ringmaker, Water Street Clothing Company, All Love Leigh, Wine Republic, Sweet Nautical Boutique, and most recently Nautical Bowls. The space within the 287 Water Street righthand side used to be divided to a restaurant space and training area for the restaurant; Old Jimmie's Smokehouse BBQ is combining it into one large space.

The façade and openings of the building have been altered previously. On April 13, 2020, Brett Loftesness submitted a Site Alteration Permit to remodel the storefront for the most recent Nautical Bowls business in the 287 Water Street space. This included removing one of the existing windows and adding a door to the space that opened directly to the sidewalk. The brick that was underneath the window, a portion of the aluminum storefront and a planter were removed. A dark bronze aluminum storefront door was installed, and new brick was installed to match. At the time, there were mixed concerns from HPC Commissioners over whether the door creating an asymmetrical appearance to the building. Commissioners did not express concerns about altering or lengthening the opening in the building to accommodate a door.

Previous Business Nautical Bowls: A before/after drawing that was provided to the HPC to alter the window opening and convert it to a door. Approved Site Alteration Permit on April 13, 2020.



Proposed Alterations

Walk-Up Food Service Window

1. The walk-up food service window has been designed to be tall to coordinate with the tall windows on the front façade of the building, and to provide adequate footage above the sidewalk for the awning valance. The window is a combination of a bottom portion with two vertical casement sliding windows inside a black aluminum frame, and a top portion with a single-pane opaque window. There will be a black aluminum cap on top of the upper frame.
2. The awning starts at the top cap of the window frame in the upper portion. It will be attached within the frame. The bottom of the awning valance hangs at 9 feet above the sidewalk.
3. The walk-up food service window combined with its upper framing will be 6.4 feet high. The lower portion with the sliding casement windows will be 3.6 feet high, and the upper portion will be 5.4 feet. It is 3 feet wide.

Total Signage

1. The business will have 3 signs total. One already exists. This proposal is to add 2 more signs.
2. The total square footage of all signs is 22.8. This includes the proposed blade sign (7.9 square feet); the existing painted wall sign (13.5 square foot), and the proposed awning valance sign (1.4 square foot). The City's Zoning Code allows 40 square feet, so there are 17.2 square feet left.

Blade Sign

1. The blade sign will be non-illuminated, rectangular on the northwest brick wall façade at the front of the building and shall read "Old Southern Smokehouse" printed on both sides of the sign. The lettering of the "Old Southern" words will be made of wood, dimensional at ½ inch thickness and mounted on sandblasted wood paneling. The sign will also feature a pig graphic with flames, which will be raised and painted on the wood panel background. The graphics and text of the sign include 4 colors: black, white, red, and yellow. The pig graphic is pink. The graphics, lettering, and colors are part of the brand for the restaurant and its other locations, but they have adapted the design to fit better into the historic district.
2. The blade sign is 27 inches high by 42 inches wide (7.9 square feet) and is within code. The protrusion of the blade sign is 42 inches off the wall face (4 feet), perpendicular to the sidewalk. The height of the blade sign is 8 feet off the sidewalk.
3. The applicant will reuse the tube bracket left by the former tenant, Nautical Bowls, which is black metal flat bar with 2-inch tubing that will be bolted through the mortar, not masonry. The tube bracket was one of two brackets the HPC had already approved for the previous tenant. Nautical Bowls used the decorative bracket and took it with them, but left the tube bracket behind. The property owner plans to flip the neighbor business Olive's bracket back to the tube style so they'll both look the same and there will be less holes in the building.
4. The brand colors in this proposal are reds, yellows, black, and white with a play on the "smokehouse". The brand's normal color scheme has very bright colors, but the blade sign colors have been muted to a color palette that is more in alignment with the downtown historic district.

Awning Sign

1. The awning sign will be printed on the valance and read "Old Southern BBQ Order Pickup".
2. The awning sign is 6 inches by 34 inches (1.4 square feet). It will be printed in white letters.

Awning

1. The awning color will be black to coordinate with the color of the building's secondary elevation (black), the painted wall mural sign (black and white), and the blade sign (black, white, red, and yellow).
2. The awning will be made of canvas material.
3. The height of the bottom of the awning is 9 feet off the sidewalk.
4. The awning will be fastened within the window frame of the walk-up food service window.

Staff Assessment and Response

Standards and Guidelines

Staff have reviewed the City's Preservation Design Manual and the Zoning Code to assess and respond to relevant standards for windows, commercial signs, and awnings.

Preservation Design Manual Guideline	**Assessment/Response**
Windows (p. 34)	
W.4: Greater flexibility in installing new windows may be considered on secondary and rear walls. If new windows are to be installed into original window openings, the new windows should match the existing windows in the building in shape, size, design, materials, and spacing between windows. New windows shall be of the same size and height as other window openings.	The walk-up food service window would be located at the secondary elevation wall. There is no existing window opening on the secondary wall. The applicant is proposing to install a similar tall and narrow window to resemble the windows on the front façade. Those window heights are impractical to resemble since they are closed and have a different function. *The compliance of this item should be discussed.*

W.9: If the windows are framed in aluminum, the frame should have a baked enamel or anodized aluminum finish.	The window frames will be a black aluminum finish that complies with these requirements. *Compliant.*

Preservation Design Manual Guideline	**Assessment/Response**
Commercial Sign Guidelines: Orientation and Placement (p. 40)	
CS.1: A projecting sign should be suspended from a decorative support structure.	The blade sign will be suspended from a tube bracket. The original decorative bracket was taken by the former tenant. The tube bracket had been previously approved by the HPC. *Compliant.*
CS.3: Signage should be placed at traditional sign locations including the storefront beltcourse, hanging or mounted inside windows, or projecting perpendicularly from the face of the building.	The blade sign will be placed at a traditional sign location projecting perpendicularly from the face of the building. *Compliant.*
CS.8: Signs should not conceal any architectural features.	No architectural features will be concealed by the blade sign nor the awning valance sign. *Compliant.*
CS.9: Signs should be sized in proportion of the building and facade.	The blade sign is sized in proportion to the building and the façade. The awning valance sign is smaller and less conspicuous. *Compliant.*
CS.10: Sign attachment parts should be reused in their original location (holes in the façade or fixing positions) to protect the original building material.	The former tenant had two sign brackets approved: a tube bracket and a decorative one. The former tenant used the decorative bracket for their blade sign but did not leave it behind. The tube bracket will be "reused" instead. The property owner plans to switch the neighbor business Olives' decorative bracket to a tube bracket as well so they match. This will also reduce holes in the façade. *Compliant.*
CS.11: Signage mounting brackets and hardware should be anchored into mortar, not masonry.	The bracket and hardware will be anchored into the mortar, not masonry. *Compliant.*
CS.12: Printed store signage is acceptable on the awning valance.	The second sign proposed will be printed in white on the awning valance that hangs over the walk-up window. *Compliant.*

Preservation Design Manual Guideline	**Assessment/Response**
Signage: Design (P. 41)	
CS.14: Signs should be made of traditional materials such as wood or metal, with painted or ornamental metal lettering.	The sign will be made of sandblasted wood. Compliant. The lettering will be made of wood. *The compliance of the lettering material should be discussed.*
CS.17: Signs should have no more than four colors and should be coordinated with the accent colors on the building or awnings; competition between too many colors often results in decreased legibility.	The sign has 4 colors of black, white, red, and yellow. There is a pink colored pig. The black color in the sign coordinates with the black side wall and the black awning. The white coordinates with the white wall sign on the side wall. *The compliance of red and yellow colors shall be discussed, as well as the pink pig graphic.*
CS.18: Overly-ornate and trendy typefaces that are hard-to-read should be avoided.	The typeface used is from the businesses brand. *Compliant.*
CS.19: Three-dimensional letters/symbols, with at least one-half inch depth or reveal, are preferable.	The letters will be three-dimensional with a ½ depth. *Compliant.*
CS.20: The quality of the visual environment in the District should not be eroded by inappropriate franchise designs and signage. Where businesses are required to utilize a franchise image and/or color, the franchise image may be acceptable by utilizing other mitigating historic sign design features such as a raised sign border, dimensional letters, small lettering size and scale.	The business is not a franchise and does not have franchise signage. The design of the sign is unique to the business branding. The original business branding is very bright and ornate, but the applicant has adapted the color scheme and graphics to better match with the character of the historic district, while still maintaining the look and feel of the business. *Compliant.*

Preservation Design Manual Guideline	Assessment/Response
Appendix VI, Public Signage: Directional and Informational Design (P. 93)	
Signage, as well as banners and other temporary displays, should be color coordinated with a limited palette of colors complementary to those used for the store awnings. Turn-of-the-century colors tend to be muted and earth-tone based, Most major paint companies have paint chip charts of "historical" colors.	The applicant has observed and taken photos of all blade signs in the District to get an idea for their blade signage coloring. The original sign design of the business is brightly colored, but after receiving staff guidance, the applicant proposes a compromise of more muted colors. This includes a sandblasted wood background, white, and black, lettering, and red with yellow in the pig and flame graphic as part of the branding. *The HPC shall discuss whether the red and yellow colors are complying with the colors of the historic district.*

Zoning Code	Assessment/Response
Section 24-9: Signs permitted in the DC district	
(1) Businesses shall not display more than three permanent signs, whether such signs be projecting, wall, freestanding, window, or awning, including signs for rear entrances. Window lettering signs of less than six square feet shall be excluded from this regulation.	The applicant is proposing to two additional signs to the business, for a total of three signs. This includes a projecting blade sign and an awning sign, in addition to their existing wall sign. *Compliant.*
(3) No individual sign shall exceed 27 square feet in area, nor shall two or more signs be so arranged and integrated as to create a sign area of over 40 square feet.	Total square footage is 22.8. This includes the blade sign (7.9 square feet); the painted wall sign (13.5 square foot), and the awning valance sign (1.4 square foot). There are 17.2 square feet left. *Compliant.*
(4) Projecting signs shall not exceed eight square feet of sign space, extend more than five feet into the public right-of-way, nor be lower than seven feet above the public sidewalk.	The projecting blade sign will be 7.9 square feet, extend 4 feet into the public right-of-way, and be 8 feet above the sidewalk. *Compliant.*
(5) Awning or canopy signs shall not exceed seven square feet in size or eight inches in height and shall be located in the lowest section of the awning/canopy and parallel to the building.	The awning sign is 1.4 square feet in size, and its height is 6 inches. The sign is located at the lowest section of the awning parallel to the building on the valance. *Compliant.*

Preservation Design Manual Guideline	Assessment/Response
Awning Guidelines (p. 35)	
A.1: New awnings should closely follow precedents in shape and size.	The awning has been designed to follow precedents in shape and size. *Compliant.*
A.2: The awnings should be mounted at a height determined by the original storefront design.	The bottom of the awning valance will be 9 feet above the sidewalk, while the minimum requirement is 8 feet. *Compliant.*
A.3: New awnings must be sized to fit within the opening it covers and not extend over side piers or several storefronts.	The awning is sized to fit within the window opening it covers. *Compliant.*
A.4: Avoid covering or obscuring significant features.	No significant features will be covered. *Compliant.*
A.5: New awnings should be made of water-repellent canvas or vinyl-coated canvas material.	The awning will be water-repellent canvas. Compliant.
A.6: The awning color or color combination should be coordinated with the colors found in the main façade and those of its neighbors. Solid colors are encouraged.	The awning color will be solid black to match the black side wall where it is located. It also complements the black and white wall sign on the same wall. *Compliant.*
A.7: Simple shed shapes are appropriate for rectangular openings. Bubble, concave, or convex awning forms were	The shape of the awning is a shed shape. *Compliant.*

not common to early storefront design and should be avoided.	

Walk-Up Food Service Windows
Staff have noted that while the City's Zoning Code has standards for drive-through windows, it does not have standards for walk-up food service windows. The Preservation Design Manual also does not have standards for walk-up food service windows. One walk-up food service window already exists on a secondary elevation downtown, but it is not in the historic district.

Recommendations

Staff recommend approving the Site Alteration Permit on the following basis:

Walk-Up Food Service Window

1. The proposed walk-up food service window opening would be installed on a non-contributing secondary elevation wall and on a non-contributing building.
2. The building is not a corner lot. It abuts a developable parking lot parcel, which will be developed in the coming years. The development would fill in the walk-up food service window opening to close the gap between the buildings.
3. The building's openings have been altered before, where a window opening was turned into a door opening along the front façade on Water Street for the most recent tenant, Nautical Bowls.
4. The walk-up food service window would be a temporary mechanism that will be economically beneficial for the business owner to cover the startup costs during the first years in business at the site.
5. Walk up windows activate spaces. It would encourage visitors to linger in the downtown historic district and increase foot traffic.

Signage

1. The proposed blade sign meets most of the guidelines in the Preservation Design Manual except for number of colors used and the typeface material. Staff suggest that the HPC discuss the number of colors and the typeface material, which is proposed as wood typeface instead of metal.
2. All signage proposed meets the guidelines in the City's Zoning Code and the Preservation Design Manual in terms of height and dimensions.

Awning

1. The proposed awning complies with the Preservation Design Manual since it will be installed within the window frames, be an appropriate height above the sidewalk, and have appropriate color, style, and character with the historic district.

Attachments:

- SAP Application and Attachments

Recommended Commission Action: Staff recommend that the HPC approve the blade sign and consider a solution involving the walk-up food service window on the secondary wall, with its associated awning and awning valance sign.

City of Excelsior
339 Third Street, Excelsior, MN 55331
Telephone: 952-474-5233 Email:

RECEIVED
FEB 25 2025
BY:

RECEIVED
FEB 25 2025
BY:

APPLICATION FOR A SITE ALTERATION PERMIT

Applicant's Name: Old Southern BBQ

Address: 291 Water Street, Excelsior 55331

Telephone: 612.834.0547

Authority to file application:

- ☐ Ownership
- ☒ Tenant
- ☐ Other _____

If not Owner, Owner's Name: Red Leaf Partners, LLC

Address: 441 2nd Street

Telephone: Dan Johnson - Direct - 612.805.2397

Project Address: 291 Water Street, Excelsior 55331

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

- ☒ Yes
- ☐ No

Name: Wilkus Architects

Address: 15 9th Ave. N. Hopkins, MN 55343

Attach the following materials for <u>all</u> 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).

☒ A short narrative of the work to be done and how the work relates to the building's architecture. > separate document

☒ Identification of all exterior building materials and colors, including materials samples and paint chips of proposed colors.

Note: An application will not be deemed complete until all of the items above have been submitted to the City.

Narrative Description of Proposed Site Alterations: (Include any changes to masonry walls or foundations, siding or paint, roofs or chimneys, doors or windows, porches or steps, awnings or shutters, fences or retaining walls, landscaping or lighting). separate document

Enforcement Acknowledgement: By signing below, the applicant acknowledges that in case any building or structure subject to the regulation of this ordinance is to be erected or constructed, reconstructed, altered, repaired, maintained, moved, or subjected to demolition in violation of the city's heritage preservation ordinance (chapter 20 of the Excelsior City Code), the zoning administrator or building official, in addition to any other remedies, may (as is outlined in Excelsior City Code § 20-17):

(1) Institute civil action for injunctive relief to stop, prevent, or abate a violation of this chapter.

(2) Issue a stop work order to prevent a continuing violation of this chapter.

(3) Issue a one-year moratorium on all building permits for the subject property for alterations to a historic resource without an approved site alteration permit.

(4) For removal or total or partial demolition of a historic resource without an approved site alteration permit, the zoning administrator may also:

a. Issue a five-year moratorium on all building permits for the structure and for the property, other than as may be required to comply with applicable health and safety requirements and regulations, and in no event shall any permit authorize the new construction to exceed the building square footage, height and lot coverage of the original structure; or

b. Issue a fee of 50 percent of the assessed value of the land and structure prior to demolition and replacement structure is not to exceed the footprint of the building that was demolished.

The applicant further acknowledges that any work which proceeds in violation of this chapter, in contravention of a stop work order, or in disregard of a court ordered injunction shall be a public nuisance and enforced pursuant to section 16-37 of the City Code and that a person, individual, partnership, firm, corporation, organization, institution or agency of government that violates this chapter may be ordered by the court to pay the cost to restore or replicate a resource unlawfully constructed, altered, repaired, converted, moved, or subjected to demolition.

If you need additional space, please include additional sheets.

I hereby certify that the above information, the checklist below and all accompanying documents and information are true and accurate to the best of my knowledge.

Chuen Anderson 2/25/2025

Applicant's signature Date

Site Alteration Permit Checklist Overview

The Excelsior Heritage Preservation Commission (HPC) reviews land use activities that may affect Excelsior's historical and architectural attributes and has prepared a checklist to assist you in applying for a Site Alteration Permit. In addition to the general materials listed on page 1, applicants should refer to the checklist below for additional requirements applicable to particular types of projects. A summary of HPC Guidelines are also available at Excelsior City Hall.

Please be thorough in completing the checklist. The decision of the HPC will be based on the completed checklist and other materials you submit. Any unidentified alterations not shown on the checklist or application materials will need to be discussed with staff and possibly returned to the HPC for further review. Work completed without the HPC's approval is in violation of the City Code and may be subject to fines or penalties. The Excelsior City Staff is available to answer questions regarding the application and checklist. You may contact them at 952-474-5233.

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)

1. 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 a 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 ap- plicable.

☐ 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 after the fourth Monday 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.

Colleen Anderson 2/25/2025

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:

_____

_____

_____

☐ Disapproved

Reasons:

_____

_____

_____

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

City of Excelsior
Heritage Preservation Commission
Resolution No. 2025-02

A Resolution Approving a Site Alteration Permit
for a blade sign, a walk-up food service window, window awning,
awning valance sign, and sidewalk cafe
at 287 Water Street

WHEREAS, Colleen Anderson of Old Jimmie's Smokehouse BBQ of 287 Water Street, Excelsior, MN 55331 ("Applicant"), has applied for a Site Alteration Permit to install a blade sign to the front façade, a walk-up window on the southwest wall at the side of the building, a walk-up food service window awning, awning valance sign, trash receptacles, and a sidewalk café.

WHEREAS, the Heritage Preservation Commission ("HPC") is considering the Applicant's application for the first time at this meeting on March 25, 2025.

NOW, THEREFORE, IT IS RESOLVED, that the Applicant's application for a Site Alteration Permit at 287 Water Street is approved with conditions.

FINDINGS OF FACT

1. Colleen Anderson ("Applicant") has not previously applied for a Site Alteration Permit for this site.

2. The building is classified as non-contributing, but the parcel is in the downtown Historic District.

3. Alterations to the building's existing façade openings have occurred in the past. On April 13, 2020, the HPC approved a site alteration permit from Brett Loftesness of the most recent business Nautical Bowls to remodel the storefront by removing one of the existing windows and adding a door to the space that opened directly to the sidewalk on Water Street. The brick that was underneath the window was removed to elongate the opening and make room for the door, as well as a portion of the aluminum storefront and a planter. A dark bronze aluminum storefront door was installed, and new brick was installed to match.

4. The building and its neighboring parking lot are owned by Red Leaf Partners. Red Leaf Partners plans to develop the parking lot next to the building in the coming years and fill in the walk-up window opening with brick of the new building.

5. Neither the *Preservation Design Manual* nor the City's Zoning Code have guidelines around walk-up food service windows. There are guidelines in the City's Zoning Code prohibiting Drive-Throughs that are proposed after Appendix E was in place.

6. A walk-up food service window exists on the secondary elevation of the restaurant nearby at 301 Water Street.

7. Casement slider windows of a walk-up food service window in the historic district may not be considered very historic.

8. A walk-up service window may circumvent the traditional foot traffic away from Water Street towards a side opening. The applicant plans to mitigate this with a sidewalk café and available tables and chairs on Water Street.

9. Previous businesses in the space have displayed a blade sign with a decorative bracket. The decorative bracket from the previous tenant, however, is not available to the applicant. Rather a black tube bracket is available from the previous tenant that the applicant will use and is in alignment with the *Preservation Design Manual*. The property owner plans to swap the Olive's restaurant decorative bracket on the lefthand side of the building out to install a similar black tube bracket as the applicant to ensure there is uniformity and to reduce the number of holes in the mortar joints.

