



# MEETING AGENDA

**Duluth Heritage Preservation Commission, Special Meeting**  
To view the meeting, visit <http://duluthmn.gov/live-meeting>

**Monday, July 12, 2021, 12:00 PM**  
**(Note: Special Date, Time, and Location)**


1. Call to Order/Determination of Quorum
2. Public Hearings (None at this Time)
3. Consideration of Minutes (No Quorum for June HPC Meeting)
4. Communications
5. Report of Final Disposition of Matters Previously Before the Commission (None at This Time)
6. Reports of Officers, Staff and Committees
  - Planning Commission Items of Note
7. Consideration of Matters Regarding Commission Action
  - Resolution of Support, Legacy Grant (Window Replacement), Former St. Louis County Jail
  - Chester Bowl Ski Chalet, Proposed Site Improvements (16 Foot Wide Permanent Pedestrian Bridge And Gravel Path)
  - First Draft Commercial Historic District Design Guidelines
8. Other Business
  - Civic Center/Priley Drive Public Art Bricks
9. Adjournment (Discuss Potential Special Meeting July 19<sup>th</sup> or July 26<sup>th</sup>)

**NOTICE:** The Heritage Preservation Commission will be holding its July 12, 2021 Special Meeting by other electronic means pursuant to Minnesota Statutes Section 13D.021 in response to the COVID-19 emergency. Some members of the Board will be participating through video conference. Due to the COVID-19 emergency and the closure of City facilities, public comment will not be taken in person. However, members of the public can monitor the meeting and provide public comment on agenda items through WebEx Events. Visit <https://duluthmn.gov/live-meeting> to access the meeting. The public is also encouraged to submit written comment to [planning@duluthmn.gov](mailto:planning@duluthmn.gov) prior to the meeting. Please include "HPC Agenda" in the subject line, and include your name and address and the agenda item you are speaking to. Please note that all public comment is considered Public Data.



**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
411 West First Street  
Duluth, Minnesota 55802

 218-730-5580

 [planning@duluthmn.gov](mailto:planning@duluthmn.gov)

Date: July 7, 2021  
To: Planning Commission  
From: Steven Robertson, Senior Planner  
RE: Pending Items on the July HPC Meeting

**Resolution of Support, Legacy Grant (Window Replacement), Former St. Louis County Jail**

The HPC is being asked to pass a resolution of support related to a legacy grant application to replace the windows at the former St. Louis County Jail. We will have visitors present to share some brief comments on the grant application and the request.

**Chester Bowl Ski Chalet, Proposed Site Improvements (16 Foot Wide Permanent Pedestrian Bridge And Gravel Path)**

The HPC is being asked to “formally comment” on proposed site improvements at Chester Bowl. Included with the packet is a brief summary of the project and (lengthier, but interesting) historic report. We will have visitors present to share some brief comments on the Chester Bowl Ski Chalet.

**First Draft Commercial Historic District Design Guidelines**

The first draft design guidelines has been forwarded to the HPC for review. We would appreciate any comments, suggestions, or general guidance on the document. We would like to schedule one or two special meetings this month to spend more time reviewing the document and seeking public input. A visitor will be present to review some of the highlights of the document.

**Civic Center/Priley Drive Public Art Bricks**

Some of the bricks at the Civic Center/Priley Drive (between the fountain and the statue) are becoming loose/damage/deteriorated and will need to be removed.



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Date: July 7, 2021

To: Historic Preservation Commission

From: Theresa Bajda, Planner II

RE: MN Historical Society Legacy Grant, Former St. Louis County Jail

**Minnesota Historical and Cultural Heritage Legacy Grant**

The City of Duluth, in partnership with New Burnham LLC (Development Entity) are seeking support from the Historic Preservation Commission of a cooperative grant application to the Minnesota Historical Society (MHS) to support window replacement at the historic former St. Louis County Jail building. Staff will request City Council support at their July 19, 2021 meeting followed by submission of the pre-application to MHS on July 23, 2021. MHS will review the pre-application and provide feedback to the City prior to submission of the final application on September 10, 2021. The City anticipates notification of awarded projects in November 2021.

**Scope of Work – Grant Application**

Window restoration which includes removal of non-historic glass block, including hazardous materials and manufacture and installation of new windows to historically replicate the original windows. Window restoration is one key component of the overall rehabilitation project. All work will be completed according to the Secretary of the Interior's Standards for Rehabilitation. The final work will be reviewed and approved by the SHPO and NPS via the Part 3 "Certification of Completed Work" for the historic tax credit certification process. Applicable pages of the architectural site plan have been included with this memo as reference.

**HERITAGE PRESERVATION COMMISSION  
CITY OF DULUTH, MINNESOTA**

**RESOLUTION OF THE CITY OF DULUTH HERITAGE PRESERVATION COMMISSION TO SUPPORT APPLICATION BY THE CITY OF DULUTH FOR A MINNESOTA HISTORICAL SOCIETY LEGACY GRANT FOR WINDOW REPLACEMENT WITHIN THE HISTORIC SAINT LOUIS COUNTY JAIL.**

WHEREAS, the Heritage Preservation Commission (“HPC”) was created by Ordinance No. 8938 adopted 4-17-89 by the Duluth City Council pursuant to Minnesota Statue 471.193 to serve in an advisory capacity to the City Council and Administration to safeguard the heritage of the City of Duluth, and

WHEREAS, the HPC reviewed zoning application PL21-054 at their May 10, 2021 meeting and approved alteration of the former Saint Louis County Jail located in a local historic district pursuant to Section 50.18-3 of Chapter 50 of the Duluth City Code, and

WHEREAS, the HPC has reviewed the historic window replacement project contained in the Minnesota Historical Society legacy grant application and finds it conforms with the general plans for development and redevelopment of the City as described in the comprehensive plan for the City.

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby endorses the project contained in the grant application and will provide technical assistance when available and as requested for the duration of the project.

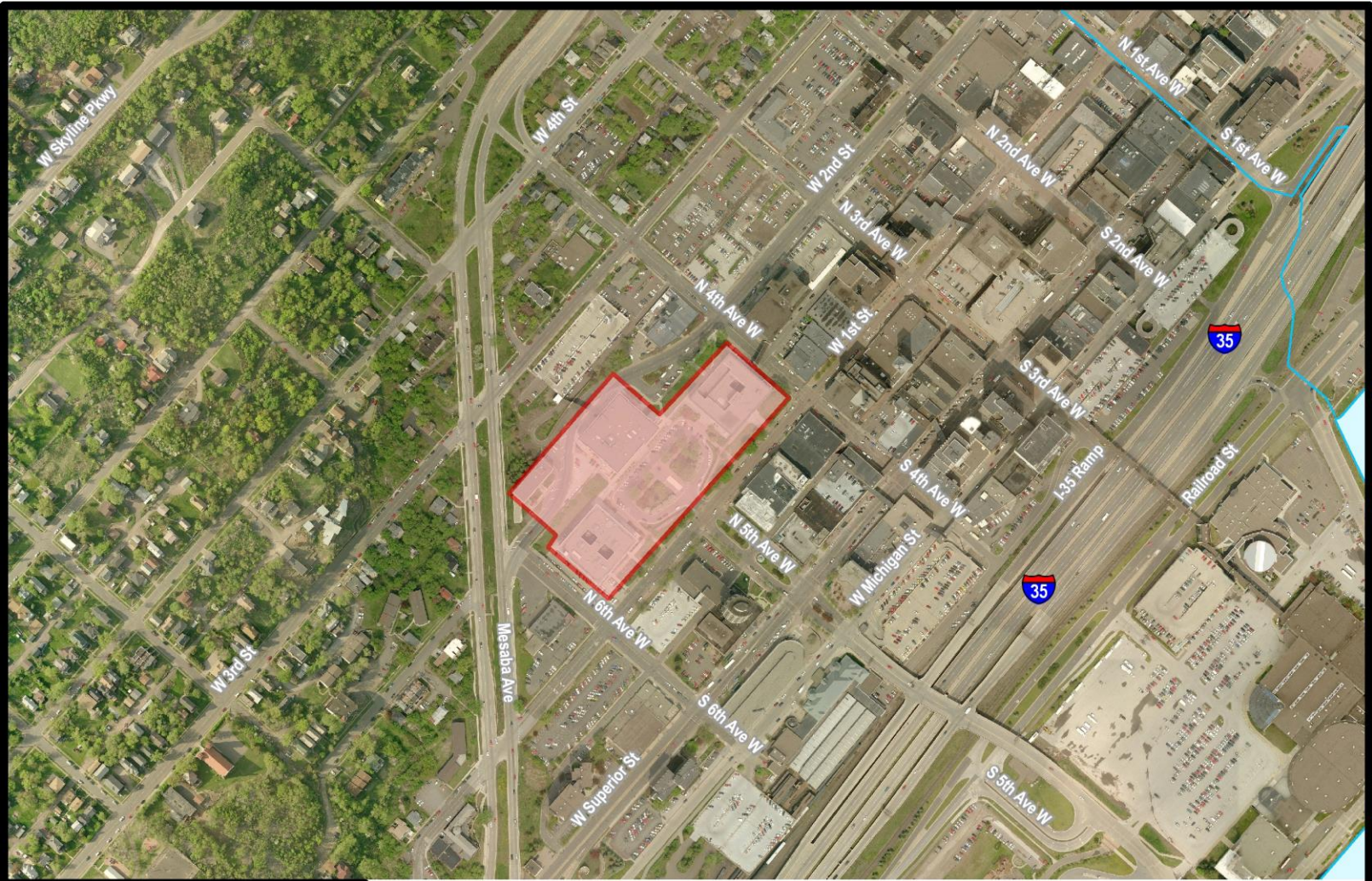
Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_  
Secretary





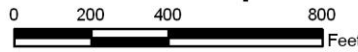
Legend

 Duluth Civic Center Historic District



**Exhibit 50-18.3-1**

**Duluth Historic Preservation Districts Map 1 of 2**



Aerial photography flown 2007. Prepared by: City of Duluth Planning Division, May 24, 2010. Source: City of Duluth, MnDNR, MnDOT.





