



City of Duluth  
Planning Division

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City of Duluth  
Duluth Historic Preservation Commission  
Minutes of the March 5, 2012  
City Council Chambers, Duluth City Hall

Chair David Woodward called a special meeting of the Duluth Historic Preservation Commission for March 5, 2:30, in the Council Chambers.

I. Roll Call: Donald Dass, Wayne Gannaway, David Woodward, Carolyn Sundquist, and Tim Meyer

Excused: Drew Digby and Ken Buehler

II. Public Meetings

III. A. Introduction of new city staff support - Kyle Deming - Planner II

Kyle Deming is staff support and they will rotate with the other planners for HPC support. They are here to help the process and to help the HPC go through the UDC Process.

They had not had an agenda for the Special Meeting. The 3:00 site visit did not have a quorum - there were only two of them to review it and there were no decisions made. Gannaway stated that this is procedural thing. What is the process when someone brings in a COA and asks what the subject is about and the background materials? Woodward stated that they need to see the specifications so when the applicant comes in next month they can see the COA and see if there are any changes on the property and what the specifications for those changes. We can then actually research the COA and see if it meets the Secretary of Interior Standards. Sundquist added that normally there is professional staff that has training and works with the applicant to ensure that the application is complete. Sundquist stated that we are a semi-quazi entity. If there isn't an individual complaint then it is with the Secretary of Interior Standards. Woodward stated that both of them go back to the Secretary of Interior Standards. Kyle will get them these Standards.

B. Friends of Congdon Park Elementary - Discussion of ice rink situation - Guest from organization

Woodward stated that there is a serious concern regarding the Ice Rink. They are trying work with the district to have the rink but the district wants to have it as parking lot. The city's hands are tied in terms of preservation as there is no okay from the property owner. We want to make a case that these ice rinks are a factor. Sundquist added that there were two rinks. The District had made the final call and will destroy the 2 ice rinks. Gannaway stated that the property owner does not need to put it in for Landmark status. Now that the decision was made it is now off the table. Sundquist stated that for National Register - if both the Mayor and the HPC object, the nomination will not go any further through SHPO. Gannaway added that it would not apply to this situation.

Sundquist added that if both the Mayor and the HPC objected to this, it could be why it is not going forward on the nomination. We are the only community in Minnesota that has that legislation. Michael Koop finds this problematic as well. We will be revisiting this and working with SHPO. Sundquist stated that our former ordinance was 28.A and would like to get back to that. We were not involved with the UDC but it is actually found in 3 different places in the UDC. They pertain to who can bring up a matter before the HPC. HPC's are the ones to write the local landmark status. Our main tasks are limited to do this with city properties. Woodward stated that the property owners can have a vote and these rules vary by State. Gannaway added that they have guidelines for local commissions and it is a State Statute.

#### C. Issues with special meeting procedure, date and time of HPC meeting revisited

When we proposed the special meetings it was for a period of time due to a schedule conflict. We can decide to end this for May. We need to talk about changing our meeting time and place on the 4<sup>th</sup> Tuesday of the month. Nathan stated and it sounds like May will allow going back to the 4<sup>th</sup> Tuesday of the Month.

#### D. Closing of school buildings in Duluth - Next Steps

They will note that this would be for special meetings. They will be having regular meetings and beginning in May they will go back to the 4<sup>th</sup> Tuesday. Deming stated that they will change this for May.

Woodward stated that they would like to be kept in touch on properties that are closing, although they do not have to tell us about these. The Planning Department has had meetings on these. Sundquist stated that they learned that bids were out for the sale of the building and the district stated that there is no sale and that the building would be demolished. Meyer added that this is public information and we believe that the Nettelson School has integrity. Woodward stated that they will be having an historical survey. A number of these could be adapted for other uses.

### IV. Consideration of Minutes - December 15, 2011, and January 25, 2012

#### V. Old Business

##### A. UDC Revision – Update

What are our next steps to address the concerns made by the commission? The HPC has the right to nominate properties and move to the UDC. Deming stated that this is in article 5 of the UDC which is the same as rezoning properties. We had established a general policy and want to be orderly in how we amend it and to do this on an annual basis. This was done in August of last year. They are now having some big ones that we need to contend with. The planning Commission has a hearing and it goes to Council and 30 days it is in text. Text amendments may have to come from the Planning Commission. Anyone who owns property can petition to be rezoned. Deming stated that the historic resource designation is regulatory and the way that the text reads that the Planning Commission is charged with review to the HPC and the Council. Sundquist added if we propose language and make it something that is acceptable or if we want to do this on an annual basis? Nate stated that he is coming into this is new for the local, federal and state - if the commission has something to review they can bring it to them. Sundquist stated that the intent was to carry out the provisions in 28.A that specifies under 28.A. Woodward stated that they can

Re-enact this. Sundquist asked if there is a listing of the local landmark properties and that it had been in the clerk's office. Are local landmarks incorporated in the 28.A? Sundquist stated some properties have been listed – Crosby House and there are 4 properties – Sundquist said that there was a specific ordinance number to pull up all the landmark buildings and we don't know what there are now.

B. Higher Ed Small Area Plan – discussion

C. Survey - CLG Grant Status - David Woodward

Woodward stated that he prepared the grant proposal and got it to SHPO for comments. They will come back and then have it sent out to commission for comment. There is no financial match from the city but it will be an in-kind match. They will write a legacy grant for this and Mike stated that if you get one you would also get another.

VI. Reports of Officers and Committees

- A. Planning Commission (past issues and future issues) – Drew Digby
  - a. New Business

VII. Other business

VIII. Sundquist stated that Mary Anne would testify before the commission and Keith was aware of this letter.

IX. Adjournment

Respectfully,

A handwritten signature in cursive script that reads "David Woodward". The signature is written in black ink and is positioned above a horizontal line.

David Woodward, Chair