10. The Applicant is aware of the City's historic preservation design standards and is submitting the site alteration permit accordingly.

11. The applicant is approaching the HPC for the first time with a Site Alteration Permit for the hearing on March 25, 2025, with supporting materials based on staff advisory to comply with the City's *Preservation Design Manual* and the City's Zoning Code.

12. In making a determination whether to approve or deny an application for a site alteration permit, the commission shall be guided by The Secretary of the Interior's Standards and Guidelines for Rehabilitation and the City's *Preservation Design Manual*.

CONCLUSIONS OF LAW

1. The building is in the Historic Downtown and the Downtown Commercial Districts and shall follow both the City's *Preservation Design Manual* and Zoning Code.

2. While the City's Zoning Code prohibits Drive Throughs after Appendix E was in place, there is no guidance prohibiting walk-up food service windows.

3. The applicant proposes to install a canvas awning within the window frame of the walk-up service window, with a sign printed on the awning valance, which follows the guidelines in the *Preservation Design Manual* for awnings and awning signs.

4. The City's *Preservation Design Manual* states that sign locations can be placed at the storefront beltcourse, hanging or mounted inside windows, or projecting perpendicularly from the face of the building. The proposed blade sign would project perpendicularly from the face of the building and therefore follows the guidelines in the *Preservation Design Manual.*

5. The applicant's proposed signs meet the City's Zoning Code in terms of number, square footage, depth, height, wood material, typeface, and attachments.

6. The applicant proposed to use wood material for the sign lettering, which is not in alignment with the *Preservation Design Manual* that states to use metal lettering.

7. The proposed blade sign has been muted in color to comply with the City's *Preservation Design Manual* standards on colors in the historic district. The brightness and number of colors proposed shall be considered.

CONDITIONS

1. The walk-up food service window shall be allowed at the secondary elevation on the southwest wall, not street-facing along Water Street.

2. The blade sign shall be placed at a traditional location.

3. The blade sign bracket and attachments shall be anchored into the mortar, not masonry.

4. The awning of the walk-up food service window shall be a black fabric canvas material that is fastened within the frame.

5. The lettering of the blade sign shall be made of metal and not wood.

6. The colors used on the blade sign shall be four colors only.

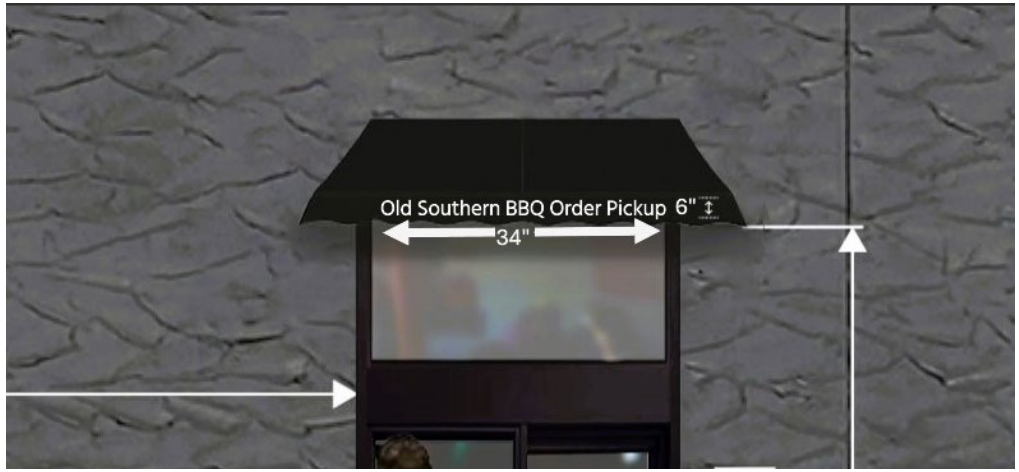
7. A litter management plan shall be submitted to staff for administrative approval.

8. A sidewalk café permit shall be submitted to city staff for administrative review and approval prior to the work being done.

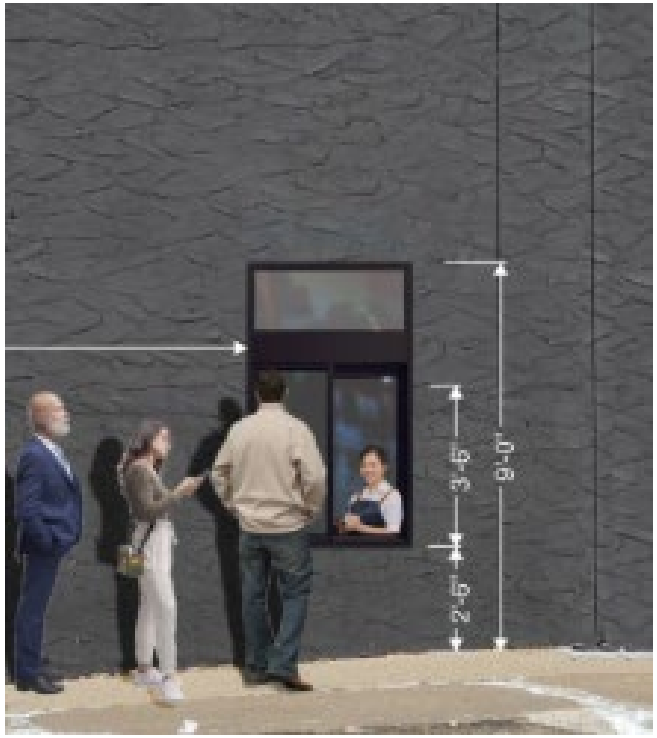
Adopted by the Heritage Preservation Commission of the City of Excelsior, Minnesota, this 25th day of March, 2025.

HERITAGE PRESERVATION COMMISSION

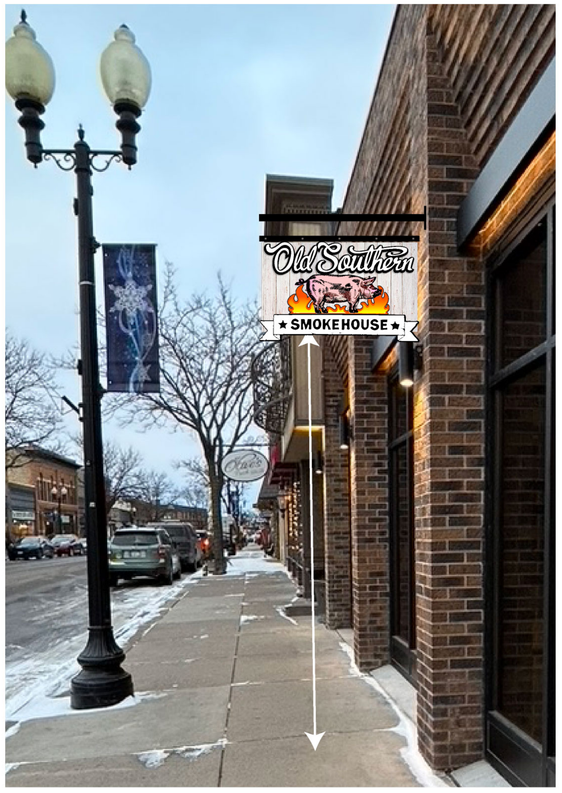
_____
Dan Brattland, Chair


Old Southern BBQ Order Pickup 6"
34"

2'-5"
3'-5"
9'-0"


2'-5"
3'-5"
9'-0"

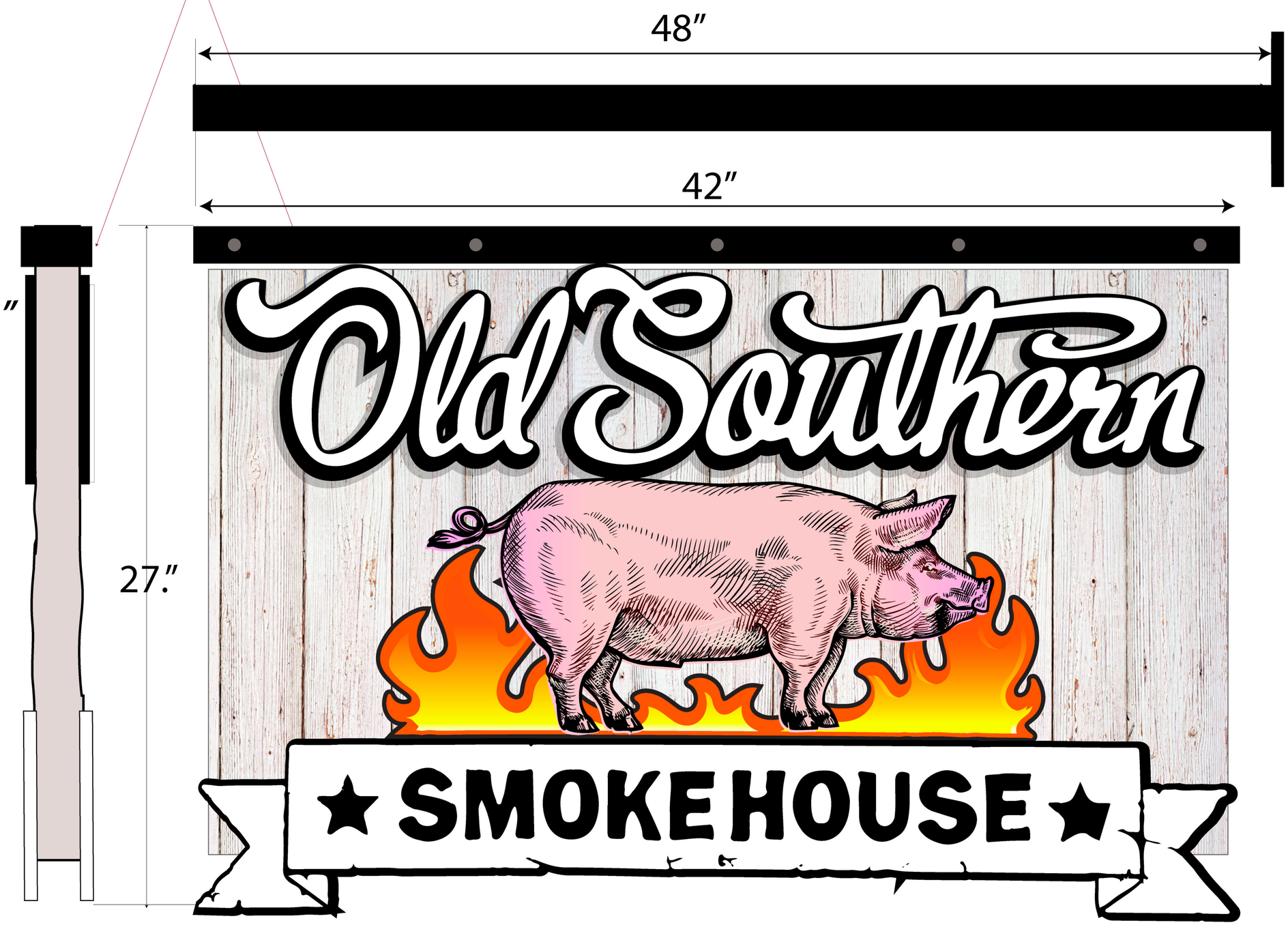
Old Southern
BBQ
★ SMOKEHOUSE ★
Howe's
Fresh PIZZA • BAR
26'-0"
3'-6"
9'-0"
2'-6"



bottom of sign to be at 96" from sidewalk

BLACK METAL STRAP/FLAT BAR TO BE BOLTED THRU **WOOD**

2"SQUARE TUBING BRACKET



Sign is 7.9 SQ FT

SMOKEHOUSE BANNER APPLIED TO PANEL /WITH STARS AND LETTERING BLASTED IN

DIMENSIONAL LETTERS 1/2"THICK " OLD SOUTHERN" CUT OUT AND MOUNTED ON SANDBLASTED **WOOD** PANEL
PIG AND FLAMES RAISED AND PAINTED ON THE PANEL

THE CITY OF EXCELSIOR MINNESOTA

MEMORANDUM

Re: Item 5b—201/203/205 Mill Street SAP Application Amendment (HPC 2025-03)

Date: March 25, 2025

To: Heritage Preservation Commission

From: Ali Cameron, Senior Planner

60/120 Day Deadlines: April 7, 2025 / June 26, 2025

Background and Application

The applicant is proposing an amendment to the Site Alteration Permit the HPC approved on May 28, 2024. That Site Altration Permit, documented as Resolution 2024-04, required DaVinci composition shingles for the roof. The applicant proposes a CertainTeed shingle made of polymer asphalt, instead, due to cost considerations.

The current roof on the Wyer Hill Condominiums is a wood, cedar shake shingle. The original Development Plan Resolutions (2003) from the site's Historic Preservation Easement Development Agreement with the City stated that the materials used on the condominiums should be consistent with brick and wood construction of the Wyer Pearce Structure, and the roof of the townhome buildings will be cedar shake (see Exhibits A and B for Resolutions 2003-14 and 2003-25). Drawings of the proposed roofing by Landschute (2003) also showcased various vantage points of the color of the cedar shake roofing (Exhibit D) and "Machine Cut Cedar Shingles with Copper Flashing" (Exhibit E). It should be noted that the estimated cost of the cedar shake roofing in 2003 was $40,000.

On May 22, 2024, Suzy Watson, president of the Wyer Hill Condominium Association, applied for a Site Alteration Permit (HPC 2024-04) to re-roof the historic property at 201 Mill Street and the two associated Wyer Hill Condominium buildings (203-205 Mill Street). The roof had been damaged from a hailstorm that occurred on May 11, 2023. The HPC approved the SAP under the conditions that the applicant re-roof using DaVinci composition shingles in "weathered gray" color on all three association buildings, because it is similar to the current wood, shake shingles in color, size, and texture (Exhibits F and G). At the time, the proposed cost of the reroofing was $650,000. The HPC advised that the Applicant return to the HPC if they want to propose a different type of roofing.

On February 26, 2025, Chelsea Wood, now president of the Wyer Hill Condominium Association, re-approached City staff requesting an amendment to the previous SAP to approve a different type of shingle instead of the DaVinci at 201/203/205 Mill Street. Ms. Wood stated that the Association had been delayed waiting for the insurance claim from the hailstorm to be settled in November 2024. During that time, the cost of the Davinci shingle rose from $650,000 to $798,559 which is a 23% increase, and this would create a negative financial impact on the community. The new CertainTeed shingle proposed is a polymer asphalt, and the estimated cost is significantly less at $388,381**.** It resembles the color of the approved DaVinci shake shingles to some extent, but it does not resemble the wood shingle in material or texture.

History: The Wyer/Pearce House was built in 1887 at 201 Mill Street. It was listed in the National Register of Historic Places (NRHP) in 1977 and locally designated in 1981. The Queen Anne style house is associated with James J. Wyer II, an Excelsior merchant, and Fred Pearce, a developer of the Excelsior Amusement Park. The house was later converted to duplex use and operated as a bed-and-breakfast inn. In 2005, the house was converted into condominium units and a complex of two condominium buildings were built around the house. The rehabilitation included a wood, shake shingle roof on the historic building and the two condominium buildings. A preservation easement (October 21, 2003) was placed on the Wyer/Pearce House and the associated site, which allows the City to review alterations in order to ensure preservation and maintenance (Exhibit C). The Wyer/Pearce House also received TIF funds as part of the redevelopment; the TIF district was in place from 2004-2019.

Proposed Alterations

Roof: The applicant is applying to re-roof the three buildings with CertainTeed polymer blended asphalt shingle. A sample has been provided for the hearing.

1. The replacement roofing does not resemble the historic wood shingle in shape and texture.
2. The color of the proposed shingle is "weathered wood," which most closely resembles the DaVinci color "weathered gray" that the HPC had previously approved.
3. The estimated cost for the CertainTeed shingles is $388,381, whereas the DaVinci shingles are more than double the cost at $798,559.
4. The DaVinci shingle cost estimate in 2024 was $650,000 and rose by 23% to $798,559.

The applicant has provided evidence of four nearby landmark properties that use a similar polymer asphalt roof: 205 Third Street, 332 Second Street, 192 Second Street, and 108 Second Street (Exhibit H). Based on staff research, these properties appear to have had asphalt roofing for a long time that has been replaced with similar asphalt roofing, and the context of whether they had historic roofing materials prior to asphalt is unknown.

Staff Assessment and Response

Staff have reviewed the City's Preservation Design Manual:

Guideline	**Assessment/Response**
Roof and Roof Addition Guidelines (p. 60)	
RR.1: Original roofs should be preserved in their original size, shape, pitch, and eave depth with original features (such as cresting, chimneys, finials, cupolas, etc.), and, if possible, with original roof material.	Original roof material cannot be preserved due to hailstorm damage. *Compliant.*
RR.6: If repair is no longer practical, replacement with asphalt shingles is appropriate.	Repair with DaVinci shingles is no longer financially practical, therefore, the applicant is proposing the asphalt composite. *The HPC should discuss if financial constraints are part of practicality and complying.*

Guideline	**Assessment/Response**
General Roofing Materials Guidelines (p. 23)	
GR.1: Original roofing materials should be retained unless deteriorated	The original roof is damaged from a hailstorm and cannot be retained. *Compliant.*
GR.2: In commercial structures that display pitched roofs, when partially reroofing, deteriorated roof covering shall be replaced with new materials that match the old composition, size, shape, and texture.	The proposed new roof is a polymer asphalt that does not resemble the former cedar shake roof in composition, size, shape, nor texture. It resembles it in color. *The HPC shall discuss whether this is complying based on the reasoning.*
GR.3: When entirely reroofing, new materials that alter the appearance of the roof in composition, size, or shape shall not be used.	The entire reroofing will alter the appearance to a certain extent aside from color scheme. *The HPC shall discuss whether this is complying based on the reasoning.*
GR.4: The replacement of asphalt roof with asbestos shingles is acceptable. Generally, light-colored shingles are not appropriate because they are a more modern development.	The proposed shingle color is a weathered wood, which is a mixture of dark grays and browns. It is the closest the applicant could get with the asphalt shingle. It is not light colored like the current cedar shake shingles. *Compliant.*

Guideline	**Assessment/Response**
Architectural Detailing Guidelines (p. 38)	
AD.1: Architectural details shall be retained on existing structures within the historic downtown.	The roof features could not be retained due to damage from the hailstorm. *Compliant.*
AD.3: If it is not feasible to repair the feature, then replace it with one that is similar in character to the original based on physical or pictorial evidence to assure accuracy. Replace only the portion that is beyond repair.	The applicant is attempting to replace the entire roof with asphalt shingle similar color, although texture and type is not possible due to financial restraints and the models available. *The HPC shall discuss whether this is complying based on the reasoning.*

AD.4: A substitute material may be acceptable of the size, shape, texture and finish conveys the visual appearance of the original.	The shape, size, and texture are not similar. The color is as similar as possible to the approved DaVinci color. *The HPC shall discuss whether this is complying based on the reasoning.*
AD.5: When reconstructing an element is impossible and inadequate information exists to allow for an accurate reconstruction, develop a new design that is a simplified interpretation of it.	Reconstruction is not possible due to financial constraints. The polymer asphalt shingle is a new design that is simplified interpretation of the approved DaVinci shingle. *The HPC shall discuss whether this is complying based on the reasoning.*
AD.6: The new element should be similar to comparable features in general size, shape, texture, material, and finish.	The polymer asphalt composite is similar in color to the approved DaVinci shingle color. *The HPC shall discuss whether this is complying based on the reasoning.*
AD.7: New construction should display contemporary details that harmonize with its neighbors.	The polymer asphalt proposed would harmonize with nearby landmark properties with similar polymer asphalt roof. The applicant has provided four other similar historic properties that feature asphalt shingles, although the context of their asphalt shingles is not entirely known. *The HPC shall discuss whether this is complying based on the reasoning.*

Staff recommend that the HPC review the proposed roof on the following basis.