# SLC Jail 1



© All Pictometry



# SLC Jail 2





# ITEM # REFERENCE IN HISTORIC REPORT, SEE HISTORIC APPROVAL SECTION ON SHEET G0.10

**ZONING NOTES:**

**ZONING**  
-SITE IS ZONED F-5 (MID-RISE COMMUNITY SHOPPING AND OFFICE)

-SITE AREA = 24,539SF (.56 ACRES)

**OFF-STREET PARKING REQUIRED** (PER UDC TABLE 50-24-1 APPLICABILITY, EXCEPTION D)  
-NO OFF-STREET PARKING SHALL BE REQUIRED WITHIN THE BOUNDARIES FOR THE DOWNTOWN AREA SHOWN IN EXHIBIT 50-24-1-1. SITE IS WITHIN THIS AREA

**DESIGN STANDARDS (TABLE 50-24-4)**

**-STALL SIZE**  
SMALL, 8.5FT. x 15 FT.  
STANDARD, 9FT x 17FT.  
**-MIN. AISLE WIDTHS**  
90 DEGREE, TWO-WAY, 24FT.  
**-PERMITTED PERCENTAGE OF SMALL CARS**  
6 TO 100 SPACES = 40% MAX. % OF SMALL CARS

**PROPOSED PARKING**

-OFF-STREET SPACES  
-12 STANDARD  
-2 COMPACT  
-14 TOTAL SPACES

"THE AREA SET ASIDE FOR A PARKING SPACE MAY ENCR OACH BEYOND THE FACE OF A CURB A MAX. OF 1.5FT. PROVIDED THAT (A) IT DOES NOT INCLUDE TREES, POSTS, OR OTHER OBSTRUCTIONS THAT WOULD PREVENT A VEHICLE FROM FULLY UTILIZING THE SPACE, AND (B) IT IS NOT INCLUDED IN REQUIRED OPEN SPACE, LANDSCAPE AREA REQUIREMENTS, OR REQUIRED PEDESTRIAN WALKWAYS.

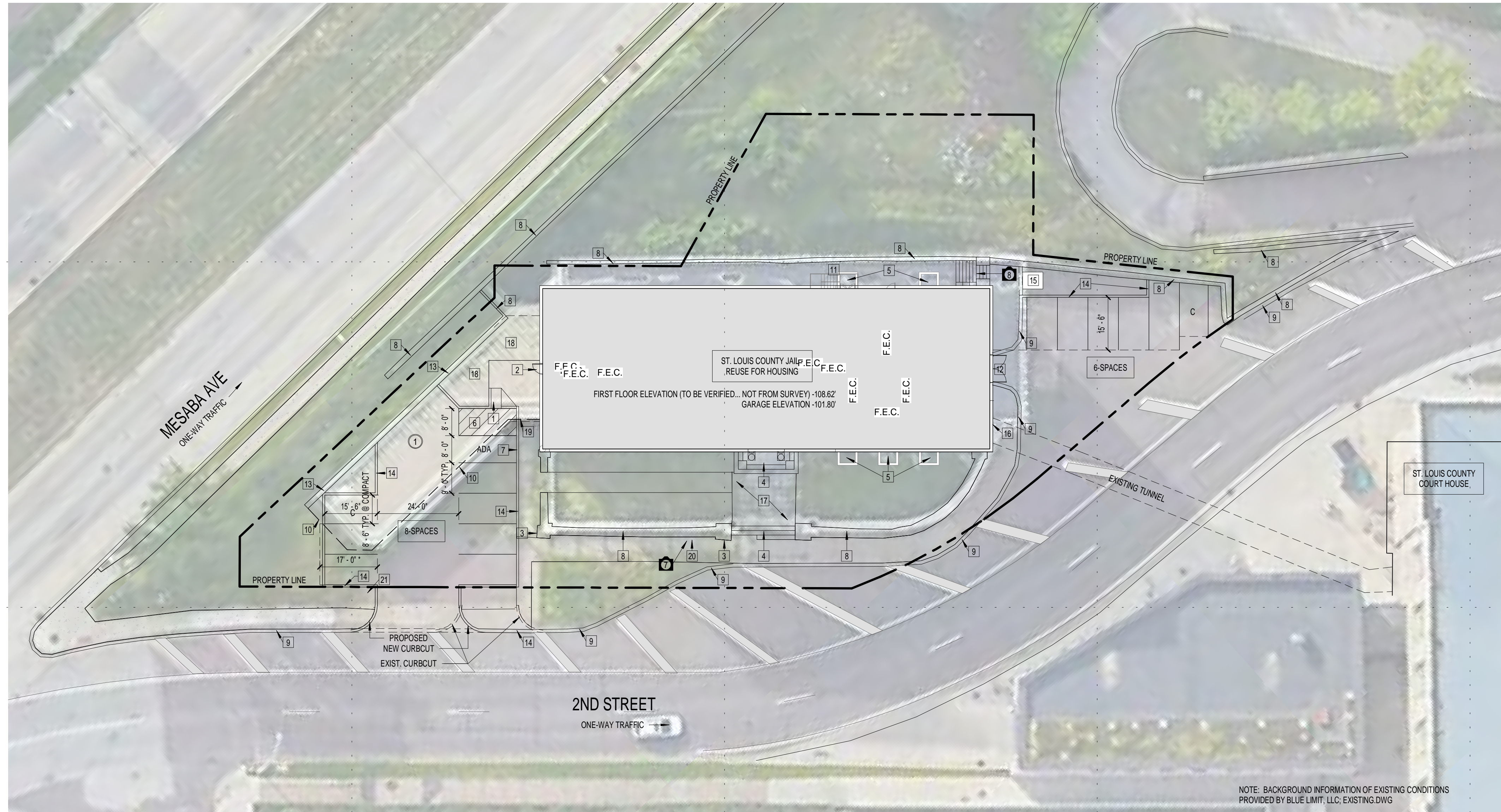
**SITE PLAN GENERAL NOTES:**

A. XXX

**SITE PLAN KEY NOTES:**

- 1 PEDESTRIAN RAMP
- 2 ACCESSIBLE ENTRY
- 3 ACCESSIBLE ENTRY DIRECTIONAL SIGN
- 4 EXISTING STAIRS, TO BE REPAIRED AND REMAIN
- 5 EXISTING WINDOW WELLS, TO REMAIN
- 6 ACCESSIBLE PARKING ACCESS AISLE, AISLE TO BE STRIPED AND 'NO PARKING' IS TO BE PAINTED ON THE SURFACE
- 7 HANDICAPPED PARKING SIGN CENTERED ON STALL
- 8 EXISTING RETAINING WALL TO REMAIN
- 9 EXISTING CURB
- 10 EXISTING ADDITION OUTLINE, TO BE DEMOLISHED
- 11 EXISTING FIRE ESCAPE ABOVE
- 12 TRASH ROOM ACCESS
- 13 PLAN NORTH WALL OF DEMOLISHED ADDITION SHALL REMAIN AND SERVE AS RETAINING WALL
- 14 NEW CURB
- 15 NEW TRANSFORMER LOCATION (5' x 6' SHOWN)
- 16 FDC CONNECTION
- 17 GRANITE PAVERS TO REMAIN
- 18 LANDSCAPED AREA
- 19 POLE MOUNTED 'NO PARKING' SIGN
- 20 ADDRESS SIGN
- 21 STOP SIGN

- = EXISTING CONCRETE WALK
- 7 ADDRESS SIGN  
-PROVIDE LASER CUT STAINLESS STEEL 5" TALL INDIVIDUAL METAL LETTERS, FASTEN LETTERS TO STEEL BACKER PLATE WHICH IS TO BE FASTENED TO THE STONE AT MORTAR JOINTS ONLY. LETTERS TO HAVE 3/4" STANDOFFS  
TEXT: 521 W. 2ND STREET  
-PROVIDE LED BACKLIGHTING



NOTE: BACKGROUND INFORMATION OF EXISTING CONDITIONS PROVIDED BY BLUE LIMIT, LLC, EXISTING.DWG

**1 ARCHITECTURAL SITE PLAN**  
1" = 20'-0"



10 ENTRY STAIR - LOWER



9 ENTRY STAIR - UPPER

NOTES:  
1. ASSESS CONCRETE FOUNDATION BELOW FOR ADDITIONAL REHABILITATION - IF NECESSARY  
2. COORDINATE WITH A/E REPRESENTATIVE PRIOR TO CONDUCTING THE WORK  
3. PROTECT ALL STONE PIECES TO REMAIN



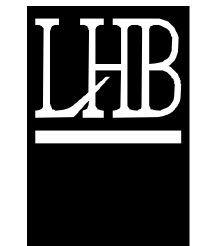
6 EXTERIOR STAIR AT NE CORNER

REMOVE EXISTING CAULK AT STAIR TREAD/RISER PERIMETER, RECAULK



7 ADDRESS SIGN

BIM 360/180039 S.L.C. Jail Rehab into Housing/180039 St. Louis Co. Housing Reuse A19 Central HSG.M 12/9/2020 10:28:23 AM



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LHBcorp.com

701 Washington Ave. N, Ste 200 | Minneapolis, MN 55401 | 612.338.2029

CLIENT:  
**Blue Limit, LLC**

620 South 6TH Street  
Minneapolis, MN 55404

THIS SQUARE APPEARS 1/2"x1/2" ON FULL SIZE SHEETS

NOTE: THIS SHEET IS TO BE PRINTED IN COLOR TO READ CORRECTLY

NO	DATE	ISSUED FOR
	1/10/20	100% CONSTRUCTION DOCUMENTS
NO	DATE	REVISION

I HEREBY CERTIFY that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Signature: *Andrew Madson*  
Typed or Printed Name: **ANDREW MADSON**

Date: 1/10/20 Reg. No.: 50555

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PROJECT NAME:  
**St. Louis Co Jail - Conversion to Housing**

521 W. 2ND STREET  
Duluth, MN 55802

DRAWING TITLE:  
**ARCHITECTURAL SITE PLAN**

DRAWN BY: JGH  
CHECKED BY: KMB  
PROJ. NO: 180039

DRAWING NO:

**A0.10**



**BUILDING PLAN KEY NOTES:**

- 1 INFILL FLOOR AREA HATCHED
- 2 INFILL TUNNEL ENTRY WITH MASONRY
- 3 PROVIDE NEW STEEL STAIR
- 4 FILL BOTTOM OF AREA WELL WITH 4" OF ROCK MULCH, REMOVE EXISTING MATERIAL AS NECESSARY FOR T.O. MULCH TO BE 6" BELOW SILL
- 5 PROVIDE NEW PIPE HANDRAILS AT EACH SIDE OF EXIST. RAMP
- 6 ELECTRICAL GEAR EQUIPMENT
- 7 INFILL WALL OPENING WITH NEW WALL TO MATCH ADJACENT
- 8 FIX EXIST. DOOR IN CLOSED POSITION
- 9 FIX EXIST. DOOR IN FULLY OPEN 180 DEGREE POSITION
- 10 FIX EXIST. DOOR IN FULLY OPEN 90 DEGREE POSITION
- 11 SALVAGE AND REUSE EXISTING SERVICE SINK
- 12 FIRE ALARM PANEL LOCATION
- 13 ALIGN WALL W/ BEAM EDGE ABOVE
- 14 25" DEEP PLAM FOLDING COUNTER, WORK SURFACE TO ALIGN WITH WINDOW SILL
- 15 NEW MAKE-UP AIR UNIT
- 16 DUMPSTER LOCATIONS, NIC
- 17 NOT USED