- The cost of the proposed polymer asphalt shingles is significantly less than the DaVinci model when it was previously approved.
- The applicant identified several other landmark properties in Excelsior that have asphalt roofing, including 205 Third Street, 332 Second Street, 103 Second Street, and 108 Second Street (Exhibit H). Staff provided some background on these properties in the appendix. The context in which the roofing on these properties occurred would be critical to considering them as relevant examples.
- The Design Manual states that if repair is no longer practical, replacement with asphalt shingles is appropriate (RR.6). In this case, the financial impact speaks to practicality.

Attachments:

- SAP Application and Attachments

Recommended Commission Action: Staff has considered the application and recognizes the financial consideration. Staff recommends that the HPC consider a solution that would involve DaVinci shingles on the original main home and the CertainTeed asphalt roofing on the two added buildings.

City of Excelsior
339 Third Street, Excelsior, MN 55331
Telephone: 952-474-5233 Email:

APPLICATION FOR A SITE ALTERATION PERMIT

Applicant's Name: Wyer Hill Condo Association

Address: 201/203/205 Mill Street, Excelsior

Telephone: _____

Authority to file application:

- [x] Ownership
- [ ] Tenant
- [x] Other HOA Board

If not Owner, Owner's Name: Chelsea Lehr

Address: 205 Mill Street #105

Telephone: 701-893-6922

Project Address: 201/203/205 Mill Street, Excelsior

RECEIVED
FEB 26 2025
BY:

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

- [x] Yes
- [ ] No

Name: The Landschute Group & GCM Company

Address: 202 Water St, Excelsior, MN 55331 & kpeterson@gcmcompany.com

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).

☐ A short narrative of the work to be done and how the work relates to the building's architecture.

☐ Identification of all exterior building materials and colors, including materials samples and paint chips of proposed colors.

Note: An application will not be deemed complete until all of the items above have been submitted to the City.

Narrative Description of Proposed Site Alterations: (Include any changes to masonry walls or foundations, siding or paint, roofs or chimneys, doors or windows, porches or steps, awnings or shutters, fences or retaining walls, landscaping or lighting).

Enforcement Acknowledgement: By signing below, the applicant acknowledges that in case any building or structure subject to the regulation of this ordinance is to be erected or constructed, reconstructed, altered, repaired, maintained, moved, or subjected to demolition in violation of the city's heritage preservation ordinance (chapter 20 of the Excelsior City Code), the zoning administrator or building official, in addition to any other remedies, may (as is outlined in Excelsior City Code § 20-17):

(1) Institute civil action for injunctive relief to stop, prevent, or abate a violation of this chapter.

(2) Issue a stop work order to prevent a continuing violation of this chapter.

(3) Issue a one-year moratorium on all building permits for the subject property for alterations to a historic resource without an approved site alteration permit.

(4) For removal or total or partial demolition of a historic resource without an approved site alteration permit, the zoning administrator may also:

a. Issue a five-year moratorium on all building permits for the structure and for the property, other than as may be required to comply with applicable health and safety requirements and regulations, and in no event shall any permit authorize the new construction to exceed the building square footage, height and lot coverage of the original structure; or

b. Issue a fee of 50 percent of the assessed value of the land and structure prior to demolition and replacement structure is not to exceed the footprint of the building that was demolished.

The applicant further acknowledges that any work which proceeds in violation of this chapter, in contravention of a stop work order, or in disregard of a court ordered injunction shall be a public nuisance and enforced pursuant to section 16-37 of the City Code and that a person, individual, partnership, firm, corporation, organization, institution or agency of government that violates this chapter may be ordered by the court to pay the cost to restore or replicate a resource unlawfully constructed, altered, repaired, converted, moved, or subjected to demolition.

If you need additional space, please include additional sheets.

I hereby certify that the above information, the checklist below and all accompanying documents and information are true and accurate to the best of my knowledge.

Chelsea Lehr 02/26/2025

Applicant's signature Date

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HERITAGE PRESERVATION COMMISSION
Site Alteration Permit Checklist

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- ☐ RELOCATION OF STRUCTURE (Complete Section 5 below)
- ☐ LANDSCAPE OR PARKING ALTERATIONS (Complete Section 6 below)

1. 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 a 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 ap- plicable.

■ 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 after the fourth Monday 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.

Chelsea Lehr 02/26/2025

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:

_____
_____
_____

☐ Disapproved

Reasons:

_____
_____
_____

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

Narrative of requested changes

Wyer Hill Condominium Association needs to replace the wooden roof shingles on all three of its buildings, one of which is the Wyer-Pearce house. A hailstorm on May 11, 2022 was deemed responsible for the damages and since our first request, we have settled with insurance and they have provided partial funds for the roof repair.

The damages include: loose, missing, curled or split shingles, leakage throughout the property and gutter failure. Along with hail damage to the valley metals, skylights and windows. Per the recommendation of our contractor, GCM Construction, a division of our property manager, Gassen, a full full roof replacement on all three buildings is necessary to correct the damages and ensure the roofs are visually pleasing and increase the property value of Wyer Hill.

We would like to use Certainteed Architectural Shingles per the recommendation of The Landschute Group. The Landschute Group built the 203 and 205 buildings of Wyer Hill in 2005 and we have continued the relationship with the builder, Jon Monson as an advisor to the property when it comes to repairs.

Wyer Hill is registered as a historic property and is following suit of many historic homes within the community who are now transitioning to architectural shingles. Local examples of historically registered homes with architectural shingles include:

- 332 2nd St. Historic # 5
- 193 2nd St. Historic # 7
- 108 2nd St. Historic #10
- 205 3rd St. Historic # 15

Certainteed Architectural Shingles instead of wooden shingles for the following reasons:

- It is becoming extremely difficult to find insurers for buildings with wooden shingles. We had 20+ insurance companies deny and not even consider writing policies for building with wooden shingles. That means our insurance costs continue to go up with the few carriers who will cover us. Also, as natural disasters and their resulting claims continue to increase, it may not be long before no carrier will insure us.
- CertainTeed's Landmark shingles are engineered with a dual-layer design, with a fiberglass base and protective outer layer.
- CertainTeed's Landmark shingles carry a class A Fire Rating, ensuring that they are a safe and reliable option for homeowners looking for added protection against fire hazards.

RECEIVED
FEB 26 2025
BY:

- CertainTeed's Landmark shingles are designed to withstand winds of up to 110 mph, ensuring that they remain in place during severe weather events.
- CertainTeed's Landmark shingles have self-sealing adhesive strips and a unique NailTrak feature that provides clear nailing targets, making it easier for contractors to achieve a seamless and professional look.
- Your very own "City of Excelsior Preservation Design Manual" states on page 60, regarding roofs, that "If repair is no longer practical, replacement with asphalt shingles is appropriate." We feel it is no longer practical in 2025 to use wooden shingles as replacements on such a large property.

Proposed Shingles: Landmark® ClimateFlex®

CertainTeed's Landmark® ClimateFlex® UL 2218 Class 4 Impact Resistant roofing shingles: durable and pliable design that withstands extreme weather, resists algae, and offers easy installation.

OVERVIEW

CertainTeed's Landmark® ClimateFlex® UL 2218 Class 4 Impact Resistant shingles combines the beauty and dimensionality of wood shake roofing with the durable performance of polymer-modified asphalt. This results in a high-quality designer shingle that offers enhanced resistance to damaging hail, superior surface granule adhesion, and all-weather performance to protect a home year-round in any climate. The rubberizing aspects of ClimateFlex technology also provides cold-weather-friendly pliability, allowing contractors to handle and install Landmark ClimateFlex in low temperatures that make standard shingles stiff and brittle.

FEATURES & BENEFITS

Performance

Designer shingles are typically heavier than strip shingles and have improved warranty protection.

Protection

UL Class A fire resistance UL 2218 Class 4 impact resistance

Warranty

Lifetime limited transferable warranty against manufacturing defects on residential applications 50-year limited transferable warranty on group-owned or commercial 25-year StreakFighter® algae-resistance warranty NailTrak® extra-wide nailing area for accurate installation 10-year SureStart™ protection 15-year 110 mph wind-resistance warranty Wind warranty upgrade to 130 mph available. CertainTeed starter and CertainTeed hip and ridge required

Former DaVinci Roof Sample Displayed Against Existing Cedar Shake Roof

DaVinci sample board near current wood roof

DaVinci Weathered Gray

City of Excelsior
Heritage Preservation Commission
Resolution No. 2025-03

A Resolution Approving an Amendment to a Site Alteration Permit
for installation of new roofing materials at
201/203/205 Mill Street

WHEREAS, Chelsea Wood, now president of the Wyer Hill Condominium Association, at 201/203/205 Mill Street, Excelsior, MN 55331, ("Applicant") has applied for a Site Alteration Permit Amendment for the installation of alternative new roofing using asphalt composite materials at 201/203/205 Mill Street;

WHEREAS, Suzy Watson, former president of the Wyer Hill Condominium Association, at 201-205 Mill Street, Excelsior, MN 55331, ("Applicant") was approved for a Site Alteration Permit for the installation of new roofing using DaVinci materials that mimicked the original cedar wood shake shingles at 201-205 Mill Street;

WHEREAS, the Heritage Preservation Commission ("HPC") considered the Applicant's application and its meeting on March 25, 2025.

NOW, THEREFORE, IT IS RESOLVED, that the Applicant is hereby approved a Site Alteration Permit to install replacement roofing with asphalt composite shingles at 201/203/205 Mill Street based on the following:

FINDINGS OF FACT

1. Chelsea Wood, president of the Wyer Hill Condominium Association at 201/203/205 Mill Street, Excelsior, MN 55331 ("Applicant" has applied for a Site Alteration Permit Amendment to reroof the property with composite asphalt shingles at 201/203/205 Mill Street.

2. Suzy Watson, former president of the Wyer Hill Condominium Association at 201-205 Mill Street, Excelsior, MN 55331 ("Applicant") received approval on May 28, 2024 to reroof the property with DaVinci shingles at 201-205 Mill Street.

3. The Wyer/Pearce House was built in 1887 and is listed in the National Register of Historic Places (NHRP) and locally designated.

4. In 2003, the City of Excelsior placed a "preservation easement" on the Wyer/Pearce House to ensure future construction and alterations would meet the historic guidelines.

5. In 2005, the Wyer/Pearce House was rehabilitated utilizing TIF funds into condominiums and two additional condominium buildings were built on the land associated with the historic building. The new construction complimented the historic Wyer/Pearce House and all roofs were clad in wood, shake shingles according to the Development Agreement with the City.

6. The existing wood, shake shingle roofing is costly to repair for the Association and a May 2023 hailstorm precipitated another roof replacement. The insurance for wood roofs is costly due to the low fire rating.

7. The Association received approval for the installation of DaVinci composition shingles in the color of "weathered gray" on all three association buildings, which included the Wyer/Pearce House. The proposed material was similar to the wood, shake shingle in color, size, and texture.

8. The Association is now applying for the installation of an asphalt composite shingle in the color of "weathered wood" on all three association buildings, which includes the Wyer/Pearce House. The proposed material is not similar to the wood, shake single in size and texture, and only slightly in color.

9. In making a determination whether to approve or deny an application for a site alteration permit, the commission shall be guided by The Secretary of the Interior's Standards and Guidelines for Rehabilitation and the *Preservation Design Manual*.

CONCLUSIONS OF LAW

1. The proposed roofing for 201/203/205 Mill Street does not meet the guidelines for composition, size, and shape outlined in the *Preservation Design Manual*, however, it does meet the guideline for similarity in color.

2. The proposed roofing meets one guideline that allows for asphalt shingle roofing if repair is no longer practical in the *Preservation Design Manual.* In this case, repair is no longer practical due to financial constraints with the increase in costs and lack of full insurance coverage.

3. The proposed roofing does not fully meet the guidelines that allow a substitute material if the size, shape, texture and finish conveys the visual appearance of the original.

4. The proposed installation does not damage the historic character or integrity of the house and site.

5. The proposed roofing meets a guideline in the *Preservation Design Manual* whereby it displays contemporary details that harmonize with its neighbors, in this case other historic landmarks that have similar type roofing.

6. Replacing historic wood roofing with roofing that is not similar in composition, size, shape, nor color may set a precedent in the historic district.

CONDITIONS

1. The approval is for the asphalt composite roofing in "weathered wood" color, and the applicant will return to the HPC if a different roofing material is proposed.

Adopted by the Heritage Preservation Commission of the City of Excelsior, Minnesota, on this 25th day of March 2024.

HERITAGE PRESERVATION COMMISSION

_____
Dan Brattland, Chair

THE CITY OF EXCELSIOR MINNESOTA

MEMORANDUM

Re: Item 5(b) – 201-205 Mill St SAP Application

Date: May 22, 2024

To: Heritage Preservation Commission

From: Amy Lucas, consultant, Kevin Staunton, City Attorney/Assistant City Manager,

60/120 Day Deadlines: June 24/August 24

Background and Application

Suzy Watson, president of the Wyer Hill Condominium Association, has applied for a site alteration permit to re-roof the historic property at 201 Mill Street and the two associated Wyer Hill Condominum buildings (203-205 Mill Street).

History: The Wyer/Pearce House was built in 1887 at 201 Mill Street. It was listed in the National Register of Historic Places (NRHP) in 1977 and locally designated in 1981. The Queen Anne style house is associated with James J. Wyer II, an Excelsior merchant, and Fred Pearce, a developer of the Excelsior Amusement Park. The house was later converted to duplex use and operated as a bed-and-breakfast inn. In 2005, the house was converted into condominium units and a complex of two condominium buildings were built around the house. The rehabilitation included a wood, shake shingle roof on the historic building and the two condominium buildings. A preservation easement (dated October 21, 2003) was placed on the Wyer/Pearce House and the associated site, which allows the City to review alterations in order to insure preservation and maintenance.

Proposed alteration: The applicant is applying to re-roof the three buildings following a hail storm on May 11, 2023. The buildings currently have wood, shake shingles and the owners' association is proposing replacement with DaVinci composite shakes "weathered gray" color; sample will be available at hearing. The replacement roofing resembles the historic wood shingles in color, texture, and shape. The National Park Service (NPS) historic tax rehabilitation program has approved the DaVinci shakes on historic projects. The owners' association will receive better insurance rates with this system and it will last longer than the wood shingles.

DaVinci sample board near current wood roof

Applicable Standards and Analysis

The *City of Excelsior Preservation Design Manual*-'General Roofing Materials' and 'Architectural Detailing' Guidelines apply:

General Roofing Materials Guidelines

- GR.1 Original roofing materials should be retained unless deteriorated.
- GR.2 In commercial structures that display pitched roofs, when partially reroofing, deteriorated roof coverings shall be replaced with new materials that match the old in composition, size, shape and texture.
- GR.3 When entirely reroofing, new materials that alter the appearance of the roof in composition, size, or shape shall not be used.
- GR.4 The replacement of asphalt roof with asbestos shingles is acceptable. Generally, light-colored shingles are not appropriate because they are a more modern development.
- GR.5 Skylights may be permitted if they do not detract from the architectural character of the building. Generally, the use of skylights on the façade facing a public right-of-way is discouraged because of increased visibility and incompatibility with most architectural styles.

Architectural Detailing Guidelines

- AD.1 Architectural details shall be retained on existing structures within the historic downtown.
- AD.2 When restoring or working on a historic building, property owners are encouraged to restore any ornamentation that may have been removed previously.
- AD.3 If it is not feasible to repair the feature, then replace it with one that is similar in character to the original based on physical or pictorial evidence to assure accuracy. Replace only that portion that is beyond repair.
- AD.4 A substitute material may be acceptable if the size, shape, texture and finish conveys the visual appearance of the original.
- AD.5 When reconstructing an element is impossible and inadequate information exists to allow for an accurate reconstruction, develop a new design that is a simplified interpretation of it.
- AD.6 The new element should be similar to comparable features in general size, shape, texture, material and finish.
- AD.7 New construction should display contemporary details that harmonize with its neighbors.
- AD.8 All added elements such as electric meters and boxes, condensing units, gas meters, solar panels, air conditioners, television antennae and satellite dishes should be located on the roof or to the rear of buildings and appropriately screened from view.

Applying the Guidelines

1. The proposed roofing follows the guidelines for "general roofing materials" and the new material matches the appearance of the wood shake in composition, size, shape and color.

2. The proposed roofing follows the guidelines for "architectural detailing," which state that "if it is not feasible to repair the feature, then replace it with one that is similar in character to the original based on physical or pictorial evidence." It has been a financial burden to continuously repair the wood shake shingles and the proposed material is "similar in character."

3. The proposed roofing follows the guidelines for "architectural detailing," which state that "a substitute material may be acceptable if the size, shape, texture and finish conveys the visual appearance of the original." The proposed DaVinci composite shingle in "weathered gray" meets

these standards and is a material that the National Park Service approves for historic projects. The proposed alteration does not damage the historic character of the house and site.

Attachments:

- SAP Application and Attachments
- HPC Resolution 2024-04 Approving a Site Alteration Permit for the Installation of new roofing at 201-205 Mill Street

Recommended Commission Action: Adopt HPC Resolution No. 24-04 Approving a Site Alteration Permit for the Installation of new roofing materials at 201-205 Mill Street.

City of Excelsior
339 Third Street, Excelsior, MN 55331
Telephone: 952-474-5233 Email:

APPLICATION FOR A SITE ALTERATION PERMIT

Applicant's Name: Wyer Hill Condominium Association

Address: 201-203-205 Mill Street

Telephone: 952-922-5575 Pierre Ekue-Hettah, Prop. Mgr.

Authority to file application:

- ☐ Ownership
- ☐ Tenant
- ☑ Other HOA President

If not Owner, Owner's Name: Suzy Watson

Address: 205 Mill St S104

Telephone: 218-232-5492

Project Address: 201-203-205 Mill Street

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

- ☑ Yes
- ☐ No

Name: Kevin Peterson, GCM Company

Address: kpeterson@gcmcompany.com

Attach the following materials for <u>all</u> 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).

☑ A short narrative of the work to be done and how the work relates to the building's architecture.

☑ Identification of all exterior building materials and colors, including materials samples and paint chips of proposed colors.

Note: An application will not be deemed complete until all of the items above have been submitted to the City.

Narrative Description of Proposed Site Alterations: (Include any changes to masonry walls or foundations, siding or paint, roofs or chimneys, doors or windows, porches or steps, awnings or shutters, fences or retaining walls, landscaping or lighting)

If you need additional space, please include additional sheets.

please see attached narrative

I hereby certify that the above information, the checklist below and all accompanying documents and information are true and accurate to the best of my knowledge.

Jerry Watson, PRESIDENT — April 24, 2024

Applicant's signature — Date

Site Alteration Permit Checklist Overview

The Excelsior Heritage Preservation Commission (HPC) reviews land use activities that may affect Excelsior's historical and architectural attributes. The Excelsior Heritage Preservation Commission has prepared a checklist to assist you in applying for a Site Alteration Permit. In addition to the general materials listed on page 1, applicants should refer to the checklist below for additional requirements applicable to particular types of projects. A summary of HPC Guidelines are also available at Excelsior City Hall.

Please be thorough in completing the checklist. The decision of the HPC will be based on the completed checklist and other materials you submit. Any unidentified alterations not shown on the checklist or application materials will need to be discussed with staff and possibly returned to the HPC for further review. Work completed without the HPC's approval is in violation of the City Code and may be subject to fines or penalties. The Excelsior City Staff is available to answer questions regarding the application and checklist. You may contact them at 952-474-5233.

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)

1. 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.