- 18 INSTALL STEEL STAIR, LANDING AND ACCESS DOOR
- 19 INSTALL NEW DRAFT CURTAIN AND TIGHTLY SPACED SPRINKLERS
- 20 INFILL OPENING WITH 4" CMU MASONRY
- 21 NEW 2 HR. MECHANICAL SHAFT
- 22 REPAIR ALL PLASTER WORK
- 23 RESTORE EXIST. HISTORIC DOOR
- 24 MECHANICALLY FASTEN TO THE WALL A SINGLE LEAF FROM THE SALVAGED ELEVATOR DOORS
- 25 INSTALL GYPCRETE FLOOR IN HATCHED AREAS WITHIN CORRIDOR
- 26 INSTALL CONCRETE IN HATCHED AREAS WITHIN CORRIDOR, NOTE SLOPES UP TO MATCH GYPCRETE ELEVATIONS AT DWELLING UNITS
- 27 NEW FLOOR TO MATCH ELEVATION OF EXISTING ADJACENT FLOOR
- 28 PROVIDE NEW SUPPLY AND WASTE PLUMBING TO EXIST. SINK
- 29 5" TURNING DIAMETER SHALL BE MAINTAINED WITHIN ROOM
- 30 INFILL DUMB/WATER SHAFT FOOTPRINT AT FLOOR LEVELS 2, 3, AND 4 WITH 1 HOUR FLOOR CONSTRUCTION. SEE STRUCTURAL
- 31 PATCH/REPAIR TERRAZZO FLOORING WHERE WALLS HAVE BEEN REMOVED, SEE DEMO PLAN

x 90'-XX" = INDICATES FLOOR LEVEL SPOT ELEVATIONS

**GENERAL SHEET NOTES**

1. SEE G0.01, G0.02, AND G0.03 FOR CODE INFORMATION.
  2. SEE G0.10 FOR PROJECT NOTES INCLUDING:
    - GENERAL BUILDING PLAN NOTES
    - HISTORIC APPROVAL INFORMATION
    - GENERAL UNIT PLAN NOTES
    - GENERAL KITCHEN NOTES
    - GENERAL BATHROOM NOTES
    - GENERAL ELEVATOR NOTES
    - INTERIOR DETAIL NOTES
    - GENERAL PUBLIC STAIR NOTES
    - GENERAL CUTTING AND PATCHING NOTES
  3. SEE A6.03 FOR TYPICAL MOUNTING HEIGHTS.
- # ITEM # REFERENCE IN HISTORIC REPORT, SEE HISTORIC APPROVAL SECTION ON SHEET G0.10



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CLIENT:  
**Blue Limit, LLC**

620 South 6TH Street  
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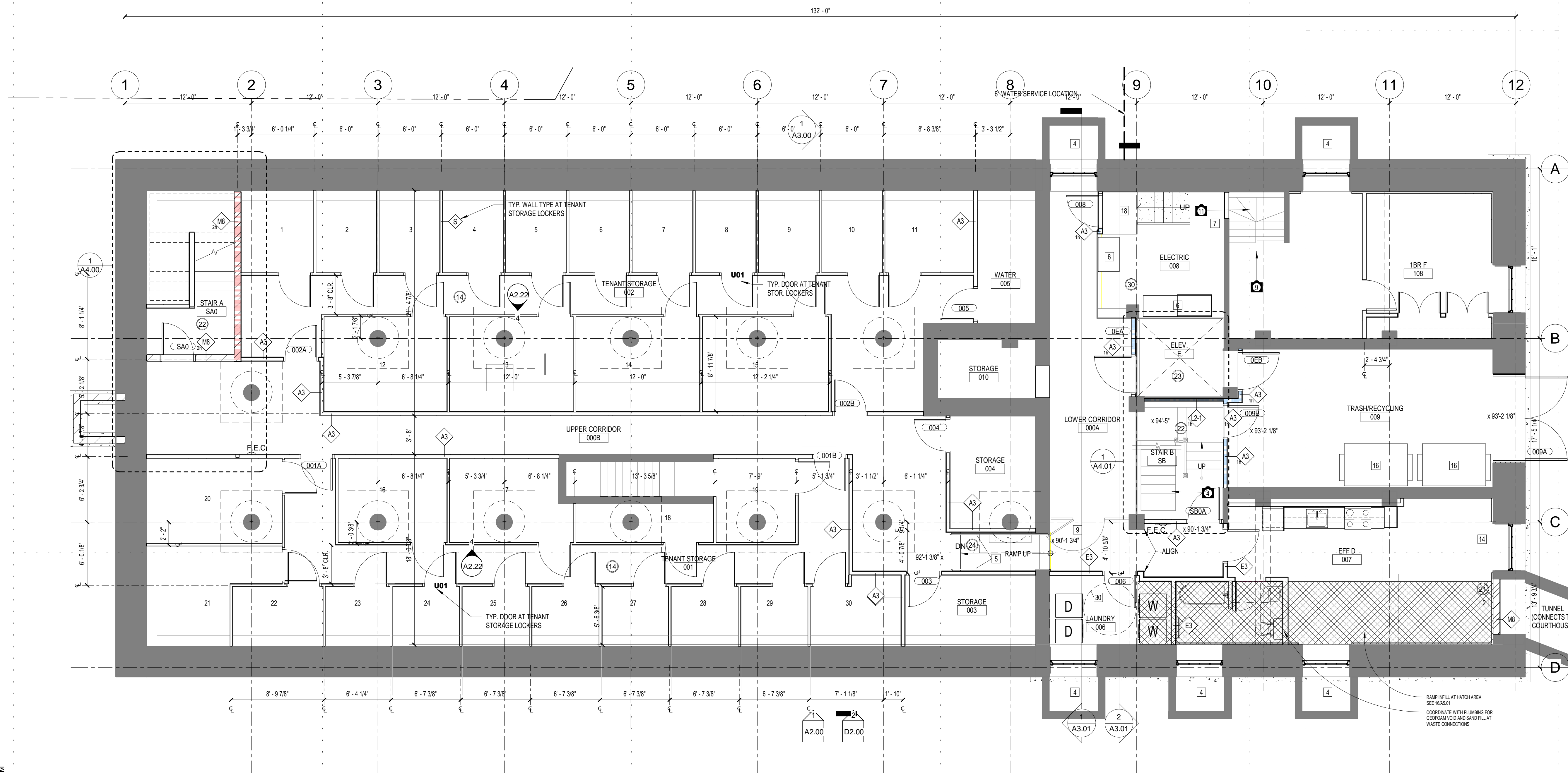
DRAWING TITLE:  
**BASEMENT PLAN**

DRAWN BY: Author  
 CHECKED BY: Checker  
 PROJ. NO: 180039

DRAWING NO:

**A1.00**

BIM 360/180039 St. Louis Co Jail Rehab into Housing/180039 St. Louis Co Housing Release A19 Central HSG.M 12/9/2020 10:28:28 AM



**1 BASEMENT FLOOR PLAN**  
3/16" = 1'-0"



**BUILDING PLAN KEY NOTES:**

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x 90'-XX" = INDICATES FLOOR LEVEL SPOT ELEVATIONS

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- # ITEM # REFERENCE IN HISTORIC REPORT, SEE HISTORIC APPROVAL SECTION ON SHEET G0.10



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NO	DATE	REVISION
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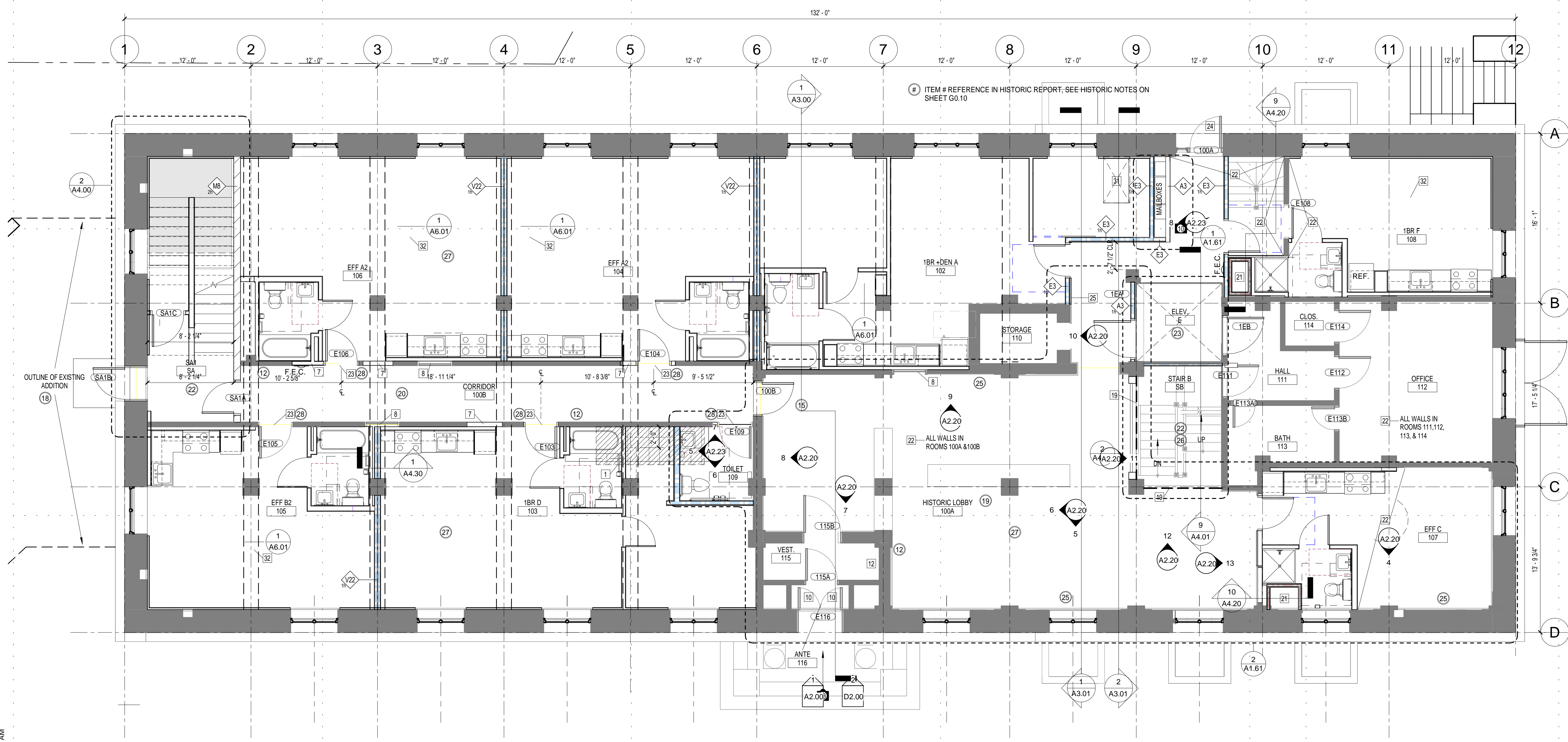
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Duluth, MN 55802

DRAWING TITLE:  
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DRAWN BY: Author  
 CHECKED BY: Checker  
 PROJ. NO: 180039

DRAWING NO:

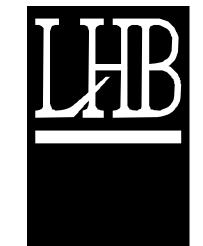
**A1.10**



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DRAWING TITLE:  
SECOND AND THIRD  
FLOOR PLANS

DRAWN BY: Author  
 CHECKED BY: Checker  
 PROJ. NO: 180039  
 DRAWING NO: **A1.20**

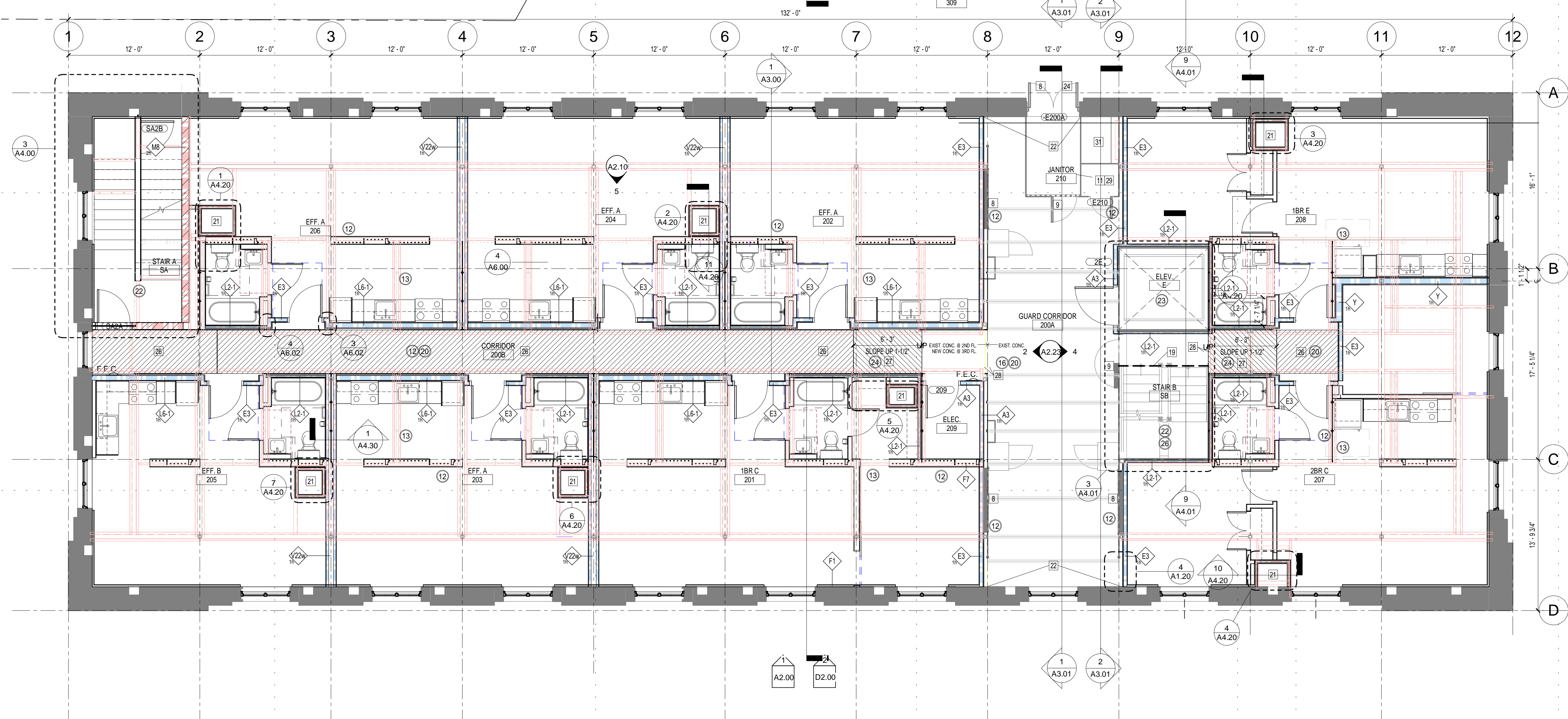
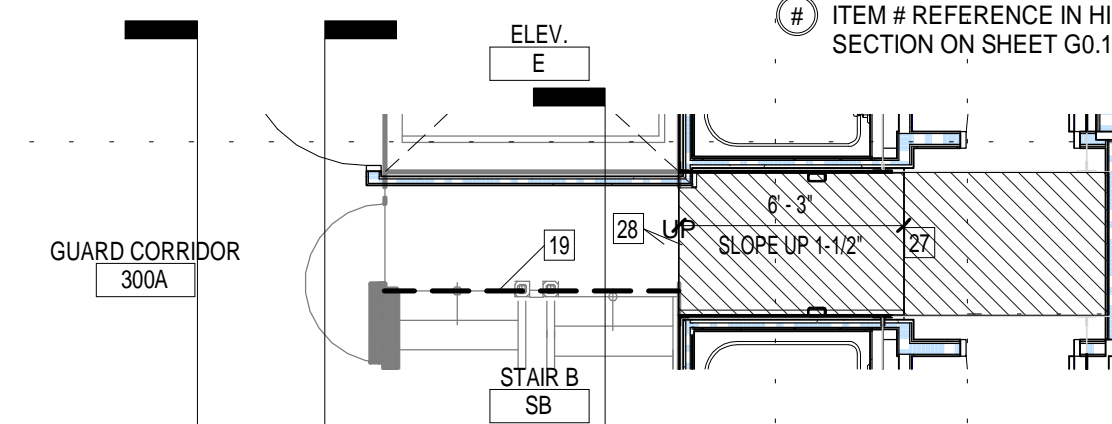
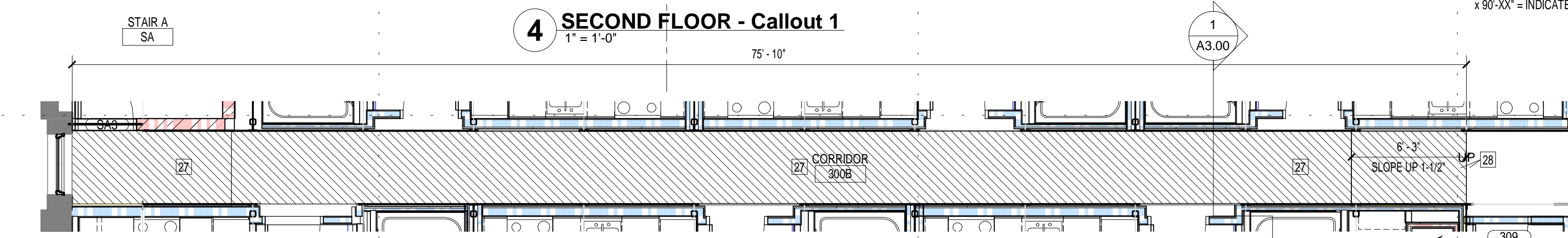
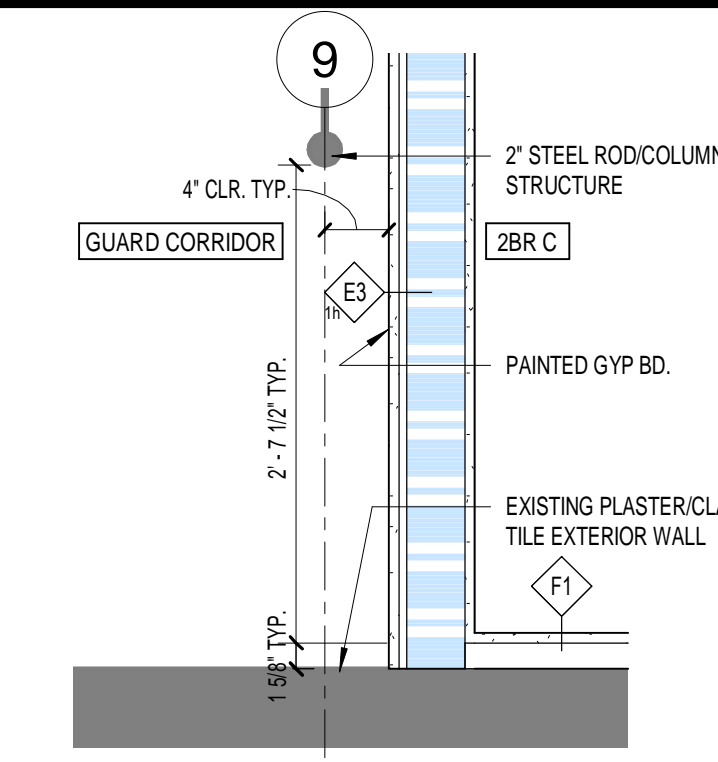
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    - GENERAL BATHROOM NOTES
    - GENERAL ELEVATOR NOTES
    - INTERIOR DETAIL NOTES
    - GENERAL PUBLIC STAIR NOTES
    - GENERAL CUTTING AND PATCHING NOTES
  3. SEE A6.03 FOR TYPICAL MOUNTING HEIGHTS.
- # ITEM # REFERENCE IN HISTORIC REPORT, SEE HISTORIC APPROVAL SECTION ON SHEET G0.10



**1 SECOND FLOOR PLAN (THIRD FLOOR SIM.)** 3/16" = 1'-0"  
 NOTE: ALL ROOM AND DOOR #S @ 3RD FLOOR ARE THE SAME AS 2ND FLOOR WITH A PREFIX OF 3

BIM 360/180039 St. Louis Co Jail Rehab into Housing/180039 St. Louis Co Housing Reuse A19 Central HSG.M  
 12/9/2020 10:28:37 AM