Sue Watza, President — April 24, 2024

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:

_____
_____
_____

☐ Disapproved

Reasons:

_____
_____
_____

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

Inspection Report Summary

Property Information

Job Name
Wyer Hill Roof Inspection

Job Type
Residential

Phone Number
N/A

Email Address
N/A

About This Report

Report Created
06/07/2023

Assets
5

Added Photos
5

Annotations
0

Images With Confirmed Damage
0

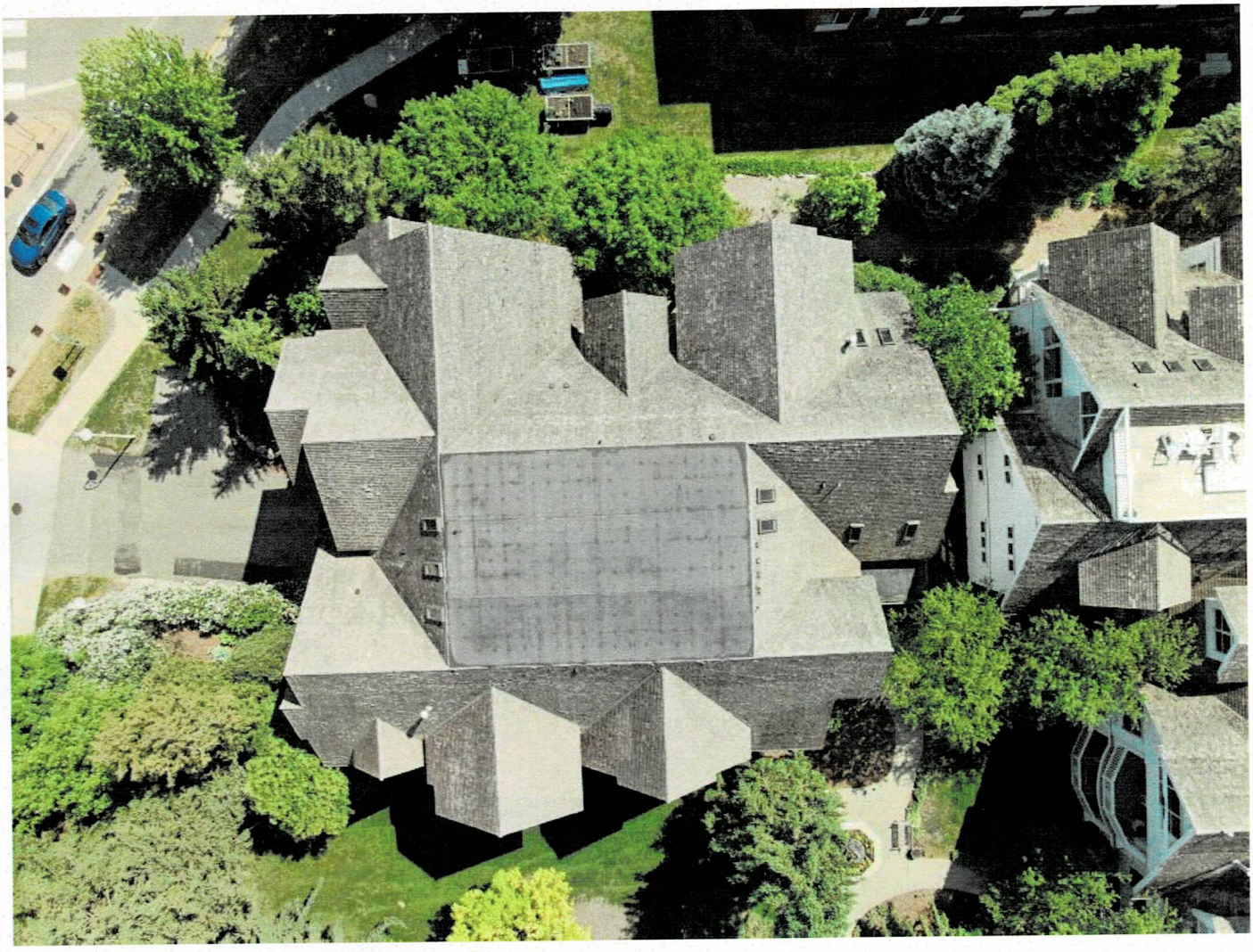
General Information

Completed by
Chris Olund

Completed on
05/30/2023

Inspect List Type
Inspect List

Inspection Report Summary



Property Information

Job Name
Wyer Hill Roof Inspection

Job Type
Residential

Phone Number
N/A

Email Address
N/A

About This Report

Report Created
06/07/2023

Assets
10

Added Photos
10

Annotations
0

Images With Confirmed Damage
0

General Information

Completed by
Chris Olund

Completed on
06/01/2023

Inspect List Type
Inspect List

Inspection Report Summary

Property Information

Job Name
Wyer Hill Roof Inspection

Job Type
Residential

Phone Number
N/A

Email Address
N/A

About This Report

Report Created
06/07/2023

Assets
16

Added Photos
16

Annotations
0

Images With Confirmed Damage
0

General Information

Completed by
Chris Olund

Completed on
06/01/2023

Inspect List Type
Inspect List

City of Excelsior
Heritage Preservation Commission
Resolution No. 2024-04

A Resolution Approving a Site Alteration Permit
for installation of new roofing materials at
201-205 Mill Street

WHEREAS, Suzy Watson, president of the Wyer Hill Condominium Association, at 201-205 Mill Street, Excelsior, MN 55331, ("Applicant") has applied for a Site Alteration Permit for the installation of new roofing materials at 201-205 Mill Street;

WHEREAS, the Heritage Preservation Commission ("HPC") considered Applicant's application and its meeting on May 28, 2024.

NOW, THEREFORE, IT IS RESOLVED, that the Applicant is hereby approved a Site Alteration Permit to install replacement roofing materials at 201-205 Mill Street based on the following:

FINDINGS OF FACT

1. Suzy Watson, president of the Wyer Hill Condominium Association at 201-205 Mill Street, Excelsior, MN 55331 ("Applicant") has applied for a site alteration permit to reroof the property at 201-205 Mill Street.

2. The Wyer/Pearce House was built in 1887 and is listed in the National Register of Historic Places (NHRP) and locally designated.

3. In 2003, the City of Excelsior placed a "preservation easement" on the Wyer/Pearce House to ensure future construction and alterations would meet the historic guidelines.

4. In 2005, the Wyer/Pearce House was rehabilitated into condominiums and two additional condominium buildings were built on the land associated with the historic building. The new construction complimented the historic Wyer/Pearce House and all roofs were clad in wood, shake shingles.

5. The wood, shake shingle roofing has been a costly repair for the condominium association and a May 2023 hail storm has precipitated another roof replacement. The material is costly and insurance for wood roofs is costly due to the low fire rating.

6. The Wyer Hill Condominium Association has applied for the installation of DaVinci composition shingles "weathered gray" on all three association buildings, which include

DRAFT

the Wyer/Pearce House. The proposed material is similar to the wood, shake shingle in color, size, and texture.

7. In making a determination whether to approve or deny an application for a site alteration permit, the commission shall be guided by The Secretary of the Interior's Standards and Guidelines for Rehabilitation and the *Preservation Design Manual*.

CONCLUSIONS OF LAW

1. The proposed roofing for 201-205 Mill Street meets the guidelines for composition, size, shape and color as outlined in the *Preservation Design Manual*.

2. The proposed roofing meets the guidelines that allow a substitute material if the size, shape, texture and finish conveys the visual appearance of the original.

3. The proposed installation does not damage the historic character or integrity of the house and site.

CONDITIONS

1. The approval is for the DaVinci "weathered gray" composite shingle and applicant will return to the HPC if a different roofing material is proposed.

Adopted by the Heritage Preservation Commission of the City of Excelsior, Minnesota, this 28th day of May, 2024.

HERITAGE PRESERVATION COMMISSION

_____
Dan Brattland, Vice Chair

DRAFT

City of Excelsior
339 Third Street, Excelsior, MN 55331
Telephone: 952-474-5233 Email:

APPLICATION FOR A SITE ALTERATION PERMIT

Applicant's Name: Wyer Hill Condominium Association

Address: 201-203-205 Mill Street

Telephone: 952-922-5575 Pierre Ekue-Hettah, Prop. Mgr.

Authority to file application:

- ☐ Ownership
- ☐ Tenant
- ☑ Other HOA President

If not Owner, Owner's Name: Suzy Watson

Address: 205 Mill St S104

Telephone: 218-232-5492

Project Address: 201-203-205 Mill Street

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

- ☑ Yes
- ☐ No

Name: Kevin Peterson, GCM Company

Address: kpeterson@gcmcompany.com

Attach the following materials for <u>all</u> 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).

☑ A short narrative of the work to be done and how the work relates to the building's architecture.

☑ Identification of all exterior building materials and colors, including materials samples and paint chips of proposed colors.

Note: An application will not be deemed complete until all of the items above have been submitted to the City.

Narrative Description of Proposed Site Alterations: (Include any changes to masonry walls or foundations, siding or paint, roofs or chimneys, doors or windows, porches or steps, awnings or shutters, fences or retaining walls, landscaping or lighting)

If you need additional space, please include additional sheets.

please see attached narrative

I hereby certify that the above information, the checklist below and all accompanying documents and information are true and accurate to the best of my knowledge.

Jerry Watson, PRESIDENT — April 24, 2024

Applicant's signature — Date

Site Alteration Permit Checklist Overview

The Excelsior Heritage Preservation Commission (HPC) reviews land use activities that may affect Excelsior's historical and architectural attributes. The Excelsior Heritage Preservation Commission has prepared a checklist to assist you in applying for a Site Alteration Permit. In addition to the general materials listed on page 1, applicants should refer to the checklist below for additional requirements applicable to particular types of projects. A summary of HPC Guidelines are also available at Excelsior City Hall.

Please be thorough in completing the checklist. The decision of the HPC will be based on the completed checklist and other materials you submit. Any unidentified alterations not shown on the checklist or application materials will need to be discussed with staff and possibly returned to the HPC for further review. Work completed without the HPC's approval is in violation of the City Code and may be subject to fines or penalties. The Excelsior City Staff is available to answer questions regarding the application and checklist. You may contact them at 952-474-5233.

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)

1. 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.

Sue Watza, President — April 24, 2024

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:

_____
_____
_____

☐ Disapproved

Reasons:

_____
_____
_____

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

City of Excelsior
Heritage Preservation Commission
Resolution No. 2024-04

A Resolution Approving a Site Alteration Permit
for installation of new roofing materials at
201-205 Mill Street

WHEREAS, Suzy Watson, president of the Wyer Hill Condominium Association, at 201-205 Mill Street, Excelsior, MN 55331, ("Applicant") has applied for a Site Alteration Permit for the installation of new roofing materials at 201-205 Mill Street;

WHEREAS, the Heritage Preservation Commission ("HPC") considered Applicant's application and its meeting on May 28, 2024.

NOW, THEREFORE, IT IS RESOLVED, that the Applicant is hereby approved a Site Alteration Permit to install replacement roofing materials at 201-205 Mill Street based on the following:

FINDINGS OF FACT

1. Suzy Watson, president of the Wyer Hill Condominium Association at 201-205 Mill Street, Excelsior, MN 55331 ("Applicant") has applied for a site alteration permit to reroof the property at 201-205 Mill Street.

2. The Wyer/Pearce House was built in 1887 and is listed in the National Register of Historic Places (NHRP) and locally designated.

3. In 2003, the City of Excelsior placed a "preservation easement" on the Wyer/Pearce House to ensure future construction and alterations would meet the historic guidelines.

4. In 2005, the Wyer/Pearce House was rehabilitated into condominiums and two additional condominium buildings were built on the land associated with the historic building. The new construction complimented the historic Wyer/Pearce House and all roofs were clad in wood, shake shingles.

5. The wood, shake shingle roofing has been a costly repair for the condominium association and a May 2023 hail storm has precipitated another roof replacement. The material is costly and insurance for wood roofs is costly due to the low fire rating.

6. The Wyer Hill Condominium Association has applied for the installation of DaVinci composition shingles "weathered gray" on all three association buildings, which include the Wyer/Pearce House. The proposed material is similar to the wood, shake shingle in color, size, and texture.

7. In making a determination whether to approve or deny an application for a site alteration permit, the commission shall be guided by The Secretary of the Interior's Standards and Guidelines for Rehabilitation and the *Preservation Design Manual*.

CONCLUSIONS OF LAW

1. The proposed roofing for 201-205 Mill Street meets the guidelines for composition, size, shape and color as outlined in the *Preservation Design Manual*.

2. The proposed roofing meets the guidelines that allow a substitute material if the size, shape, texture and finish conveys the visual appearance of the original.

3. The proposed installation does not damage the historic character or integrity of the house and site.

CONDITIONS

1. The approval is for the DaVinci "weathered gray" composite shingle and applicant will return to the HPC if a different roofing material is proposed.

Adopted by the Heritage Preservation Commission of the City of Excelsior, Minnesota, this 28th day of May, 2024.

HERITAGE PRESERVATION COMMISSION

_____
Dan Brattland, Vice Chair

EXHIBIT A

City of Excelsior

Resolution No. 2003 - 14

A Resolution Approving a PUD Detailed Plan
for the Wyer-Pearce Redevelopment Project

WHEREAS, Wyer-Pearce LLC ("Applicant") has made application for approval of a Planned Unit Development ("PUD") Detailed Plan (the "Plans") for the property located at Section 35, Town 117, Range 23, Quarter Quadrant 23, and Suffixes 0079; 0080; and 0081 (201 and 247 Mill Street); and

WHEREAS, the Excelsior City Council approved a Preliminary Plan and Written Proposal ("Preliminary Plan"), on February 18, 2003; and

WHEREAS, the Planning Commission held a public hearings on the proposed Plans on March 11 and March 25, 2003; and

WHEREAS, the March 25, 2003 public hearing was conducted jointly with the City's Heritage Preservation Commission ("HPC") in order for the HPC to review the Applicant's Site Alteration Permit Application; and

WHEREAS, the public hearing was continued to the City Council's April 7, 2003 meeting.

NOW, THEREFORE, IT IS RESOLVED that the Applicant's PUD Detailed Plan is hereby approved. The approval is based on the following:

Findings and Conclusions:

Generally

1. The Detailed Plan (the details of which are attached hereto as Exhibit A) consist of:

   - Site Plan (Alternative A) dated 02.25.03
   - Landscaping and Lighting Plan (Alternative A) dated 02.25.03
   - Site Plan (Alternative B) dated 02.25.03
   - Landscaping and Lighting Plan (Alternative B) dated 02.25.03
   - Main Level Plan (Alternative B) dated 02.25.03
   - Second Level Plan (Alternative B) dated 02.25.03
   - Third Level Plan (Alternative B) dated 02.25.03
   - Garage Level Plan (Alternative B) dated 02.25.03
   - North/South Elevation – South Building dated 02.25.03
   - East/West Elevation dated 02.25.03

- North/South Elevation – North Building dated 02.25.03
- View looking South dated 02.25.03
- View looking Southeast dated 02.25.03
- View looking Southwest dated 02.25.03
- View looking Northeast dated 02.25.03
- Height Study dated 02.25.03
- Soils Map indicating the soil conditions for the subject property
- Photo simulation of site after proposed development dated 02.25.03
- Utilities plans indicating placement of water, sanitary sewers, and storm sewers in accordance with the requirements of the letter dated November 26, 2002 from Donald Sterna, City Engineer
- A transportation impact statement indicating the relationship of the site plan to transportation plans in the immediate area
- A soil erosion control plan acceptable to Minnehaha Creek Watershed District, Minnesota Department of Natural Resources, Hennepin County Soil Conservation District, or any other agency with review authority clearly illustrating erosion control measures to be used during construction and as permanent measures
- Antique Street lamp Specifications – Acorn styled luminaire (5 pages) submitted 03.11.03

2. The Detailed Plan does not depart from the maximum density approved by the Preliminary Plan.

3. The Detailed Plan does not decrease the area approved by the Preliminary Plan for public and common open space by more than five percent or change the general location of that area.

4. The Detailed Plan does not impact the pedestrian or vehicular adjacent circulation elements on Mill Street and Excelsior Boulevard or at the nearby five corners area to any extent that would (a) decrease their ability to function, (b) adversely affect their relation to surrounding lands and circulation elements; or (c) reduce their effectiveness as buffers or amenities.

5. The Detailed Plan does not alter the arrangements of land uses in the PUD proposed in the Preliminary Plan.

6. The Detailed Plan does not call for the PUD to be completed in stages.

7. The Detailed Plan does not materially alter the plan or concept of the PUD as it was conceived in the Preliminary Plan.

8. The Detailed Plan enhances the historic character of the City by preserving the historically-designated existing structure on the site and constructing new structures that are consistent with the historic and small-town character of the City.

9. The residential units contemplated by the Detailed Plan are appropriate for the transitional nature of the site and their design and siting do not compromise the nature of surrounding districts.

10. The Detailed Plan will, when executed, reduce the tax burden on local residents by expanding and broadening the local tax base.

11. The commercial use contemplated by Alternative A of the Detailed Plan fits within the character of the neighborhood by being housed within the historic Wyer-Pearce structure, where a similar commercial use (food service) has been in place in recent years.

Aesthetics

12. The new structures contemplated by the Detailed Plan are aesthetically complementary to the existing Wyer-Pearce structure in choice of materials, design, and layout. The materials are consistent with the brick and wood construction of the Wyer-Pearce structure. The design calls for the two new structures not to exceed the height of the Wyer-Pearce structure and to rise in height as they recede from the Wyer-Pearce structure. The layout provides an internal courtyard and fountain that enhances the surroundings for the Wyer-Pearce structure in a way that is appropriate.

13. The materials, design, and layout in the Detailed Plan also fit aesthetically with the surrounding area by appropriately complementing the Wyer-Pearce structure.

14. The Detailed Plan additionally enhances the aesthetic "fit" of the two new structures by including design elements that minimize the apparent mass of the structures.

Environmental Matters

15. Alternative A in the Detailed Plan creates the potential for environmental concerns related to noise and odors.

16. The size of the potential commercial use minimizes the potential noise and odor issues. With the conditions identified herein, the environmental concerns are adequately addressed.

Lighting

17. The Detailed Plan identifies eight exterior light fixtures, none of which are on the east or south side of the site.

18. Four of the light fixtures will be near the two streets that abut the site. The intensity of those lights will be no greater than the intensity of the street lights currently illuminating those streets.

19. That there will not be any other exterior light sources other than those required by the Uniform Building Code.

20. The location of the exterior light sources in relation to the planned structures make light spillage from those fixtures toward the east or south minimal if not nonexistent.

Open Space and Landscaping

21. The Detailed Plan shows the location of existing landscaping and trees that will be retained. They also show the location and anticipated types of plantings.

22. The location of planned landscaping does not inappropriately block the view of lakes, parks, or other scenic amenities.

23. In either alternative, the combination of greenspace, driveways, and parking, exceeds 60 percent of the total area of the project.

24. The Applicant intends to satisfy the park dedication requirement of the subdivision ordinance by a contribution to the City's Park Dedication fund.

Traffic and Transportation

25. The Detailed Plan provides interior sidewalks and drive aisles that provide for safe pedestrian and vehicular traffic on the site.

26. Alternatives A and B will generate an average of 119 vehicular trips per day from the two new residential structures. Alternative A will produce an average of 115 vehicular trips per day for the commercial use at the Wyer-Pearce structure. Alternative B will produce an average of 20 vehicular trips per day for the residential use of that structure.

27. These traffic projections do not appear to have a tendency to significantly increase traffic in the area.

Utilities

28. The Wyer-Pearce Property is served by City utilities.

29. The City Engineer recommends that the water supply serving the proposed development be looped because it avoids a dead end in the water main, provides better redundancy in the event of a break in the main, and (most importantly) minimizes the chance of failure of the main in the event of use for fire suppression.

30. Pursuant to Section 1058:25, Subd. 7, all utilities serving the Wyer-Pearce Property must be installed underground and the City may require an easement for standard City and utility usage.

Energy

31. The proposed new structures do not cause significant detrimental effect on the availability of sunlight to abutting properties. The structures will be adequately set back from existing buildings in the area so as not to have a detrimental effect on the availability of sunlight to abutting properties.

Drainage

32. The topography and the excessive hardcover (for which the Applicant is obtaining a variance) make drainage issues a major concern on the site.

33. The Detailed Plan calls for the installation of drainage mechanisms designed to ensure that the rate of runoff from the site is not increased.

Streets, Sidewalks, Curbs, and Gutters

34. The property is bounded on two sides by sidewalks, streets, curbs, and gutters.

35. Construction of the project may have an impact on the adjacent sidewalks, streets, curbs, and gutters.

36. Streets, sidewalks, curbs, and gutter, will be necessary to support the new development.

Density and Intensity

37. The percentage of the total area of the PUD that is covered by buildings under the Plans does not exceed 40 percent.

38. The number of dwelling units (under either Alternatives A or B) does not exceed the 20 per acre allowed by the PUD Ordinance. Although it is slightly above the limits for density in the shoreland district, an upward departure from the usual shoreland limits is acceptable in light of the drainage mechanisms being implemented by the Applicant as well as the unique topographic, stormwater management, and vegetative cover that the site provides.

39. Although two buildings are planned for Lot 2, that is permitted under the City's PUD ordinance.

Height

40. The two new buildings on the property will exceed the City's building height limits and the Applicant will need a variance from the height limits in the City's zoning code.

Parking

41. The parking areas are all covered with, at a minimum, asphalt.

42. No fencing of the parking lots is contemplated as part of the PUD proposal.

43. The residential units are unlikely to need the full 2.5 off-street parking spaces required by Section 1075 of the code.

44. Reducing the number of off-street spaces required allows fewer above-ground spaces that would further exacerbate the hardcover issues on the Site.

Heritage Preservation

45. The City's Heritage Preservation Commission ("HPC") has issued a Site Alteration Permit to the applicant permitting exterior modifications on the site.

Design Standards

46. Design Standards review is ordinarily required for properties within the City's B districts. Although the Site is not within one of the City's B districts, Alternative A contemplates a commercial use of the property. If that Alternative involved the construction of a new building, design guideline review might have been necessary. Since the commercial use will be located in the existing structure and the proposed modifications of the structure have been reviewed by the Heritage Preservation Commission, no design guidelines review is necessary for this PUD.

NOW, THEREFORE, the Detailed Plan is hereby approved based on the following conditions:

1. The project must be constructed according to the Detailed Plan attached as Exhibit A.

2. A Comprehensive Plan amendment must be adopted prior to implementing development of the Wyer-Pearce Property solely for residential use (Alternative B).

3. The Applicant must obtain all other applicable permits and approvals (including preliminary and final plat approval, issuance of height, hardcover, and demolition moratorium variances, the issuance of a CUP for earth moving activity, the issuance of a Site Alteration Permit governing modifications to the exterior of the existing, historically-designated structure, and issuance of other applicable government permits) before obtaining a building permit.

4. The applicant must make a cash contribution to the City's park improvement fund in accordance with Section 30-153 of the Subdivision Ordinance. Park cash contributions are to be calculated and determined at the time of final plat approval.

5. The Detailed Plan and construction must conform to the conditions in the Site Alteration Permit issued by the Heritage Preservation Commission.

6. The applicant must complete exterior renovations on the Wyer-Pearce house before the first residential unit in the two new structures is occupied.

7. The applicant shall submit a cross easement agreement evidencing the shared parking arrangement to the satisfaction of the City Attorney.

8. The parking space labeled as 32-S shall be designated as a van accessible disabled parking space and the applicant shall submit revised plans reflecting new underground parking configuration deleting spaces marked "1-WP", "20-S" and "21-S" on the Garage Level Plan dated 02.25.03.

9. The applicant shall submit revised plans reflecting parking stall measurements of nine (9) feet in width and twenty (20) feet in length for both underground and aboveground parking and a twenty-two (22) foot drive-aisle in the underground and above-ground parking areas.

10. All parking areas must be covered with asphalt or a surface approved by the City Engineer.

11. The applicant shall extend the lilac hedge around the southwest corner of the site to provide screening of the parking area from the abutting residential property.

12. The drive around the Wyer-Pearce House shall be removed if development of Alternative B is pursued.

13. The applicant must submit revised plans showing a loading/delivery area in compliance with Section 1075:20 of the zoning code for the Wyer-Pearce House if Alternative A is pursued.

14. All trash must be placed in closed containers and all trash containers must be screened or stored indoors. The trash receptacles to serve the residential units shall be placed in the underground parking area. The applicant shall submit plans indicating the location of all trash receptacles subject to staff approval.

15. Public sidewalks adjacent to the site (Mill Street and Lake Street) must be replaced and improved where damaged or destroyed by construction subject to the review and approval of the City Engineer.

16. The applicant must submit traffic data information for Alternative A for review and approval by the City Engineer.

17. Free-standing exterior light fixtures shall conform to the specifications submitted by the applicant except that, to the extent the existing historic fixtures are reusable, they shall be reused.

18. Exterior building lighting will be placed at the entrance locations as required by the building code. Such light fixtures shall have a 90-degree cut-off.

19. The applicant may erect only one sign per curb cut on the site as indicated on the Detailed Plan. The applicant must obtain a sign permit prior to erecting the sign. The sign must be constructed in accordance with the provisions of Section 1070.10, Subd. 5 of the Zoning Ordinance and must conform to the Zoning Ordinance setback requirements.

20. The aggregate square footage of sign space shall not exceed twenty-five (25) square feet. The area within the frame shall be used to calculate square footage. The sign shall not be illuminated.

21. The applicant must submit complete landscaping plans indicating the placement, size, and variety, of all proposed plantings.

22. The applicant shall remove only four (4) trees as indicated on the Detailed Plan: two (2) twenty-four (24) inch maple trees, a twelve (12) inch maple, and eighteen (18) inch pine.

23. The exterior materials for the townhome buildings shall consist of white lap siding in a color complementary to the existing color of the Wyer-Pearce house and brick that emulates Chaska brick or the type of red brick shown to the Planning Commission at its meeting on March 25, 2003 that matches the brick used for the fireplace of the existing Wyer-Pearce structure. The roof of the townhome buildings will be cedar shake as submitted by the applicant and represented on the materials board.

24. All utility plans shall be subject to the review and approval of the City Engineer.

25. The water supply serving the proposed development shall be subject to the approval of the City Engineer.

26. All utilities must be installed underground and the City may require an easement for standard City and utility usage.

27. All proposed structures shall meet state energy codes and shall be constructed in an energy efficient manner.

28. No structures shall cause a significant detrimental effect on the availability of sunlight to abutting properties.

29. The site shall not emit or generate any noise, odors, vibration, toxic or noxious substance, etc. that have a detrimental effect on adjacent properties.

30. The Wyer-Pearce House renovations and the new townhome structures proposed for the development must comply with the Uniform Building Code and all State energy codes.

31. All grading and drainage plans shall be subject to the review and approval of the City Engineer and Minnehaha Creek Watershed District.

32. All final grading, drainage and erosion control plans shall be approved by the City Engineer prior to issuance of any building permits.

33. The applicant shall enter into a development contract with the City. The development contract shall address, among other things, maintenance of common open space in accordance with Section 30-155 of the Excelsior Code and the provision of a financial guarantee in accordance with Section 30-185 as well as Section 1058:20, subd. 7.

34. Change in location of access points onto the public streets shall be reviewed and approved by the City Engineer and Hennepin County.

35. All aspects of the project shall be carried out in compliance with all applicable federal, state, and local regulations.

36. Construction shall commence within one year of the date on which the Final Plan and Final Plat are approved by the City Council.

37. The Applicant shall not proceed with construction on Lot 1 of Alternative B until appearing before the City Council on or before September 30, 2003 and providing an explanation of why it is necessary to proceed with Alternative B rather than Alternative A.

Adopted by the Council of the City of Excelsior, Minnesota this 7th day of April, 2003.

Lynn Johnson, Mayor

ATTEST:

James R. Olds, City Clerk/Treasurer

Myles Mc Grath, City Manager

EXHIBIT B "Exhibit B"

City of Excelsior

Resolution No. 2003 - 25

A Resolution Approving a PUD Final Plan
for the Wyer-Pearce Redevelopment Project

WHEREAS, Wyer-Pearce LLC ("Applicant") has made application for approval of a Planned Unit Development ("PUD") at the properties located at Section 35, Town 117, Range 23, Quarter Quadrant 23, and Suffixes 0079; 0080; and 0081 (201 and 247 Mill Street) (also referred to as the Wyer-Pearce Site); and

WHEREAS, the Excelsior City Council approved a Preliminary Plan and Written Proposal ("Preliminary Plan"), on February 18, 2003; and

WHEREAS, the Planning Commission held a public hearings on proposed Detailed and Final Plans on March 11 and 25, 2003; and

WHEREAS, the City Council approved the Detailed Plan on April 7, 2003; and

WHEREAS, the City Council also approved a preliminary plat, variances from the City's impervious surface limits and the City's Demolition Moratorium Ordinance, and the issuance of a CUP for land reclamation at its meeting on April 7, 2003; and

WHEREAS, the City's Heritage Preservation Commission ("HPC") has approved the issuance of a Site Alteration Permit allowing alterations to the historic Wyer-Pearce structure; and

WHEREAS, at its meeting on April 7, 2003, the City Council directed that a proposed Final Plan be presented to it at its April 21, 2003 meeting.

NOW, THEREFORE, IT IS RESOLVED that the Applicant's Final Plan is hereby approved and the City's Zoning Code is hereby amended to reflect a change in the zoning for the property to PUD consistent with this resolution and its Exhibits. The approval is based on the following:

Findings and Conclusions:

Generally

1. The Final Plan shall consist of the documents attached hereto as Exhibit A (pages 1 through 23).

2. The Final Plan does not depart from the maximum density approved by the Preliminary and Detailed Plans.

3. The Final Plan does not decrease the area approved by the Preliminary and Detailed Plans for public and common open space by more than five percent or change the general location of that area.

4. The Final Plan does not impact the pedestrian or vehicular adjacent circulation elements on Mill Street and Excelsior Boulevard or at the nearby five corners area to any extent that would (a) decrease their ability to function, (b) adversely affect their relation to surrounding lands and circulation elements; or (c) reduce their effectiveness as buffers or amenities.

5. The Final Plan does not alter the arrangements of land uses in the PUD proposed in the Preliminary and Detailed Plans.

6. The Final Plan does not call for the PUD to be completed in stages.

7. The Final Plan does not materially alter the plan or concept of the PUD as it was conceived in the Preliminary and Detailed Plans.

8. The Final Plan enhances the historic character of the City by preserving the historically-designated existing structure on the site and constructing new structures that are consistent with the historic and small-town character of the City.

9. The residential units contemplated by the Final Plan are appropriate for the transitional nature of the site and their design and siting do not compromise the nature of surrounding districts.

10. The Final Plan will, when executed, reduce the tax burden on local residents by expanding and broadening the local tax base.

11. The commercial use contemplated by Alternative A of the Final Plan fits within the character of the neighborhood by being housed within the historic Wyer-Pearce structure, where a similar commercial use (food service) has been in place in recent years.

Aesthetics

12. The new structures contemplated by the Final Plan are aesthetically complementary to the existing Wyer-Pearce structure in choice of materials, design, and layout. The materials are consistent with the brick and wood construction of the Wyer-Pearce structure. The design calls for the highest points (other than the cupula on the South Building) of the two new structures not to exceed the height of the highest ridge of the Wyer-Pearce structure and to rise in height as they recede from the Wyer-Pearce structure. The layout provides an internal courtyard and fountain that enhances the surroundings for the Wyer-Pearce structure in a way that is appropriate.

13. The materials, design, and layout in the Final Plan also fit aesthetically with the surrounding area by appropriately complementing the Wyer-Pearce structure.

14. The Final Plan additionally enhances the aesthetic "fit" of the two new structures by including design elements that minimize the apparent mass of the structures.

Environmental Matters

15. Alternative A in the Final Plan creates the potential for environmental concerns related to noise and odors.

16. The size of the potential commercial use minimizes the potential noise and odor issues. With the conditions identified herein, the environmental concerns are adequately addressed.

Lighting

17. The Final Plan identifies exterior light fixtures, none of which are on the east or south side of the site.

18. Four of the light fixtures will be near the two streets that abut the site. The intensity of those lights will be no greater than the intensity of the street lights currently illuminating those streets.

19. That there will not be any other exterior light sources other than those required by the Uniform Building Code.

20. The location of the exterior light sources in relation to the planned structures make light spillage from those fixtures toward the east or south minimal if not nonexistent.

Open Space and Landscaping

21. The Final Plan shows the location of existing landscaping and trees that will be retained. It also generally shows the location and anticipated types of plantings.

22. The location of planned landscaping does not inappropriately block the view of lakes, parks, or other scenic amenities.

23. In either alternative, the combination of greenspace, driveways and parking exceeds 60 percent of the total area of the project.

24. In lieu of dedicating 10 percent of the property in the Development for public use, Developer agrees to pay $28,500 in cash or any comparable in-kind contribution acceptable to the City and approved by City staff at the time of issuance of the building permit.

Traffic and Transportation

25. The Final Plan provides interior sidewalks and drive aisles that provide for safe pedestrian and vehicular traffic on the site.

26. Alternatives A and B will generate an average of 119 vehicular trips per day from the two new residential structures. Alternative A will produce an average of 115 vehicular trips per day for the commercial use at the Wyer-Pearce structure. Alternative B will produce an average of 20 vehicular trips per day for the residential use of that structure.

27. These traffic projections do not appear to have a tendency to significantly increase traffic in the area.

Utilities

28. The Wyer-Pearce Property is served by City utilities.

29. The City Engineer recommended that the water supply serving the proposed development be looped because it avoids a dead end in the water main, provides better redundancy in the event of a break in the main, and (most importantly) minimizes the chance of failure of the main in the event of use for fire suppression. Fire District officials have tested the water pressure on the relevant water main and determined that it is sufficient in volume and pressure to adequately provide water for fire suppression purposes. Given this finding and the costs associated with looping the water main, it is not critical that the water main be looped as part of this project.

30. Pursuant to Section 1058:25, Subd. 7, all utilities serving the Wyer-Pearce Property must be installed underground and the City may require an easement for standard City and utility usage.

Energy

31. The proposed new structures do not cause significant detrimental effect on the availability of sunlight to abutting properties. The structures will be adequately set back from existing buildings in the area so as not to have a detrimental effect on the availability of sunlight to abutting properties.

Drainage

32. The topography and the excessive hardcover (for which the Applicant has obtained a variance) make drainage issues a major concern on the site.

33. The Final Plan calls for the installation of drainage mechanisms designed to ensure that the rate of runoff from the site is not increased.

Streets, Sidewalks, Curbs, and Gutters

34. The property is bounded on two sides by sidewalks, streets, curbs, and gutters.

35. Construction of the project may have an impact on the adjacent sidewalks, streets. curb and gutters.

36. Streets, sidewalks, curbs and gutter will be necessary to support the new development.

Density and Intensity

37. The percentage of the total area of the PUD that is covered by buildings under the Final Plan does not exceed 40 percent.

38. The number of dwelling units (under either Alternatives A or B) does not exceed the 20 per acre allowed by the PUD Ordinance. Although it is slightly above the limits for density in the shoreland district, an upward departure from the usual shoreland limits is acceptable in light of the drainage mechanisms being implemented by the Applicant as well as the unique topographic, stormwater management, and vegetative cover that the site provides.

39. Although two buildings are planned to be added to the existing Wyer-Pearce house, that is permitted under the City's PUD ordinance.

Height

40. The two new buildings on the property will exceed the City's building height limits and the Applicant will need a variance from the height limits in the City's zoning code.

Parking

41. The parking areas are all covered with, at a minimum, asphalt.

42. No fencing of the parking lots is contemplated as part of the PUD proposal.

43. The residential units are unlikely to need the full 2.5 off-street parking spaces required by section 1075 of the code.

44. Reducing the number of off-street spaces required allows fewer above-ground spaces that would further exacerbate the hardcover issues on the Site.

Heritage Preservation

45. The City's Heritage Preservation Commission ("HPC") has issued a Site Alteration Permit to the applicant permitting exterior modifications on the site.

NOW, THEREFORE, the Final Plan is hereby approved based on the following conditions:

1. The project must be constructed according to the Final Plan attached as Exhibit A.

2. A Comprehensive Plan amendment must be adopted prior to implementing development of the Wyer-Pearce Property solely for residential use (Alternative B).

3. The Applicant must obtain all other applicable permits and approvals (including final plat approval, issuance of height variances, and issuance of other applicable government permits) before obtaining a building permit.

4. In lieu of dedicating 10 percent of the property in the Development for public use, Developer agrees to pay $28,500 in cash or any comparable in-kind contribution acceptable to the City and approved by City staff at the time of issuance of the building permit.

5. The Final Plan and construction must conform to the conditions in the site alteration permit issued by the Heritage Preservation Commission.

6. The applicant must complete exterior renovations on the Wyer-Pearce house before the first residential unit in the two new structures is occupied.

7. The applicant shall submit a cross easement agreement evidencing the shared parking arrangement to the satisfaction of the City Attorney.

8. All parking areas must be covered with asphalt or a surface approved by the City Engineer.

9. The drive aisle around the Wyer-Pearce House shall not be installed unless Alternative A is executed.

10. The applicant must submit a revised Final Plan showing a loading/delivery area in compliance with section 1075:20 of the zoning code for the Wyer-Pearce House if Alternative A is executed.

11. All trash must be placed in closed containers and all trash containers must be screened or stored indoors. The trash receptacles to serve the residential units shall be placed in the underground parking area. The applicant shall submit plans indicating the location of all trash receptacles subject to staff approval.

12. Public sidewalks adjacent to the site (Mill Street and Lake Street) must be replaced and improved where damaged or destroyed by construction subject to the review and approval of the City Engineer.

13. Free-standing exterior light fixtures shall conform to the specifications submitted by the applicant except that, to the extent the existing historic fixtures are reusable, they shall be reused.

14. Exterior building lighting will be placed at the entrance locations as required by the building code. Such light fixtures shall have a 90-degree cut-off.

15. The applicant may erect only one sign per curb cut on the site as indicated on the Final Plan. The applicant must obtain a sign permit prior to erecting the signs. The signs must be constructed in accordance with the provisions of Section 1070.10, Subd. 5 of the Zoning Ordinance and must conform to the Zoning Ordinance setback requirements.

16. The aggregate square footage of sign space shall not exceed twenty-five (25) square feet per sign. The area within the frames shall be used to calculate square footage. Illumination of the signs shall be consistent with the current Excelsior zoning code and design standards.

17. The applicant must submit complete landscaping plans indicating the placement, size, and variety of all proposed plantings.

18. The applicant shall remove only four (4) trees as indicated on the Final Plan: two (2) twenty-four (24) inch maple trees, a twelve (12) inch maple and eighteen (18) inch pine.

19. The exterior materials for the townhome buildings shall consist of lap siding in a color complementary to the existing color of the Wyer-Pearce house and brick that emulates Chaska brick or the type of red brick shown to the Planning Commission at its meeting on March 25, 2003 that matches the brick used for the fireplace of the existing Wyer-Pearce structure. The roof of the townhome buildings will be cedar shingle as submitted by the applicant and represented on the materials board.

20. All utility plans shall be subject to the review and approval of the City Engineer.

21. The water supply serving the proposed development shall be subject to the approval of the City Engineer.

22. All utilities must be installed underground and the City may require an easement for standard City and utility usage.

23. No structures shall cause a significant detrimental effect on the availability of sunlight to abutting properties.

24. The site shall not emit or generate any noise, odors, vibration, toxic or noxious substance, etc. that have a detrimental effect on adjacent properties.

25. The Wyer-Pearce House renovations and the new townhome structures proposed for the development must comply with the Uniform Building Code and all State energy codes.

26. All grading and drainage plans shall be subject to the review and approval of the City Engineer and Minnehaha Creek Watershed District.

27. All final grading, drainage, and erosion control plans shall be approved by the City Engineer prior to issuance of any building permits.

28. The applicant shall enter into a Developer's Agreement with the City. The development contract shall address, among other things, maintenance of common open space in accordance with Section 30-155 of the Excelsior Code and the provision of a financial guarantee in accordance with Section 30-185 as well as Section 1058:20, subd. 7.

29. Change in location of access points onto the public streets shall be reviewed and approved by the City Engineer and Hennepin County.

30. All aspects of the project shall be carried out in compliance with all applicable federal, state, and local regulations.

31. Construction shall commence within one year of the date on which the Final Plan and Final Plat are approved by the City Council.