**BUILDING PLAN KEY NOTES:**

- 1 INFILL FLOOR AREA HATCHED
- 2 INFILL TUNNEL ENTRY WITH MASONRY
- 3 PROVIDE NEW STEEL STAIR
- 4 FILL BOTTOM OF AREA WELL WITH 4" OF ROCK MULCH, REMOVE EXISTING MATERIAL AS NECESSARY FOR T.O. MULCH TO BE 6" BELOW SILL
- 5 PROVIDE NEW PIPE HANDRAILS AT EACH SIDE OF EXIST. RAMP
- 6 ELECTRICAL GEAR EQUIPMENT
- 7 INFILL WALL OPENING WITH NEW WALL TO MATCH ADJACENT
- 8 FIX EXIST. DOOR IN CLOSED POSITION
- 9 FIX EXIST. DOOR IN FULLY OPEN 180 DEGREE POSITION
- 10 FIX EXIST. DOOR IN FULLY OPEN 90 DEGREE POSITION
- 11 SALVAGE AND REUSE EXISTING SERVICE SINK
- 12 FIRE ALARM PANEL LOCATION
- 13 ALIGN WALL W/ BEAM EDGE ABOVE
- 14 25" DEEP PLAM FOLDING COUNTER, WORK SURFACE TO ALIGN WITH WINDOW SILL
- 15 NEW MAKE-UP AIR UNIT
- 16 DUMPSTER LOCATIONS, NIC
- 17 NOT USED

- 18 INSTALL STEEL STAIR, LANDING AND ACCESS DOOR
- 19 INSTALL NEW DRAFT CURTAIN AND TIGHTLY SPACED SPRINKLERS
- 20 INFILL OPENING WITH 4" CMU MASONRY
- 21 NEW 2 HR. MECHANICAL SHAFT
- 22 REPAIR ALL PLASTER WORK
- 23 REMOVE PAINT FROM TRANSOM GLASS, FIX TRANSOM IN CLOSED POSITION, LOCATE SPRINKLER HEAD AT TRANSOM
- 24 RESTORE EXIST. HISTORIC DOOR
- 25 MECHANICALLY FASTEN TO THE WALL A SINGLE LEAF FROM THE SALVAGED ELEVATOR DOORS
- 26 INSTALL GYPCRETE FLOOR IN HATCHED AREAS WITHIN CORRIDOR
- 27 INSTALL CONCRETE IN HATCHED AREAS WITHIN CORRIDOR, NOTE SLOPES UP TO MATCH GYPCRETE ELEVATIONS AT DWELLING UNITS
- 28 NEW FLOOR TO MATCH ELEVATION OF EXISTING ADJACENT FLOOR
- 29 PROVIDE NEW SUPPLY AND WASTE PLUMBING TO EXIST. SINK
- 30 5" TURNING DIAMETER SHALL BE MAINTAINED WITHIN ROOM
- 31 INFILL DUMBWAITER SHAFT FOOTPRINT AT FLOOR LEVELS 2, 3, AND 4 WITH 1 HOUR FLOOR CONSTRUCTION, SEE STRUCTURAL
- 32 PATCH/REPAIR TERRAZZO FLOORING WHERE WALLS HAVE BEEN REMOVED, SEE DEMO PLAN

x 90'-XX" = INDICATES FLOOR LEVEL SPOT ELEVATIONS

**GENERAL SHEET NOTES**

1. SEE G0.01, G0.02, AND G0.03 FOR CODE INFORMATION.
  2. SEE G0.10 FOR PROJECT NOTES INCLUDING:
    - GENERAL BUILDING PLAN NOTES
    - HISTORIC APPROVAL INFORMATION
    - GENERAL UNIT PLAN NOTES
    - GENERAL KITCHEN NOTES
    - GENERAL BATHROOM NOTES
    - GENERAL ELEVATOR NOTES
    - INTERIOR DETAIL NOTES
    - GENERAL PUBLIC STAIR NOTES
    - GENERAL CUTTING AND PATCHING NOTES
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- # ITEM # REFERENCE IN HISTORIC REPORT, SEE HISTORIC APPROVAL SECTION ON SHEET G0.10



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Signature: *Andrew Madson*

Typed or Printed Name: **ANDREW MADSON**

Date: 1/10/20 Reg. No.: 50555

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PROJECT NAME:  
**St. Louis Co Jail -  
Conversion to Housing**

**521 W. 2ND STREET  
Duluth, MN 55802**

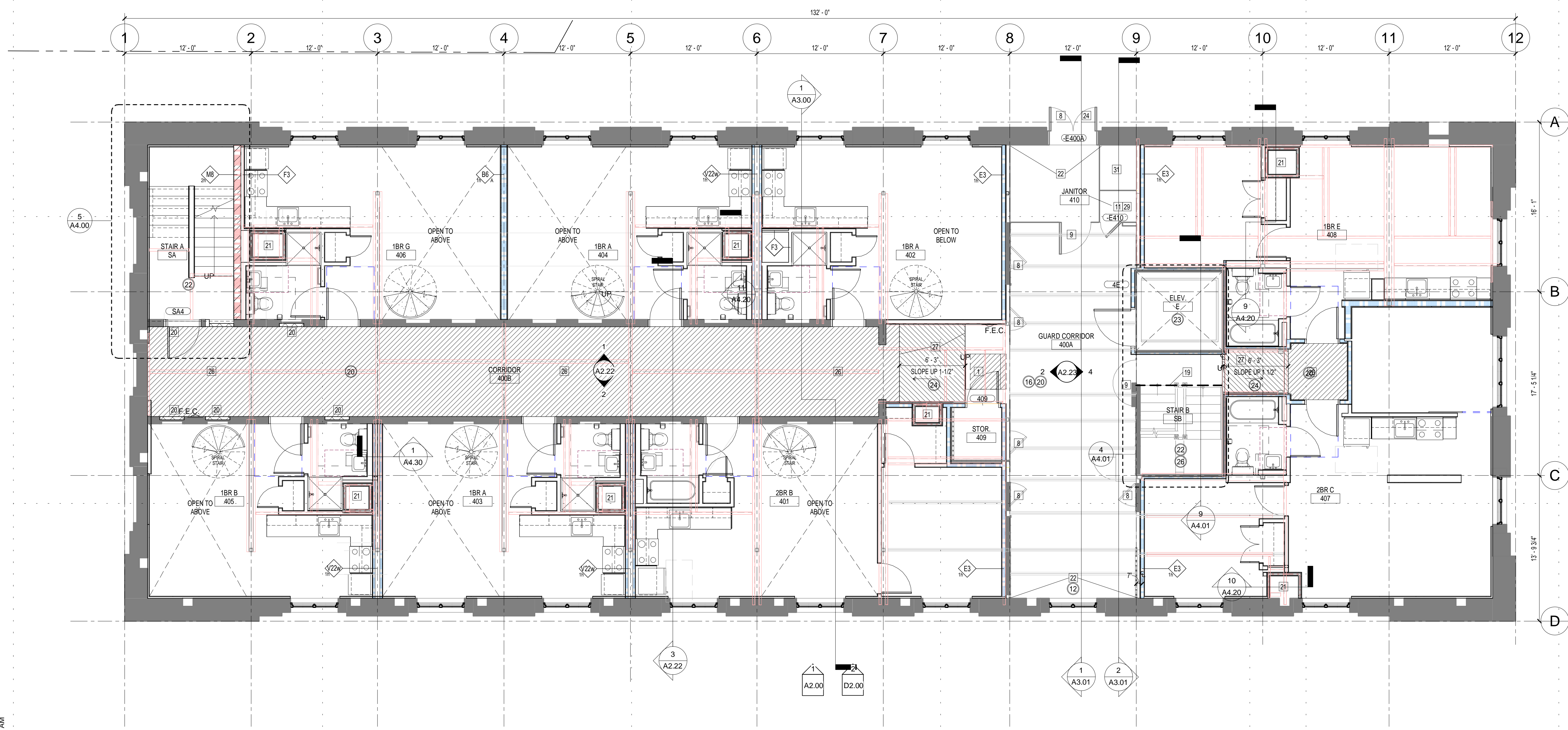
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**FOURTH FLOOR PLAN**

DRAWN BY: Author  
CHECKED BY: Checker  
PROJ. NO: 180039

DRAWING NO:

**A1.40**

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12/9/2020 10:28:42 AM



**1 FOURTH FLOOR PLAN**  
3/16" = 1'-0"



**BUILDING PLAN KEY NOTES:**

- 1 INFILL FLOOR AREA HATCHED
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- 3 PROVIDE NEW STEEL STAIR
- 4 FILL BOTTOM OF AREA WELL WITH 4" OF ROCK MULCH, REMOVE EXISTING MATERIAL AS NECESSARY FOR T.O. MULCH TO BE 6" BELOW SILL
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- 6 ELECTRICAL GEAR EQUIPMENT
- 7 INFILL WALL OPENING WITH NEW WALL TO MATCH ADJACENT
- 8 FIX EXIST. DOOR IN FULLY OPEN 180 DEGREE POSITION
- 9 FIX EXIST. DOOR IN FULLY OPEN 90 DEGREE POSITION
- 10 SALVAGE AND REUSE EXISTING SERVICE SINK
- 11 FIRE ALARM PANEL LOCATION
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- 26 INSTALL GYPCRETE FLOOR IN HATCHED AREAS WITHIN CORRIDOR
- 27 INSTALL CONCRETE IN HATCHED AREAS WITHIN CORRIDOR, NOTE SLOPES UP TO MATCH GYPCRETE ELEVATIONS AT DWELLING UNITS
- 28 NEW FLOOR TO MATCH ELEVATION OF EXISTING ADJACENT FLOOR
- 29 PROVIDE NEW SUPPLY AND WASTE PLUMBING TO EXIST. SINK
- 30 5" TURNING DIAMETER SHALL BE MAINTAINED WITHIN ROOM
- 31 INFILL DUMBWATER SHAFT FOOTPRINT AT FLOOR LEVELS 2, 3, AND 4 WITH 1 HOUR FLOOR CONSTRUCTION, SEE STRUCTURAL
- 32 PATCH/REPAIR TERRAZZO FLOORING WHERE WALLS HAVE BEEN REMOVED, SEE DEMO PLAN

x 90'-XX" = INDICATES FLOOR LEVEL SPOT ELEVATIONS

**GENERAL SHEET NOTES**

1. SEE G0.01, G0.02, AND G0.03 FOR CODE INFORMATION.
  2. SEE G0.10 FOR PROJECT NOTES INCLUDING:
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    - GENERAL UNIT PLAN NOTES
    - GENERAL KITCHEN NOTES
    - GENERAL BATHROOM NOTES
    - GENERAL ELEVATOR NOTES
    - INTERIOR DETAIL NOTES
    - GENERAL PUBLIC STAIR NOTES
    - GENERAL CUTTING AND PATCHING NOTES
  3. SEE A6.03 FOR TYPICAL MOUNTING HEIGHTS.
- # ITEM # REFERENCE IN HISTORIC REPORT, SEE HISTORIC APPROVAL SECTION ON SHEET G0.10