32. The Applicant shall not proceed with construction on the portion of the property affected by Alternative B until appearing before the City Council on or before September 30, 2003 and providing an explanation of why it is necessary to proceed with Alternative B rather than Alternative A.

33. The parking space labeled as 18-S on the garage-level plan shall be designated as a van-accessible disabled parking space.

34. The parking space labeled as 1-N on the garage-level plan shall be removed.

35. The Applicant shall submit and have approved by City staff a porch plan elevation reflecting the recommendations of the Heritage Preservation Commission if Alternative A is pursued.

Adopted by the Council of the City of Excelsior, Minnesota this 5th day of May 2003.

Lynn Johnson, Mayor

ATTEST:

James R. Olds, City Clerk/Treasurer

Myles Mc Grath, City Manager

EXHIBIT C

TRANSFER ENTERED
HENNEPIN COUNTY PROPERTY TAX SERVICES
NOV 17 2003
HENNEPIN COUNTY MINN.
BY _____ DEPUTY
REGISTRAR OF TITLES
BY _____ DEPUTY
NOV 17 2003
3878104
1100654
1100655
SCANNED
3878104

HISTORIC PRESERVATION CONSERVATION EASEMENT

This Historic Preservation Conservation Easement ("Easement") is made this 21st day of October, 2003 by and between Wyer-Pearce, LLC, a Minnesota limited liability company ("Grantor") and the City of Excelsior, a public body (the "City" or "Grantee").

WHEREAS, Grantor is the owner of a certain parcel of property described on Exhibit A hereto, of which the property depicted in the cross-hatched portion of Exhibit B hereto is a part (such portion on Exhibit B being the "Site"); the Site does not include any portion of the balance of the property described on Exhibit A or any improvements now or hereafter constructed on such balance of such property; and

WHEREAS, because of its architectural, historic, and cultural significance, the Site and the structure located thereon known as the Wyer-Pearce House (the "Structure") have been designated as historic by the City and State of Minnesota, the Structure is listed on the National Register of Historic Places, and the Structure is a certified historic structure under Section 170(h)(4)(B) of the Internal Revenue Code of 1986, as amended, and the regulations thereunder (the "Code"); and

WHEREAS, Grantor has applied for approval of a Planned Unit Development ("PUD") on the Site and certain adjoining sites and the City has approved the PUD's Final Plan (the "Final Plan") conditioned on, among other things, the preservation of the historic Wyer-Pearce House, the execution of a Developer's Agreement (the "Developer's Agreement") between the City and Grantor, the preservation of the historic Wyer-Pearce House and certain renovations to the exterior thereof (the "Improvements") as described in the Final Plan and the Developer's Agreement; and

WHEREAS, in exchange for a reduction in the size of the financial security required by the City's PUD Ordinance and the approval of the Final Plan, Grantor has agreed to grant this Easement as a Conservation Easement within the meaning of Minnesota Statutes Chapter 84C; and

WHEREAS, the City is a governmental body empowered to hold an interest in real property under the laws of the State of Minnesota, and is a qualifying recipient of qualified conservations contributions under Section 170(h) of the Code;

NOW, THEREFORE, in consideration of good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, and pursuant to Section 170(h) of the Code and Minnesota Statutes Chapter 84C, Grantor does hereby voluntarily grant and convey unto the

Metro Legal Services Inc.
Box 491

City an exclusive historic preservation conservation easement in perpetuity over the Site and the Structure as described in Exhibit A.

1. Purpose. It is the purpose of this Easement to assure that the architectural, historic, cultural and associated features of the Site and Structure will be retained and maintained substantially in their current condition for conservation and preservation purposes for the benefit of the people of the City of Excelsior, the State of Minnesota, and the United States of America until commencement of Improvements required by the Developer's Agreement and Final Plan, and that, upon completion of the Improvements consistent with the Final Plan and the Developer's Agreement, that the Site and Structure be retained and maintained forever substantially in their renovated condition. Nothing herein is intended, however, to require the interior portions of the Structure to be retained and maintained in the current or renovated condition except to the extent such retention and/or maintenance is structurally necessary to the retaining and maintaining of the exterior of the Structure.

2. Baseline Documentation. In order to ensure that there is a record to guide future maintenance of the Structure after the Improvements required by the Developer's Agreement and the Final Plan, Grantor agrees that Baseline Documentation shall be created upon completion of the Improvements to the exterior of the Structure as required by the Developer's Agreement and the Final Plan. The Improvements shall be deemed to be complete at the time that the City, having inspected the Improvements, issues Grantor a Certificate of Completion. Upon issuance of the Certificate of Completion regarding the Improvements to the Structure, the City shall create a record of the exterior appearance of the Structure that shall serve as the Baseline Documentation for purposes of this Easement. The record may include any documentation the City deems necessary (including but not limited to, photographs, architectural drawings or plans, and material samples) to provide an accurate record of the status of the exterior of the Structure upon completion of the Improvements. Grantor agrees to cooperate with the City to facilitate creation of the Baseline Documentation. The Baseline Documentation shall be kept on file with the City.

3. Grantor's Covenants. Grantor agrees to maintain the exterior of the Structure in the same condition and state of repair as that existing on the date that the Baseline Documentation is created. Grantor's obligation under this paragraph shall require replacement, repair, and reconstruction of the exterior of the Structure in accordance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, as amended from time to time (the "Secretary's Standards"), whenever necessary to preserve or maintain the Structure. Grantor's obligations hereunder shall not exempt it from the requirements of the City's ordinances including, but not limited to, the City's Heritage Preservation Ordinance and its requirements regarding Site Alteration Permits. However, the requirement that Grantor apply for a Site Alteration Permit before replacing, repairing, or reconstructing the exterior of the Structure shall not relieve Grantor of its obligations under this paragraph to preserve and maintain the exterior of the Structure in substantially the same condition it was in at the time the Baseline Documentation is created.

4. Grantor's Reserved Rights. Subject to the provisions of paragraphs 1, 2, 3, 5, the following rights, uses and activities of or by Grantor regarding the Site and Structure are permitted by this Easement:

A. The right to engage in all acts and uses that are permitted by governmental statute and regulation, do not substantially impair the conservation and preservation values of the Site and Structure, and are not inconsistent with the purpose of this Easement;

B. The right to make the Improvements, to make such changes to the Site as are permitted by the Final Plan and Developer's Agreement, and to otherwise maintain and repair the Site and Structure in accordance with the Secretary's Standards; and

C. The right to such residential or commercial use and enjoyment of the Site and Structure as are permitted by the Final Plan and Developer's Agreement and applicable laws, but only to the extent consistent with the purpose of this Easement; and

D. The right to make changes to the interior of the Structure that do not compromise the obligation to retain and maintain the exterior of the Structure.

5. Prohibited Activities. The following acts or uses are expressly forbidden within the boundaries of this Easement:

A. Destruction, demolition, relocation, removal, dismantling, or razing of the exterior of the Structure or any part thereof;

B. Erection of other buildings or structures on the Site, except temporary structures for making the Improvements or for the maintenance of the Structure;

C. Division or subdivision of the Site other than pursuant to the Final Plan and Developer's Agreement, provided that nothing herein shall be interpreted to preclude the filing of a condominium plat for the Site; and

D. Acts or uses detrimental to the preservation of any features of the exterior of the Structure or Site having historical, architectural or cultural significance.

6. Grantee's Remedies. The City may, following reasonable advance notice, enter the Site for the purpose of inspecting, maintaining, repairing or reconstructing the exterior of the Structure as may be necessary to preserve and maintain the exterior of the Structure consistent with the Purpose of this Easement. In the event that the City enters the Site to conduct preservation activities pursuant to the authority granted herein, it shall be entitled to recover the costs it incurs in those activities (including, without limitation, court costs and attorney's, architectural, engineering and expert witness fees), from Grantor or by assessing those costs against the Site on which the Structure is located. The City shall be authorized to apply to a court of appropriate jurisdiction for prohibitory and/or mandatory

injunctive relief to enforce the provisions of this Easement and to require the restoration of the Site and exterior of the Structure to the condition and appearance that existed prior to the violation complained of. The City shall also have all available legal and equitable remedies to enforce Grantor's obligations hereunder any other remedy, fine or penalty available at law or in equity. Exercise of one remedy hereunder shall not have the effect of waiving or limiting the use of any other remedy at any time.

7. Binding Effect. The obligations and rights imposed by this Easement shall be effective in perpetuity and shall be deemed to run as a binding servitude with the Site. This Easement shall extend to and be binding upon the Grantor, its successors in interest and all persons hereafter claiming under or through the Grantor, and shall accrue to the benefit of the City and its assignees, and the words "City," "Grantee," and "Grantor" when used herein shall include all such persons. The obligations imposed upon Grantor herein shall run with the land and be binding on future owners of the Site. Anything to the contrary herein notwithstanding, an owner of the Site shall have no obligation pursuant to this Easement after such owner ceases to have any ownership interest in the property by reason of a bona fide transfer. The restrictions, stipulations, and covenants contained in this Easement shall be included by Grantor, either verbatim or by reference, in any subsequent deed or legal instrument whereby Grantor divests itself of any interest in the Site.

8. Recording. This Easement shall be recorded along with the Developer's Agreement in the chain of title for the Site.

9. Casualty Damage or Destruction. In the event that the Structure or any part thereof is destroyed or damaged by fire, flood, windstorm, tornado, or other casualty, Grantor shall notify the City in writing of the damage or destruction within fourteen (14) calendar days. The notification shall include what, if any, emergency work has already been completed. No repairs or reconstruction of any type, other than temporary emergency work to prevent further damage to the exterior of the Structure and to protect public safety, shall be undertaken by Grantor without the City's prior written approval. Within thirty (30) calendar days of the date of the damage or destruction, if required by the City, Grantor shall submit a report to the City at Grantor's expense prepared by a qualified restoration architect or engineer acceptable to the City. The report shall include the following:

   A. An assessment of the nature and extent of the damage to the exterior of the Structure and, to the extent structurally necessary to assess the nature and extent of the damage to the exterior, an assessment of the nature and extent of structural damage to the interior;

   B. A determination of the feasibility of the restoration of the exterior of the Structure and/or reconstruction of the damaged or destroyed portions of the exterior of the Structure; and

   C. A report of the work necessary to return the exterior of the Structure to the condition established in the Baseline Documentation.

10. Review and Decision After Casualty Damage or Destruction. If, after reviewing the report provided in paragraph 9 and assessing the availability of insurance proceeds after any satisfaction of any mortgagee's/lender's claims, Grantor and the City agree that the purpose of the Easement will be served by such a restoration or reconstruction, the City and Grantor shall establish a schedule under which Grantor shall complete the restoration, reconstruction, or renovation of the Structure in accordance with plans and specifications agreed to by the City and Grantor up to at least the total of the insurance funds available to Grantor.

If, after reviewing the report provided in paragraph 9 and assessing the availability of insurance proceeds after any satisfaction of any mortgagee's/lender's claims, Grantor and the City agree that the purpose of the Easement will not be served by such a restoration or reconstruction or that such restoration or reconstruction is impractical or impossible, Grantor may, with the prior written consent of the City, alter, demolish, remove, or raze the Structure and/or construct new improvements on the Site. Under such circumstances, the City and Grantor may agree to extinguish this Easement in whole or in part in accordance with the requirements of the laws of the State of Minnesota and paragraph 17 below.

If, after reviewing the report provided in paragraph 9 and assessing the availability of insurance proceeds after any satisfaction of any mortgagee's/lender's claims, Grantor and the City are unable to agree that the purpose of the Easement will or will not be served by such a restoration or reconstruction, the matter shall be referred by either party to binding arbitration and resolved in accordance with Minn. Stat. ch. 572.

11. Insurance. Grantor shall keep the Structure insured for full replacement value against loss from perils commonly insured under standard fire and extended coverage policies and comprehensive general liability insurance against claims for personal injury, death, and property damage. Grantor shall name the City as an additional insured on any policies covering the Structure and Grantor shall deliver evidence of such insurance coverage upon ten (10) days written notice from the City. Whenever the Structure is encumbered with a mortgage or deed of trust, nothing contained in this paragraph shall jeopardize the prior claim, if any, of the mortgagee/lender to the insurance proceeds. Notwithstanding the foregoing, upon conveyance of the Site to an association to be created under Minn. Stat. ch. S 1 5B, such association will cause the Structure to be insured in accordance with Minn. Stat. § S 15B.3-113, as such section may be amended, modified, or supplemented after the date hereof.

12. Indemnification. Grantor agrees to indemnify, hold harmless, and defend at its own cost and expense, the City against any claims of liability arising out of or related to the preservation of the exterior of the Structure.

13. Taxes. Nothing herein shall be interpreted to impose any liability for taxes related to the Site or the Structure on the City, and Grantor hereby agrees to indemnify, hold harmless, and defend the City from any tax liability asserted against the City related to the Site or the Structure.

14. Notice. Any notice required to be given under this Easement shall be in writing and delivered to the other via U.S. Mail at the following addresses:

To the City:

City of Excelsior
City Manager
City Hall
339 Third Street
Excelsior, Minnesota 55331

To Grantor:

Wyer-Pearce, LLC
500 Lake Street, #110
Excelsior, Minnesota 55331

Copy to:

Kevin Staunton
3601 Minnesota Drive
Suite 800
Edina, Minnesota 55435

15. Notice of Sale. Grantor agrees to provide the City with notice of any proposed sale of the Structure and allow the City to provide an explanation of the terms of this Easement to any potential buyer in advance of the closing.

16. Percentage Interest. Grantor and the City stipulate that by virtue of the granting of this Easement, as of the date of this Easement, Grantor and the City are each vested with real property interests in the Site and Structure and that such interests have a stipulated percentage interest in the fair market value of the Site and Structure. Such percentage interests shall be determined by the ratio of the value of this Easement on the effective date of this Easement to the value of the Site and Structure, without deduction for the value of the Easement, on the effective date of this Easement. These values shall be used to calculate the deduction for federal income tax purposes allowable by reason of this grant pursuant to Section 170(h) of the Code. The parties shall include the ratio of values and percentage interest with the Baseline Documentation.

17. Assignment. The City may convey, assign, or transfer its rights pursuant to this Easement to a unit of federal, state, or local government or to a local, state, or national organization that is a "qualified organization" under section 170(h) of the Internal Revenue Code whose purposes the promotion of preservation or conservation of historical, cultural, or architectural resources provided that such a conveyance requires that the purpose for which this Easement was granted will continue to be carried out. Grantor may not assign, transfer, or otherwise convey its obligations under this Easement except as provided in paragraph 7 above. A third party right of enforcement of this Easement within the meaning of Minnesota Statutes Ch. 84C is hereby granted to Excelsior Heritage, Inc. to ensure that the purposes of this Easement will continue to be carried out.

18. Counterparts. This Easement may be executed in two or more counterparts, each of which shall be considered an original unless there is a conflict between counterparts in which case, the counterpart that is recorded pursuant to paragraph 8 above shall govern.

19. Venue, Jurisdiction, and Applicable Law. The parties agree that any dispute regarding this Easement (other than a dispute under paragraph 10) shall be venued in and subject to the jurisdiction of the Hennepin County District Court. All disputes regarding this Easement (including any dispute under paragraph 10) shall be subject to the laws of the State of Minnesota.

20. Amendment. This Easement may only be amended via a written instrument signed by all parties then subject to the Easement provided that no amendment of this Easement shall be made that will adversely affect the qualification of the Easement under applicable laws, including Section 170(h) of the Code and Minnesota Statutes Chapter 84C or that is inconsistent with the purpose of this Easement or its perpetual duration.

21. Interpretation. Any rule of strict construction designed to limit the breadth of restrictions on alienation or use of property shall not apply in the construction or interpretation of this Easement, and this instrument shall be construed broadly to effect its purpose. The invalidity or unenforceability of any provision of this instrument shall not affect the validity and enforceability of any other provision.

[SIGNATURES AND ACKNOWLEDGEMENTS
ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, Grantor and Grantee have set their hands and seals on the day and year first above written.

CITY OF EXCELSIOR

By: _____
Lynn Johnson, Mayor

By: _____
Myles Mc Grath, City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 21st day of Oct., 2003, by Lynn Johnson and Myles Mc Grath, Mayor and City Manager of the City of Excelsior, a Minnesota municipal corporation and said instrument was executed on behalf of the City.

_____
Notary Public

CHERYL D JOHNSON
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2005

WYER-PEARCE, LLC

By: _____

Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

This instrument was acknowledged before me this 21st day of October, 2003 by Jon Monson, the Manager of Wyer-Pearce, LLC, a Minnesota limited liability company, on behalf of the limited liability company.

_____
Notary Public

CHERYL D. JOHNSON
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2005

This document has been drafted by:
Kevin Staunton
City Attorney
City of Excelsior
3601 Minnesota Drive
Suite 800
Edina, Minnesota 55435

"Exhibit A"

(Wyer Hill Condominium)

Legal Description

PARCEL I (Certificate No. 822558):

Par 1: Lot 62, except that part described as follows: Commencing at the Northeast corner thereof; thence Southerly along the Easterly line a distance of 65 feet; thence Westerly in a direct line to a point in the Westerly line of said Lot 62 distant 23 feet, measured Southerly along said Westerly line from the Northwest corner there; thence Northerly along said Westerly line to the Northwest corner of said Lot 62; thence along the Northerly line of said Lot 62 to the point of beginning, the Easterly line of the tract of land described in this paragraph being marked by judicial landmarks located at the Southeasterly and Northeasterly corners thereof, Auditor's Subdivision Number One Hundred and Twenty, Hennepin County, Minnesota.

Par 2: That part of Lot 64, Auditor's Subdivision Number One Hundred Twenty, Hennepin County, Minnesota. Which lies Northerly of a line drawn from the most Northerly corner of Lot 65, said Auditor's Subdivision to the most Easterly corner of Lot 62, said Auditor's Subdivision except that part of said Lot 64 lying Westerly of the Southerly extension of the Northeasterly line of Lot 13, Galpins Addition to Excelsior.

Par 3: Lot 13, Galpins Addition to Excelsior, except that part described as follows: Commencing at that the Northeast corner of said Lot 13; thence Southerly along the Easterly line thereof a distance of 23 feet; thence Northwesterly in a direct line to a point in the North line of said Lot 13, 87 feet Westerly along said North line from the point of beginning; thence Easterly 87 feet to point of beginning, and except that part of said Lot 13 lying Southerly of the following described line: Commencing at the most Westerly corner of Lot 65, Auditor's Subdivision Number One Hundred and Twenty, Hennepin County, Minnesota; thence Northwesterly along the Southwesterly lines of Lot 64 of said Auditor's Subdivision and said Lot 13, a distance of 90.10 feet to the point of beginning of the line to be described; thence Northeasterly, parallel to the Northwesterly line of said Lot 65 to the Northeasterly line of said Lot 13 and there terminating.

PARCEL II (Certificate No. 82257):

Par 1: That part of Lot 13, Galpins Addition, which lies Southerly of the following described line: Commencing at the most Westerly corner of Lot 65, Auditor's Subdivision Number One Hundred and Twenty, Hennepin County, Minnesota; thence Northwesterly along the Southwesterly lines of Lot 64 of said Auditor's Subdivision and said Lot 13, Galpins Addition to Excelsior, a distance of 90.10 feet to the point of beginning of the line to be described; thence Northeasterly, parallel with the Northwesterly line of said Lot 65 to the Northeasterly line of said Lot 13 and there terminating.

Par 2: That part of Lot 64, Auditor's Subdivision No. 120, Hennepin County, Minnesota; which lies Westerly of the Southerly extension of the Northeasterly line of Lot 13, Galpins Addition to Excelsior and which lies Northerly of the following described land. Beginning at the most Westerly corner of Lot 65 of said Auditor's Subdivision; thence Northeasterly along the Northwesterly line of said Lot 65, to the most Northerly corner of said Lot 65; thence Northeasterly to the most Easterly corner of Lot 62 of said Auditor's Subdivision and there terminating.

"Exhibit B"

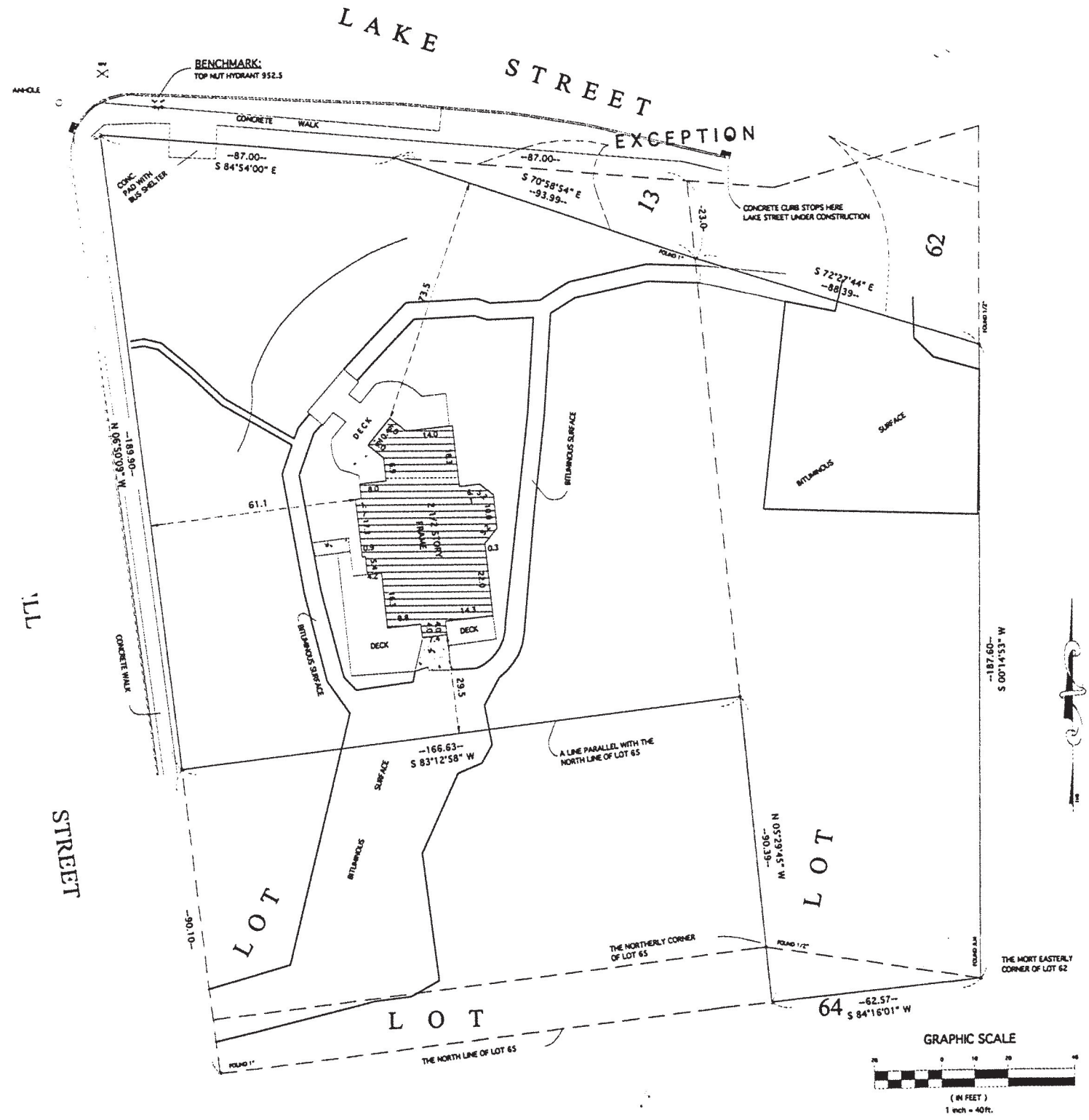

LAKE STREET
EXCEPTION
BENCHMARK:
TOP NUT HYDRANT 952.5
CONCRETE WALK
CONC. PAD WITH BUS SHELTER
--87.00--
S 84°54'00" E
--87.00--
S 70°58'54" E
--93.99--
CONCRETE CURB STOPS HERE
LAKE STREET UNDER CONSTRUCTION
13
62
23.0
FOUND 1/2"
S 72°27'44" E
--88.39--
73.5
DECK
BITUMINOUS SURFACE
SURFACE
BITUMINOUS
--188.96--
N 00°05'53" W
61.1
1 1/2 STORY
FRAME
DECK
DECK
CONCRETE WALK
BITUMINOUS SURFACE
29.5
--166.63--
S 83°12'58" W
A LINE PARALLEL WITH THE NORTH LINE OF LOT 65
SURFACE
BITUMINOUS
--187.60--
S 00°14'53" W
--90.10--
--90.36--
N 05°29'45" W
LOT
LOT
LOT
THE NORTHERLY CORNER OF LOT 65
FOUND 1/2"
FOUND 3/4"
THE MORT EASTERLY CORNER OF LOT 62
64
--62.57--
S 84°16'01" W
FOUND 1"
THE NORTH LINE OF LOT 65
GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 40 ft.

EXHIBIT D

VIEW LOOKING SOUTH

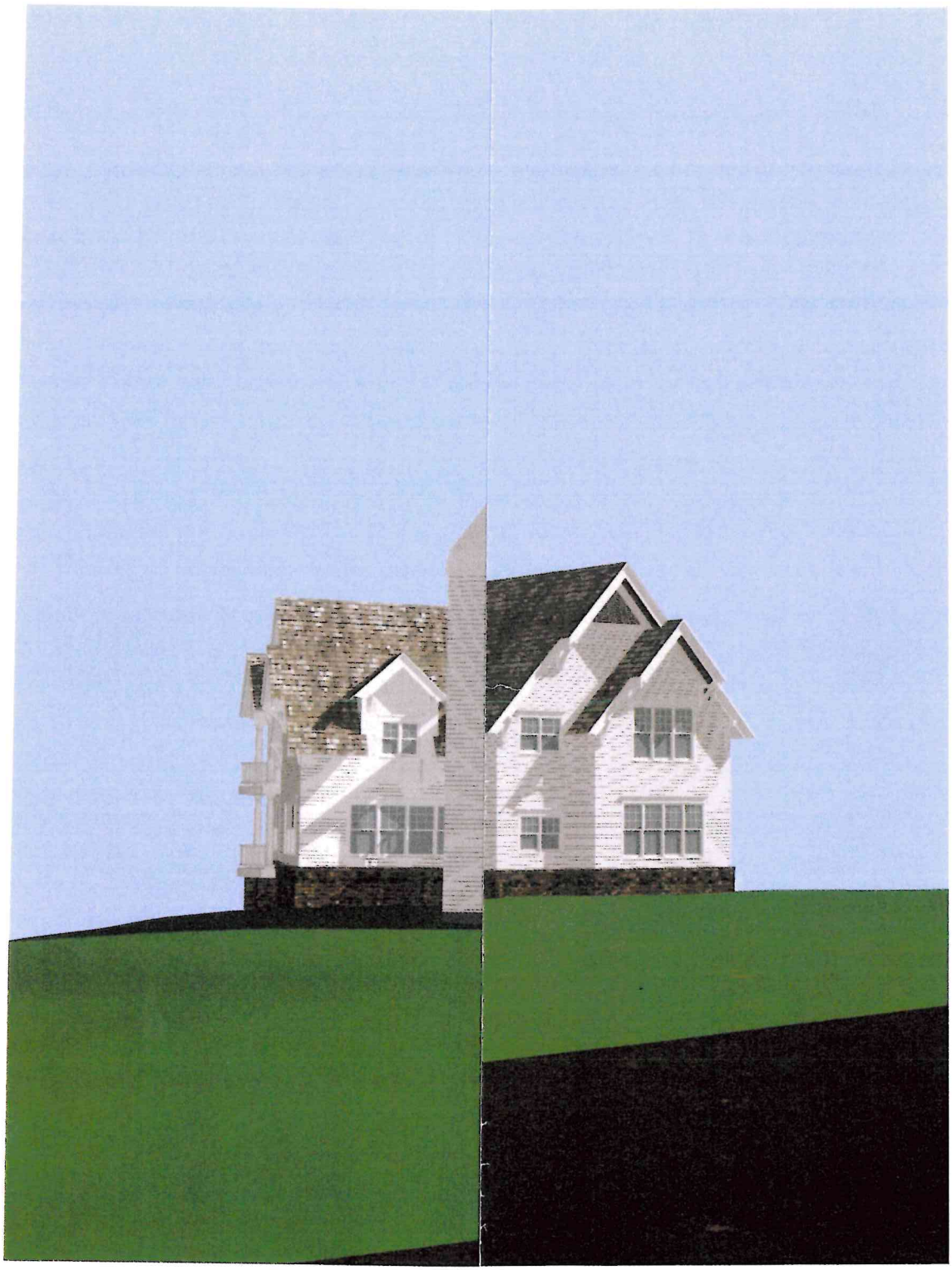
P R O J E C T	
Wyer Hill 201 Mill St. Excelsior, MN 55331	DATE 04/21/2003

Plans are copyrighted and are subject to protection under Section 102 of the Copyright Act, 17 U.S.C., as amended December 1, 1990, known as the Architectural Works Copyright Protection Act of 1990. Protection includes but is not limited to overall form as well as the arrangement of spaces and details of the design. Under such protection, unauthorized use of these plans, or works resulting from these plans, can result in the termination and loss of such construction as well as fines up to $100,000 per offense.

© 2003

Landschute

500 Lake Street #110
Excelsior, MN 55331
(952) 470-7416



VIEW LOOKING SOUTHEAST

P R O J E C T	
Wyer Hill 201 Mill St. Excelsior, MN 55331	DATE 04/21/2003

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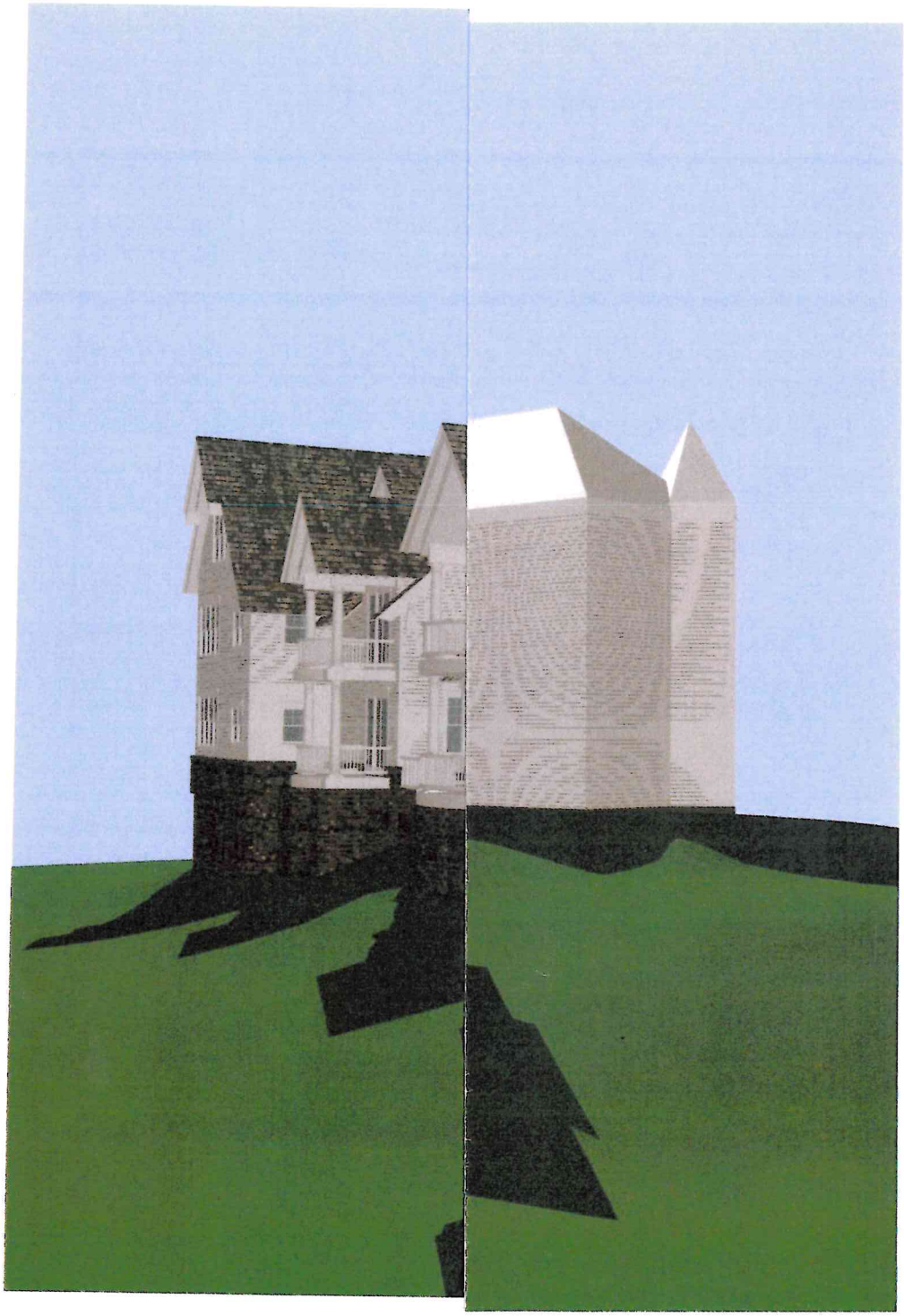

VIEW LOOKING SOUTHWEST

P R O J E C T	
Wyer Hill	
201 Mill St.	DATE
Excelsior, MN 55331	04/21/2003

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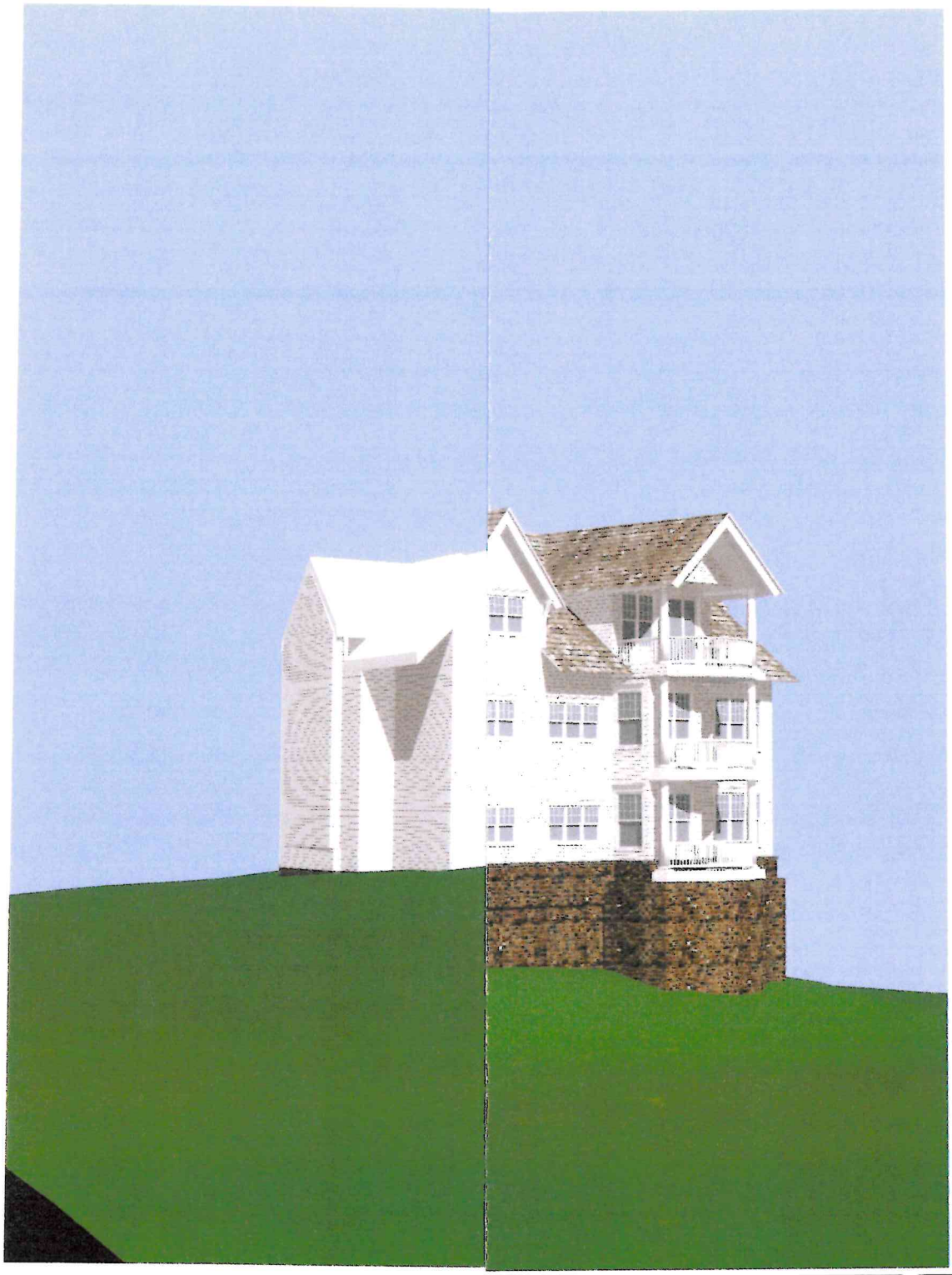

VIEW LOOKING NORTHEAST

P R O J E C T	
Wyer Hill 201 Mill St. Excelsior, MN 55331	DATE 04/21/2003

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500 Lake Street #110
Excelsior, MN 55331
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NORTH ELEVATION
SOUTH BUILDING 1/16"=1'-0"

SOUTH ELEVATION
SOUTH BUILDING 1/16"=1'-0"

P R O J E C T
Wyer Hill
201 Mill St.
Excelsior, MN 55331

DATE
04/21/2003

Plans are copyrighted and are subject to protection under Section 102 of the Copyright Act, 17 U.S.C., as amended December 1, 1990, known as the Architectural Works Copyright Protection Act of 1990. Protection includes but is not limited to overall form as well as the arrangement of spaces and details of the design. Under such protection, unauthorized use of these plans, or works resulting from these plans, can result in the termination and loss of such construction as well as fines up to $100,000 per offense.