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NO	DATE	REVISION

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Signature: *Andrew Madson*  
Typed or Printed Name: **ANDREW MADSON**  
Date: 1/10/20 Reg. No.: 50555

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PROJECT NAME:  
**St. Louis Co Jail - Conversion to Housing**

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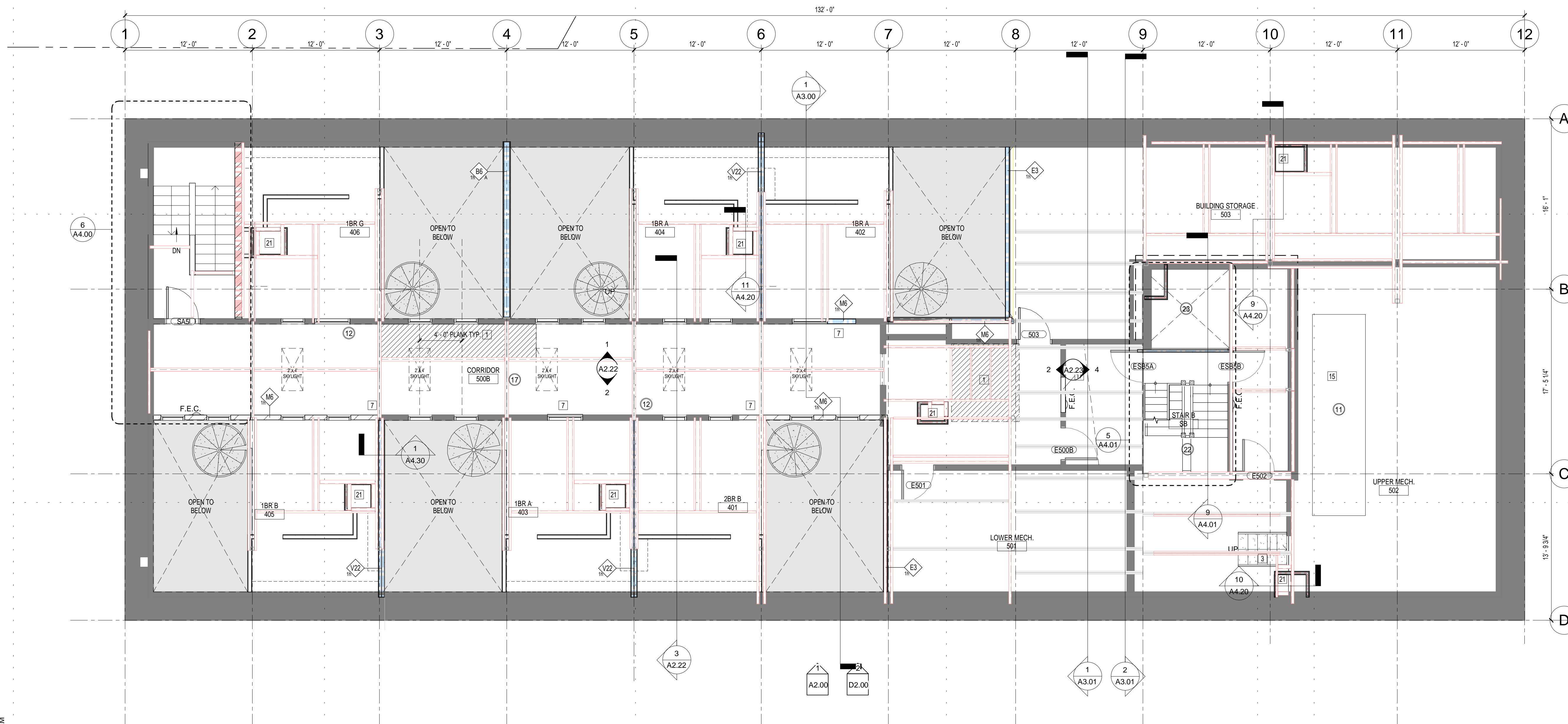
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**FIFTH FLOOR PLAN**

DRAWN BY: Author  
CHECKED BY: Checker  
PROJ. NO: 180039

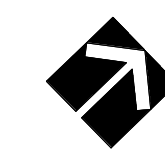
DRAWING NO:

**A1.50**

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**1 FIFTH FLOOR PLAN**  
3/16" = 1'-0"





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DRAWING TITLE:  
**ROOF PLAN**

DRAWN BY: Author  
CHECKED BY: Checker  
PROJ. NO: 180039

DRAWING NO:

**A1.60**

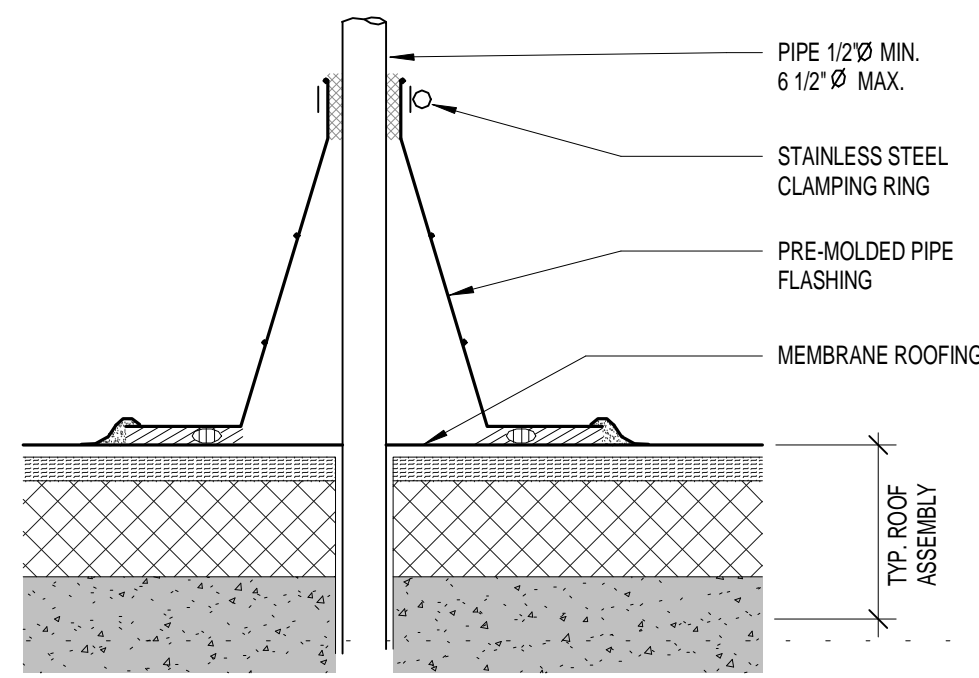
# ITEM # REFERENCE IN HISTORIC REPORT, SEE HISTORIC APPROVAL SECTION ON SHEET G0.10

**ROOF PLAN GENERAL NOTES:**

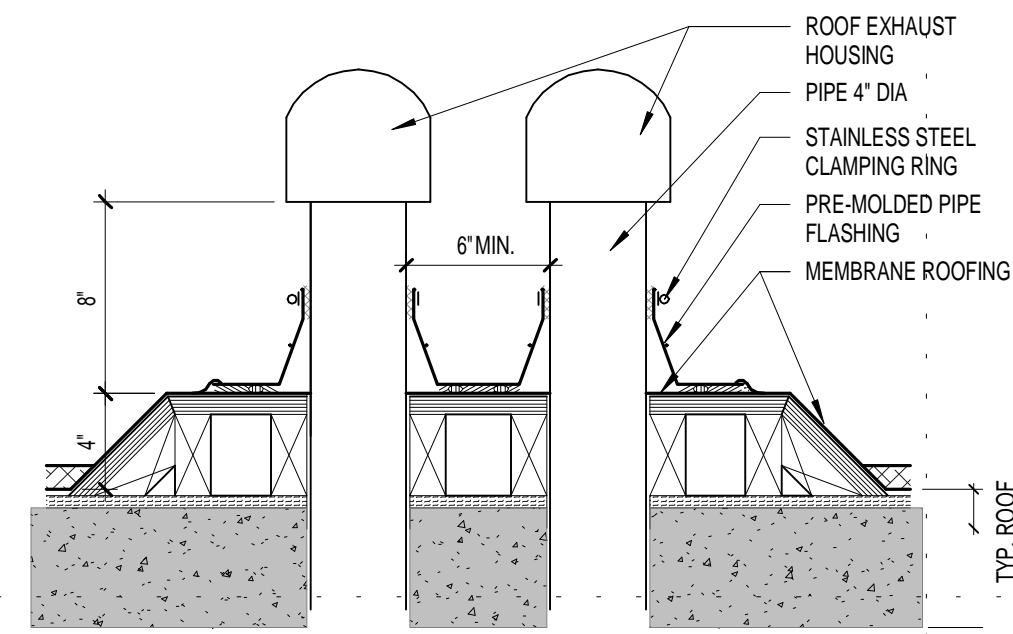
- Existing roof is to remain. Roof is to be patched/modified to accommodate all new skylight and mechanical penetrations per roofing/skylight manufacturer requirements.
- See Mechanical Plans for plumbing vents, exhaust fan hoods & other Plumbing and Mechanical penetrations.
- Repair all penetrations made in roofing for vents, hoods, and other systems using materials and methods described and in specification.
- Repair all insulation disturbed to create new openings and fit tightly back together prior to repairing roof membrane.
- Seal existing vapor barrier to new materials penetrating roof using materials and methods compatible with existing vapor barrier.

**ROOF PLAN KEY NOTES:**

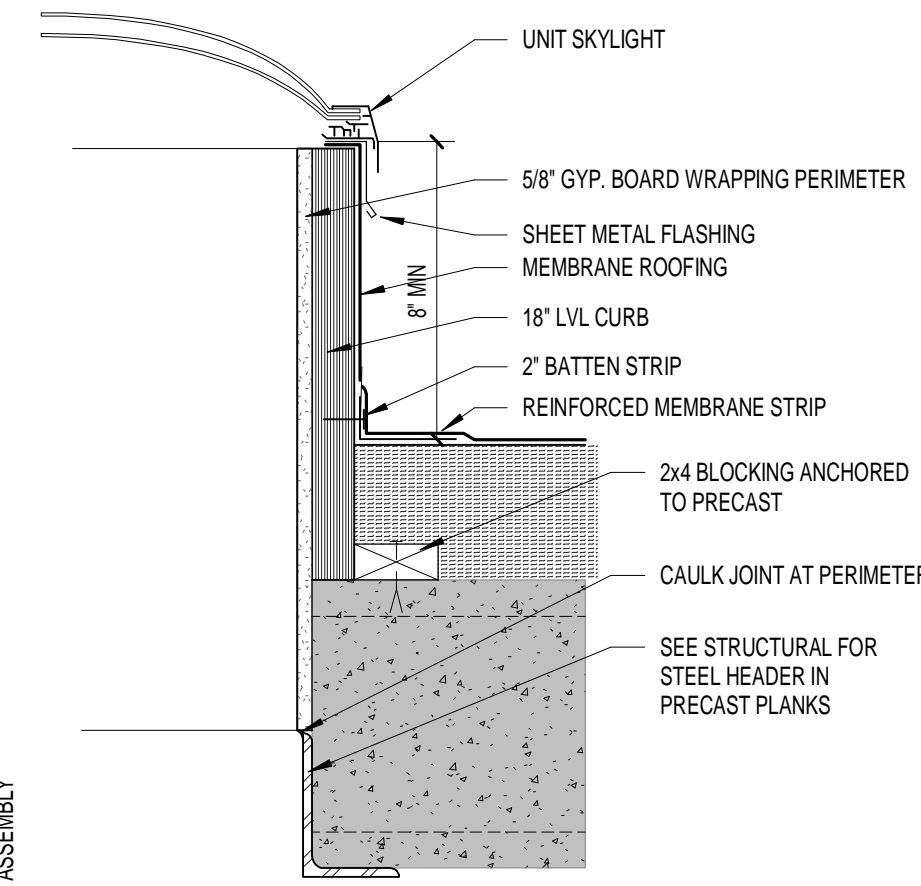
- Provide (6) rooftop walking pads at door.



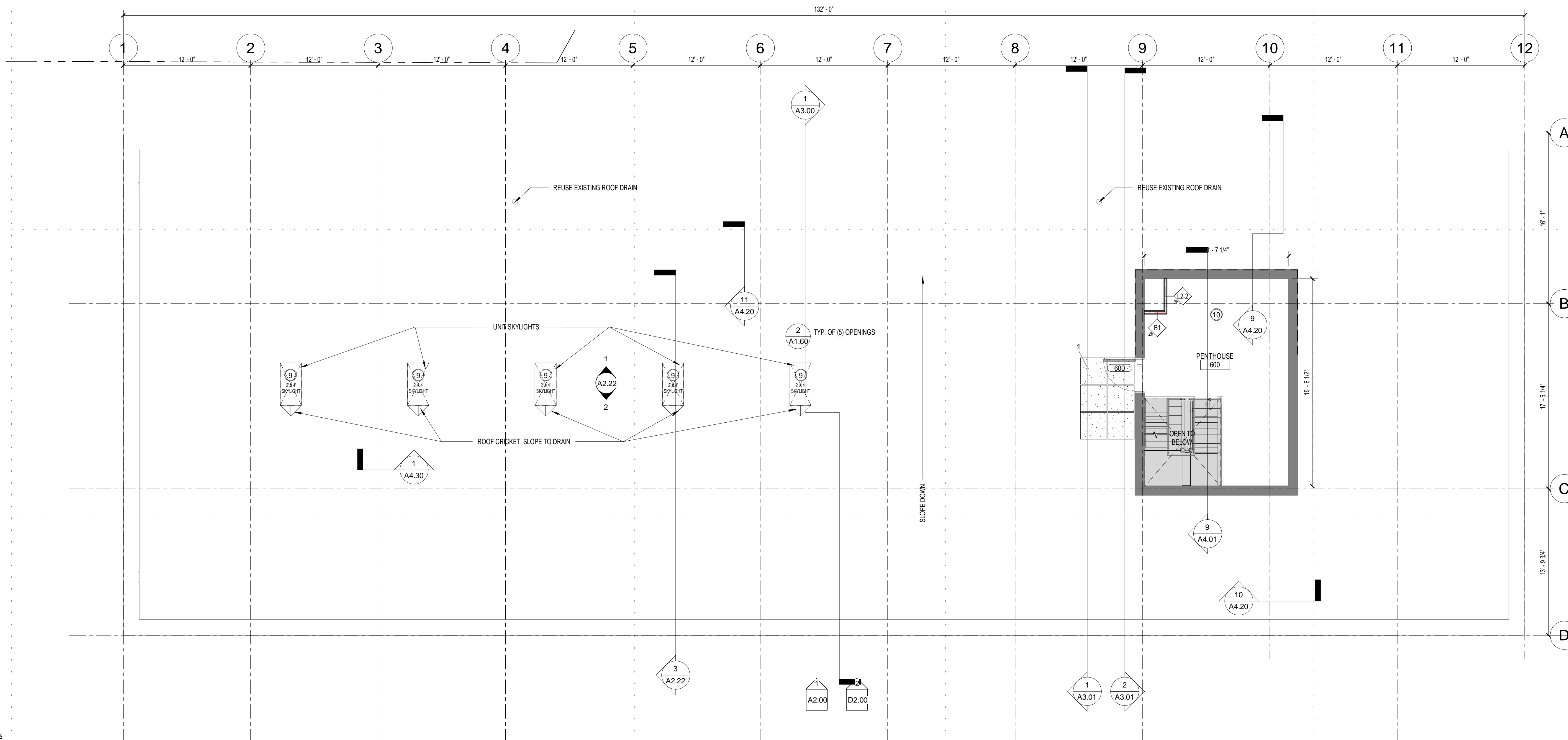
**4 VENT STACK FLASHING (TYP.)**  
3' = 1'-0"



**3 EXHAUST STACK DETAIL**  
1 1/2' = 1'-0"

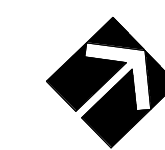


**2 SKYLIGHT CURB**  
1 1/2' = 1'-0"



**1 ROOF BEARING**  
3/16" = 1'-0"

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**ELEVATION GENERAL NOTES:**

A. PATCH AND REPAIR MATERIALS WHERE FIRE ESCAPE REMOVED. MATCH COLOR AND TEXTURE OF ADJACENT MATERIALS.

**ELEVATION KEY NOTES:**

AN ADDRESS NUMBERS  
D\_ DOOR TYPES, SEE SHEET A5.30  
EERO EMERGENCY ESCAPE RESCUE OPENING  
FDC FIRE DEPARTMENT CONNECTION LOCATION  
L EXHAUST VENT LOUVERS  
SW STONEWORK INFILL, SEE 3 / A2.01  
W\_ WINDOW TYPES, SEE SHEET A5.30

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NO	DATE	REVISION
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Date: 1/10/20 Reg. No.: 50555

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PROJECT NAME:

**St. Louis Co Jail -  
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DRAWING TITLE:  
**BUILDING ELEVATIONS**

DRAWN BY: Author  
CHECKED BY: Checker  
PROJ. NO: 180039

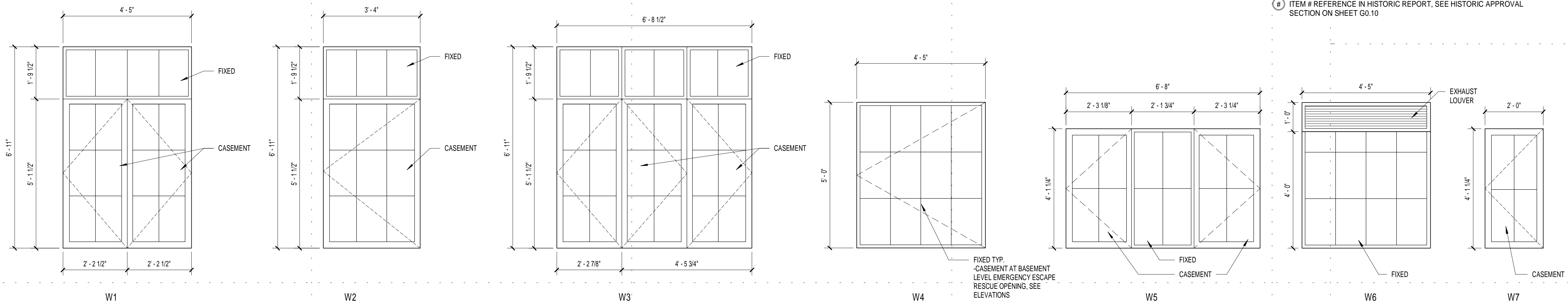
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 12/9/2020 10:29:39 AM

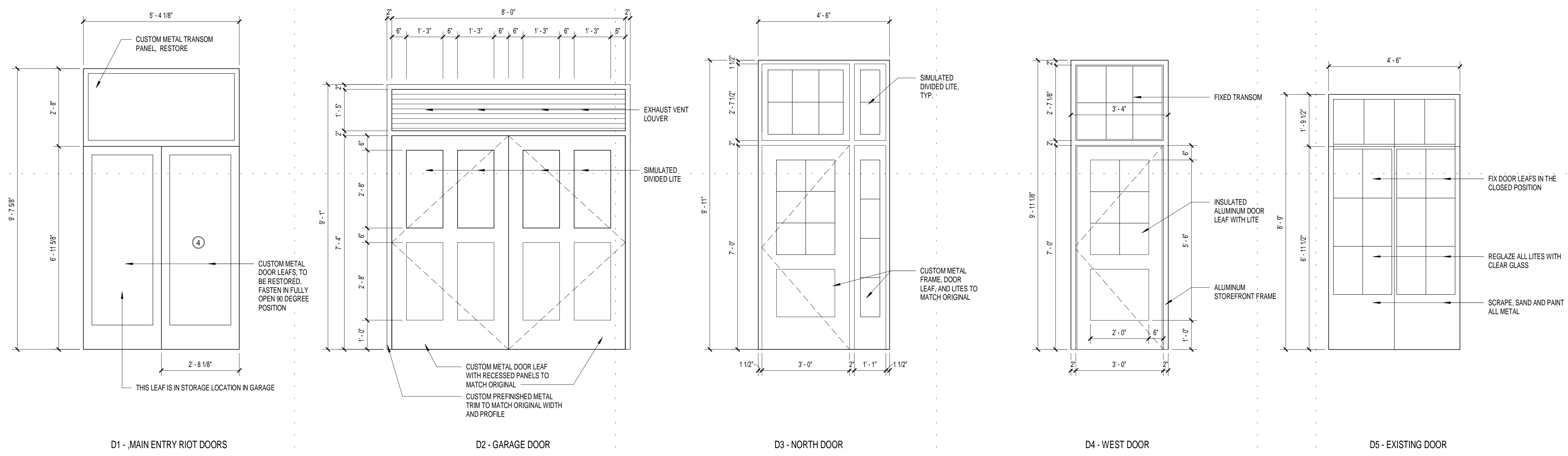
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12/9/2020 10:31:48 AM