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EAST ELEVATION
1/16"=1'-0"

WEST ELEVATION
1/16"=1'-0"

P R O J E C T
Wyer Hill
201 Mill St.
Excelsior, MN 55331

DATE
04/21/2003

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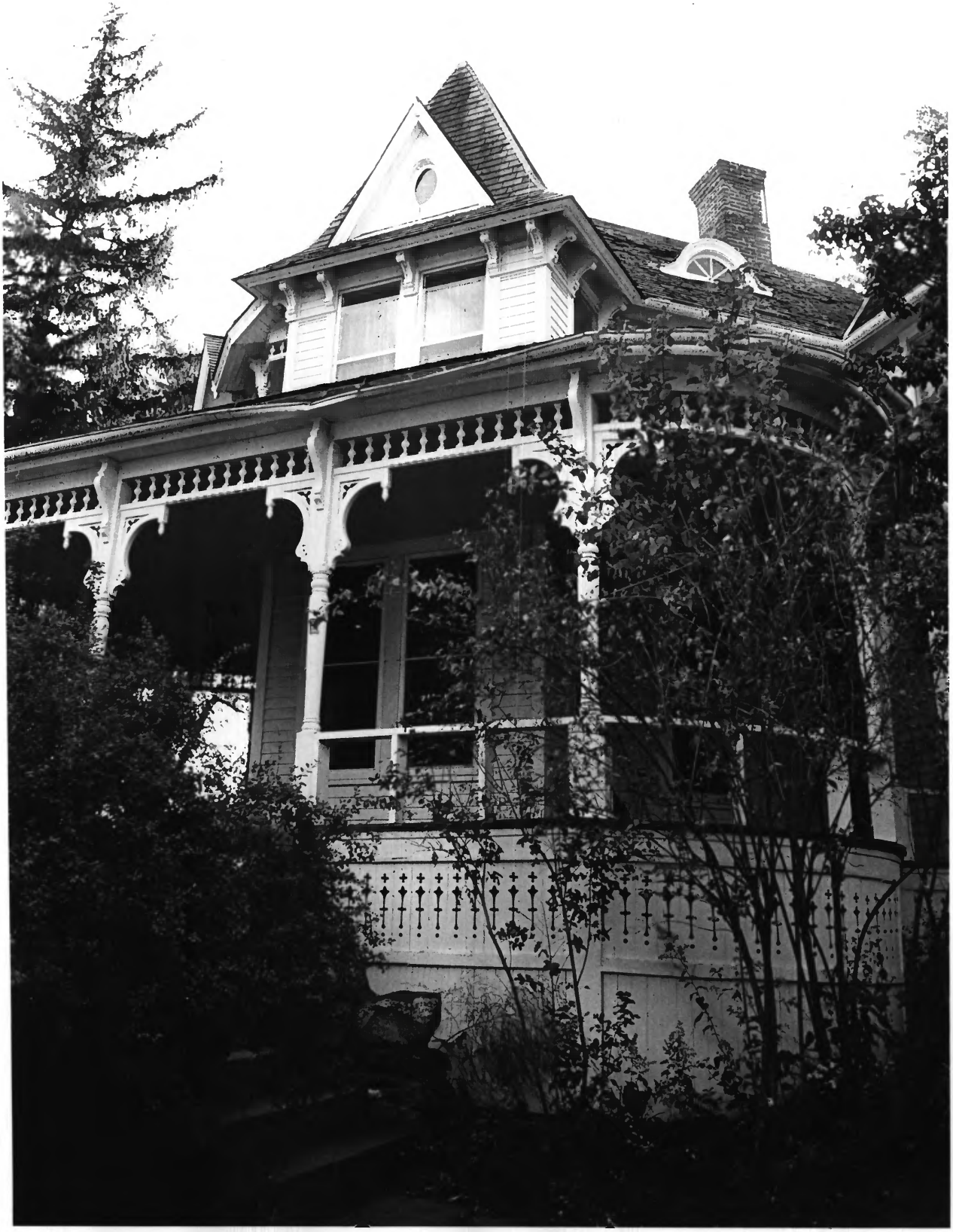


Wyer-Pearce House
Excelsior, Minnesota
Charles W. Nelson
1976
Minnesota Historical Society, 690
Cedar Street, St. Paul, Minn.
Northwest corner of porch
5/01643

DEC 6 1976

DOE APR 18 1977

photo 1 of 3

Wyer-Pearce House
Excelsior, Minnesota
Charles W. Nelson DEC 6 1976
copy of Photo ca. 1890
Minnesota Historical Society, 690
Cedar Street, St. Paul, Minn.
West elevation
16/01643 DOE APR 18 1977

Photo 2 of 3

Wyer-Pearce House
Excelsior, Minn.
Charles W. Nelson
1976
Minnesota Historical Society, 690
Cedar Street, St. Paul, Minn.
Northwest corner (front)
3/01643 OOE

DEC 6 1976
APR 18 1977

Photo 3 of 3

EXHIBIT H

Comparison of Landmark Properties with Asphalt Roofs

205 Third Street

Sept 9, 2015: Submitted a SAP for re-roofing with GAF Fox Hollow Gray. The existing shingles were not historically significant. The proposed shingles were similar to those being replaced as the former were also gray.

---

332 Second Street

Asphalt shingles were added in 2009 as a re-install. Unclear what original shingles may have been.

EXHIBIT H

193 Second Street
July 17, 2007: Site Alteration Permit approved for the installation of asphalt shingles on the newly constructed detached garage. There is no information about existing shingles on the house.

108 Second Street
Building Permit on October 26, 2021 (2021-138B) for tear-off and re-roof of 30 square foot asphalt shingles. Email confirmation that the new roof material will match the original. No further information about original historic roof.

2024

EXCELSIOR HERITAGE PRESERVATION COMMISSION

ANNUAL REPORT

Prepared For :
Minnesota State Historic
Preservation Office

THE CITY OF
EXCELSIOR
MINNESOTA

2024 ANNUAL REPORT FOR THE HERITAGE PRESERVATION COMMISSION

This publication is the Annual report for the City of Excelsior's Heritage Preservation Commission (HPC) for fiscal year 2024 (October 1, 2023 - September 30, 2024). It has been prepared according to the guidelines outlined in "Procedures for Applying for and Maintaining Certified Local Government Status (CLG)." CLG status is administered by the Minnesota State Historic Preservation Office (SHPO) for the National Park Service. Each year, the HPC applies for CLG grants through the SHPO. An Annual Report is one of the requirements for maintaining CLG status.

HPC MEMBERS

Chairperson Chrystal O'Hanlon
xtal.ohanlon@gmail.com
763-229-4823
Appointed April 2022 (Expires 2025)

Commissioner Dan Brattland
dan@cocardmerchantservices.com
612-685-3440
Appointed Dec 2021 (Expires 2027)

Commissioner Tim Caron
tgcaron@sprintmail.com
952-474-7824
Appointed Mar 2016 (Expires 2025)

Commissioner Tim Gephart
timgep23@gmail.com
952-474-3732
Appointed Feb 2023 (Expires 2026)

Commissioner Anne Mark
anne.wagner.mark@gmail.com
952-474-1465
Appointed Jan 2023 (Expires 2027)

Commissioner Rick Dahlstrom
lonepineframing@msn.com
952-237-5855
Appointed Feb 2023 (Expires 2026)

HPC CITY STAFF

Julia Mullin, Community Development Director jmullin@excelsiormn.org

Kevin Staunton, Assistant City Manager
kstaunton@excelsiormn.org

Ali Cameron, Senior Planner
acameron@excelsiormn.org

Amy Lucas, Historic Consultant
amymlucas@gmail.com

The City of Excelsior's Planning Department is located at 350 Highway 7, Suite 230, and retains landmark and historic district nomination for properties in the city as well as other research files.

HISTORY IN BRIEF

- 1852: City of Excelsior founded by George Bertram on the wooded and hilly sandbanks of the south side of Lake Minnetonka
- 1877: Formal incorporation as the Village of Excelsior
- 1894: Fire burned almost half of the city's business district, 9 commercial blocks and 1 residence
- 1895 - 1955: Official Period of Significance
- 1952: 75th Anniversary Celebration by dedicating a new train depot and streetlighting downtown
- 1980: Excelsior Heritage Preservation Commission (HPC) established
- 1997: Historic Preservation Ordinance Adopted
- 1998: Designation of Excelsior's Downtown Historic District (59 structures contributing)
- 2008: Design Standards adopted
- 2014: MN Historical and Cultural Heritage Grant Funding to hire a historic preservation consultant
- 2016: A Preservation Design Manual was published
- 2018: National Register Nomination presented to the public on January 25 at a Comprehensive Plan Open House
- 2020: The City receives a Certified Local Government Grant of $14,000 and hired an Historic Consultant to conduct a National Register Eligibility Study
- 2021: 9 historic designations submitted to SHPO
- 2024: 147 structures designated (85 structures contributing); 32 Historic Landmarks

A. PROTECTION OF HISTORIC PROPERTIES

The City of Excelsior has two enforcement mechanisms to protect its historical properties: a municipal heritage preservation ordinance under the provisions of Minnesota Statutes 471.193, and a Preservation Design Manual.

Chapter 20 of the Excelsior City Code of Ordinances

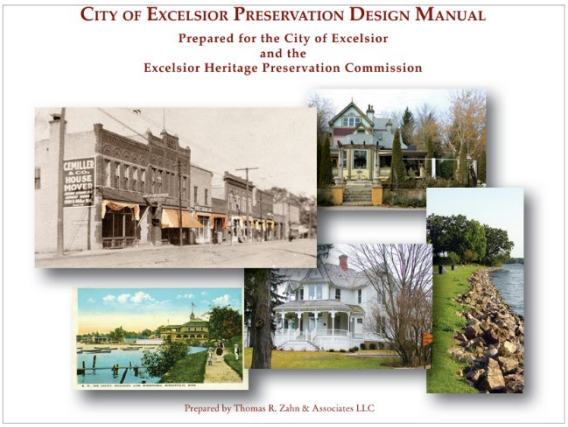
The City of Excelsior's municipal heritage preservation ordinance was adopted in 1997, which provides development review and design standards for historic resources. It includes nine guiding principles for historic preservation.

1. Safeguard the heritage of the City of Excelsior by preserving properties which reflect elements of the city's cultural, social, economic, political, visual, or architectural history;
2. Provide for the designation, protection, preservation, and rehabilitation of historic properties and historic districts and to participate in federal or state programs to do the same;
3. Protect and enhance the City of Excelsior's appeal and attraction to residents and visitors;
4. Enhance the visual and aesthetic character, diversity, and interest of the city;
5. Strengthen the local economy through the protection and promotion of Excelsior's unique cultural character;
6. Foster knowledge and civic pride in the beauty and noble accomplishments of the past;

7. Promote the use of historic buildings and structures for the economic prosperity, education, inspiration, and general welfare of the people of the city;
8. Assist, encourage and provide incentives to owners for preservation, restoration, rehabilitation, and use of historic buildings, structures, objects, and sites; and
9. Promote the reuse and recycling of existing building stock in Excelsior and thereby conserve increasingly scarce landfill space and valuable natural resources.

Preservation Design Manual

The City of Excelsior's Preservation Design Manual was adopted by the City Council in 2016 and is a 22-chapter, 110-page document that was developed thanks to funding from the Minnesota Historical Society's Minnesota Historical and Cultural Grants Program. The Preservation Design Manual provides building preservation and rehabilitation information for property owners within Excelsior's Downtown Historic District and individual historic Landmarks.



The Preservation Design Manual features comprehensive guidance for topics including, but not limited to, building materials, commercial architectural design and details, paint, signage, lighting, back entries, additions, new construction, site improvements, streetscape, landmarks, wall materials, finishes, roofs, chimneys, windows, entry doors, porches, steps, exterior trim, architectural features, public landscaping, and fences and retaining walls.

City Staff and Heritage Preservation Commissioners utilize the Preservation Design Manual's guidelines to advise applicant's on planning their building project, the approval process for exterior alterations, the Site Alteration Permit process, preservation approaches and principles (preservation, rehabilitation, restoration, redesign, additions, and new construction), and financial incentives.

B. HERITAGE PRESERVATION COMMISSION

The City Council established a Heritage Preservation Commission (HPC) in 1980 to carry out provisions of the ordinance. All commissioners have a demonstrated interest, competence and knowledge of historic preservation. Commissioners have backgrounds in property development, arts and culture, business, and administration. The City also retains an Historic Preservation Consultant, Amy Lucas, of Landscape Research LLC, who provides continued support for reviewing Site Alteration Permits.

During the 2023/2024 period, the HPC met 19 times, of which 4 of those times were special meetings. They reviewed 17 Site Alteration Permits, of which 14 were approved, two denied, and one was a stop work order to enforce a Site Alteration Permit. 4 of the Site Alteration Permits involved signage.

Site Alteration Permit Applications October 1, 2023 to September 30, 2024			
Address	Date	Decision	Project Type
173 Second Street	10/9/23	Approved	Window renovations
345 Water Street	10/24/23	Approved	Installation of three signs
449 Second Street	11/28/23	Approved	Mural painting on commercial building
108 Second Street	11/28/23	Approved	Home renovation for single-level living
262 Lake Street	12/19/23	Denied	Demolition of the property
355 Second Street	6/25/24	Approved	Signs, lighting, paint, mechanical, and window repair
355 Second Street	9/24/24	Approved	Sign installation
449 Second Street	6/25/24	Stopped	Stop Work Order on renovations
262 Lake Street	7/23/24	Denied	Demolition of garage
262 Lake Street	9/24/24	Approved	Demolition of garage, new addition and renovation
366 Water Street	9/24/24	Approved	Window installation
201-205 Mill Street	5/28/24	Approved	New roofing
278 Water Street	8/27/24	Approved	Repoint the facade
421 Third Street	8/27/24	Approved	Retain wood post patio system
406 Second Street	8/27/24	Approved	Signage and rear fence
217 First Street	9/24/24	Approved	Chimney removal, window install, garage construction
250-252 Water Street	9/24/24	Approved	Masonry repair, rear windows, rooftop addition

C. SURVEY AND INVENTORY OF HISTORIC PROPERTIES

During the 2023/2024 reporting period, no new properties were designated. The City's inventory includes 147 historic properties, of which 29 are designated Landmark Properties. The City maintains an ongoing process to survey and inventory all buildings, structures, sites, and districts within the local jurisdiction. The survey is accessible to the public on the city's website. In order to meet designation standards, Landmarks are surveyed and evaluated by a qualified preservation consultant, the preservation consultant determines whether they satisfy the City's criteria under Section 20-7 of the City Code for designation, and the designation studies for Proposed Landmarks are sent to SHPO for comment and recommendation.

Inventory – Designated Historic Properties

Street Number	Street Name	Historic Name	Downtown Historic District "Contributing"	Downtown Historic District "Non-Contributing"
228	Center Street	Colonial Style + Lincoln & Horace Aldritt		
	Excelsior Blvd.	Oak Hill Cemetery		
175	First Street	Porter/Dillman House		
180	First Street	Enoch W. Dyer House		
217	First Street	Catholic Mission Home		
712	Galpin Lake Rd.	Sickler/Newman/Seifert House		
192	George Street	Reverand Samual T. Show House		
361	George Street	J.E. Hennessy House		
368	George Street	Gould Greenhouse Office		
369	George Street	Rueben H. DeGroodt House		
374	George Street	George Bacon Gould House		
	The Excelsior Commons			
170	Lake Street	The Little Brown Cottage		
262	Lake Street	Kalorama Cottage		
328-332	Lake Street			Yes
152	Maple Street	Smith/Sampson House		
201	Mill Street	Wyer/Pearce House		
261	School Avenue	Excelsior High School	Yes	
301	Second Street	Our Savior Lutheran Church	Yes	
317	Second Street	Our Savior Lutheran Church Parsonage	Yes	
322	Second Street	Trinity Episcopal Church	Yes	
332	Second Street	Frank L. Perkins House	Yes	
339	Second Street	Kleven House		Yes
342-351	Second Street	LaPaul House	Yes	
348	Second Street	Excelsior Professional Building		Yes
350-354	Second Street	Dillman Building/Minnetonka Herald	Yes	
402-406	Second Street	The Stemmer Company	Yes	
409	Second Street	Minnetonka State Bank	Yes	
420	Second Street	Philip's Garage	Yes	
425	Second Street			Yes
429	Second Street	Bardwell House	Yes	
432/436/438	Second Street	Bennett Brother's Livery Stable	Yes	
441	Second Street	Maple Inn	Yes	

Street Number	Street Name	Historic Name	Downtown Historic District "Contributing"	Downtown Historic District "Non-Contributing"
449	Second Street	McLain House	Yes	
463	Second Street	Schrodes/Lyman House	Yes	
108	Second Street	John Mattox		
193	Second Street	McGrath/Arey House		
200	Second Street	Captain Johnson House		
201	Second Street	Bennett/Studer Residence		
300	Second Street	Trinity Chapel		
634	Third Avenue	Latham House		
6	Third Street	Minor House		
152	Third Street	Willis Willard House		
205	Third Street	Michael House		
323	Third Street	Beehive/Sheldon Hall		
421	Third Street	Wistrand Motor Company/Phillips Motor	Yes	
450	Third Street	Excelsior Fruit Growers Building	Yes	
468	Third Street	Darnell's Boarding House	Yes	
471	Third Street	Congregational Church of Excelsior		Yes
	Water Street	Port of Excelsior	Yes	
1	Water Street	Port of Excelsior		Yes
10	Water Street	Drug Store		Yes
21-23	Water Street			Yes
26	Water Street	Tonka Theatre	Yes	
28-30	Water Street	Hennessy Building	Yes	
31-33	Water Street			Yes
34-50	Water Street	Jordan Ford	Yes	
35	Water Street	Nygrens Clothing		Yes
205-207	Water Street	Bacon Drug	Yes	
206	Water Street	Wood Block/Sampson Building	Yes	
211-213	Water Street		Yes	
212	Water Street		Yes	
216	Water Street	Wheeler Building	Yes	
217	Water Street	The Happy Hour	Yes	
218/220/226	Water Street		Yes	
219/223/227	Water Street	Wetmore Block	Yes	
228	Water Street		Yes	
229	Water Street	Welter Building	Yes	

Street Number	Street Name	Historic Name	Downtown Historic District "Contributing"	Downtown Historic District "Non-Contributing"
234	Water Street	Miller Block	Yes	
235-237	Water Street	Fred Hawkins Building/Gluek Building	Yes	
239	Water Street	H.B. Elliot Grocery	Yes	
240	Water Street		Yes	
243	Water Street	Tomy's Barber Shop	Yes	
244	Water Street	Miller's Excelo Bakery	Yes	
249	Water Street	Excelsior Masonic Lodge	Yes	
251	Water Street			Yes
242	Water Street	IOOF Temple/Olds Dry Goods	Yes	
254-256	Water Street		Yes	
260	Water Street		Yes	
261	Water Street		Yes	
264	Water Street		Yes	
266	Water Street		Yes	
274	Water Street		Yes	
278	Water Street		Yes	
284	Water Street	Pure Oil	Yes	
287	Water Street	Tonka Printing Inc.		Yes
300	Water Street			Yes
301	Water Street			Yes
340	Water Street	J.E. Hennessy Lumber/Lampert Lumbar Co.	Yes	
344	Water Street	Knapp Radio & TV		Yes
345-347	Water Street	Leach Home Builders	Yes	
350	Water Street	W.P. McDonald House	Yes	
353	Water Street	Leach House	Yes	
356	Water Street			Yes
366	Water Street	O'Gorman/Westbrook Pegler/Scheid House	Yes	
370	Water Street	Texaco Gas Station	Yes	
371	Water Street	James Henry Clark House	Yes	
140	W. Lake Street	Palmer's Grove		

Inventory – Designated Landmark Properties

Street Number	Street Name	Historic Name	Year Built	
	Excelsior Blvd.	Oak Hill Cemetery	1855	
175	First Street	Porter/Dillman House	1870	
180	First Street	Enoch W. Dyer House	1897	
217	First Street	Catholic Mission House	1903	
		The Excelsior Commons	1852	
170	Lake Street	Little Brown College	1878	
262	Lake Street	Kalorama Cottage	1885	
152	Maple Street	Smith/Sampson House	1890-1891	
201	Mill Street	Wyer/Pearce Home	1887	
108	Second Street	John Mattox	1893	
193	Second Street	McGrath/Arey House	1880s-1900	
200	Second Street	Captain Johnson Home	1921	
201	Second Street	Bennett/Studer Residence	1915	
634	Third Avenue	Latham House	1873-1880	
6	Third Street	Milnor House	1890	
152	Third Street	Willis Willard House	1887, 1890	
205	Third Street	Michael House	1881, 1886	
323	Third Street	Beehive/Sheldon Hall	1857	
140	W. Lake Street	Palmer's Grove	1894, 1913	
192	Second Street		1920	
228	Center Street		1891, 1934	
182	Third Street		1897	
236	Lake Street		~	
635	Glencoe Avenue		~	
7	George Street		~	
242	First Street		~	
173	Second Street		~	
192	Second Street		~	
321	Third Street		~	

Downtown Historic District – Current

Designation Study: 106 Center Street

In October 2023, the City accepted a proposal from an historic consultant to conduct a Designation Study to determine if 106 Center Street could be designated as an historic Landmark property. The historic consultant prepared a National Register Property Evaluation Report, which would satisfy the grant. However, the City determined that the site would not be appropriate for nomination and decided not to submit the report for nomination to SHPO.

In order to hire the historic consultant for this process, the City had received a $10,000 grant from SHPO during the 2022/2023 reporting period. The actual cost of the consultant was $8,500, so the City returned $1,500 of unused funds to SHPO.

D. OTHER ACTIVITIES

In September 2024, City staff and the Heritage Preservation Commission Chair attended the National Minnesota Historic Planning Conference in Red Wing, Minnesota.