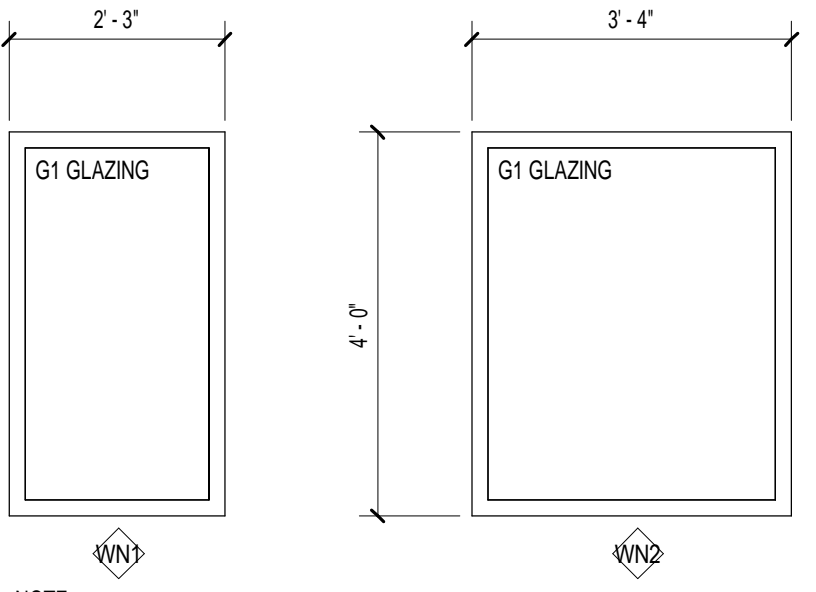
# ITEM # REFERENCE IN HISTORIC REPORT, SEE HISTORIC APPROVAL SECTION ON SHEET G0.10

NOTES:  
-MUNTIN BARS ARE 3/4", SIMULATED DIVIDED LIGHTS WITH SPACER  
-WOOD FALL-PREVENTION DEVICES SHALL BE INSTALLED AT THE INTERIOR SIDE OF THE WINDOWS AT ALL LOCATIONS WHERE SPACE IS > 72" BELOW THE LOWEST PART OF THE OPENING OF AN OPERABLE WINDOW (IBC 1013.8) (3)  
\* ALL DIMENSIONS TO BE FIELD VERIFIED.

**1 WINDOW TYPES**  
1/2" = 1'-0"



**2 DOOR TYPES**  
1/2" = 1'-0"



NOTE:  
-CONTRACTOR IS TO VERIFY DIMENSIONS OF EXISTING OPENINGS  
-GLAZING DOES NOT NEED TO BE FIRE RATED AS FIFTH FLOOR CORRIDOR IS NOT REQUIRED TO BE RATED PER IBC TABLE 1018.1

**WINDOW FRAMES - INTERIOR**  
1/2" = 1'-0"

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NO	DATE	REVISION

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Typed or Printed Name: ANDREW MADSON  
Date: 1/10/20 Reg. No.: 50555

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PROJECT NAME:  
**St. Louis Co Jail -  
Conversion to Housing**

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DRAWING TITLE:  
**WINDOW AND DOOR  
TYPES**

DRAWN BY: Author  
CHECKED BY: Checker  
PROJ. NO: 180039

DRAWING NO: **A5.30**





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NO	DATE	REVISION
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Date: 1/10/20 Reg. No.: 50555

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PROJECT NAME:  
**St. Louis Co Jail -  
Conversion to Housing**

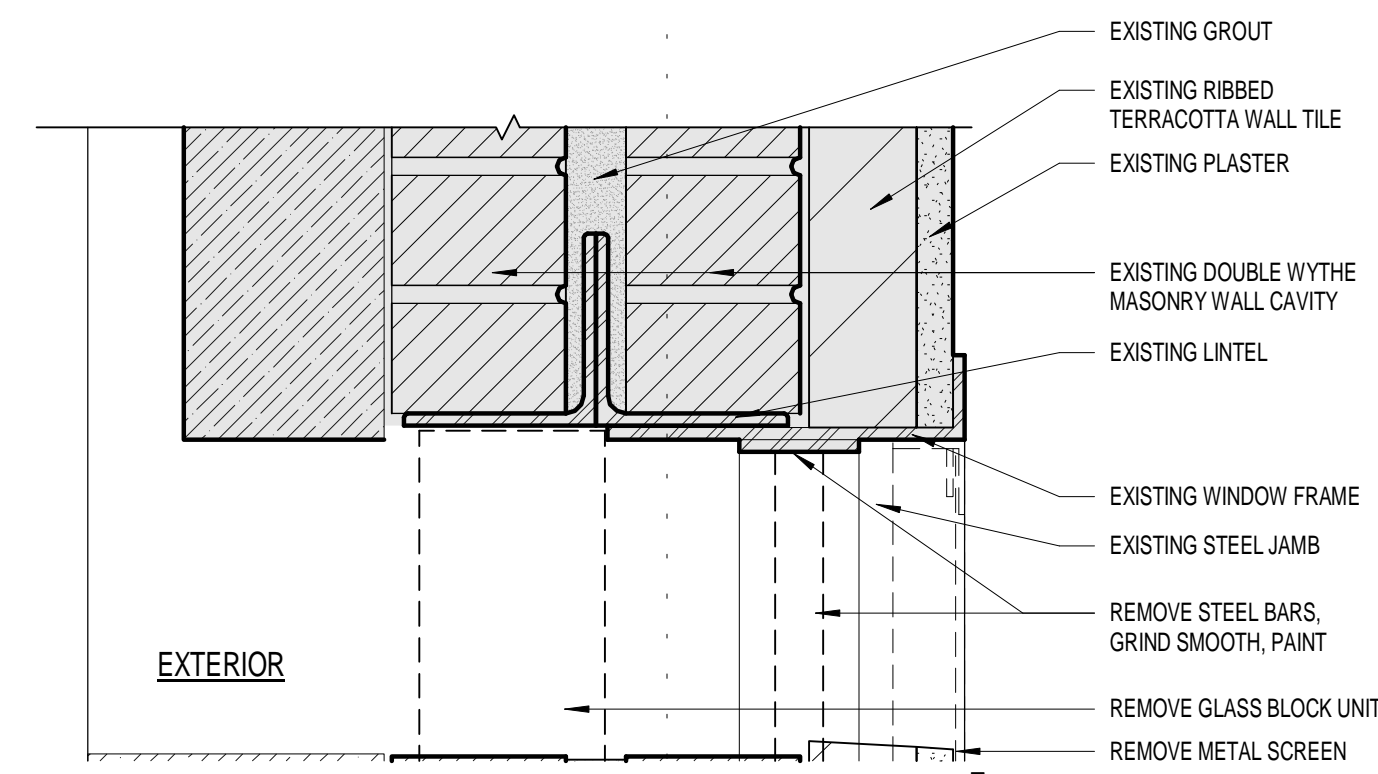
521 W. 2ND STREET  
Duluth, MN 55802

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**WINDOW DETAILS**

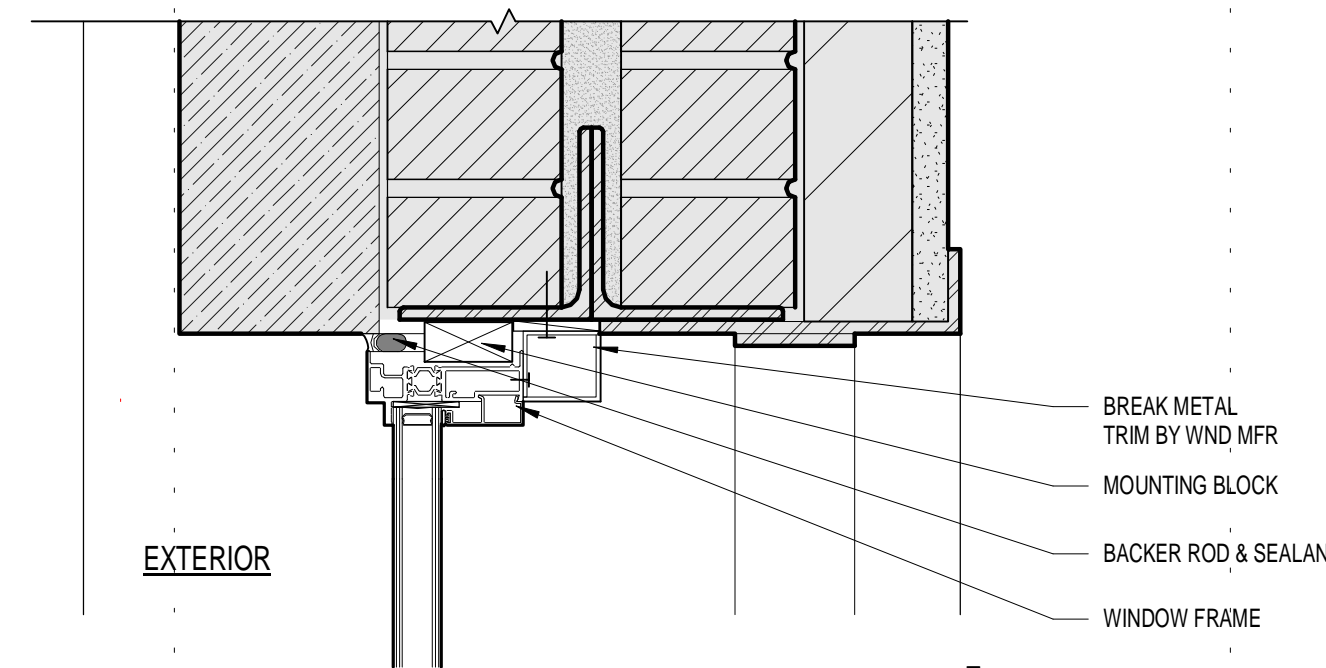
DRAWN BY: AUTHOR  
CHECKED BY: CHECKER  
PROJ. NO.: 180039

DRAWING NO.:

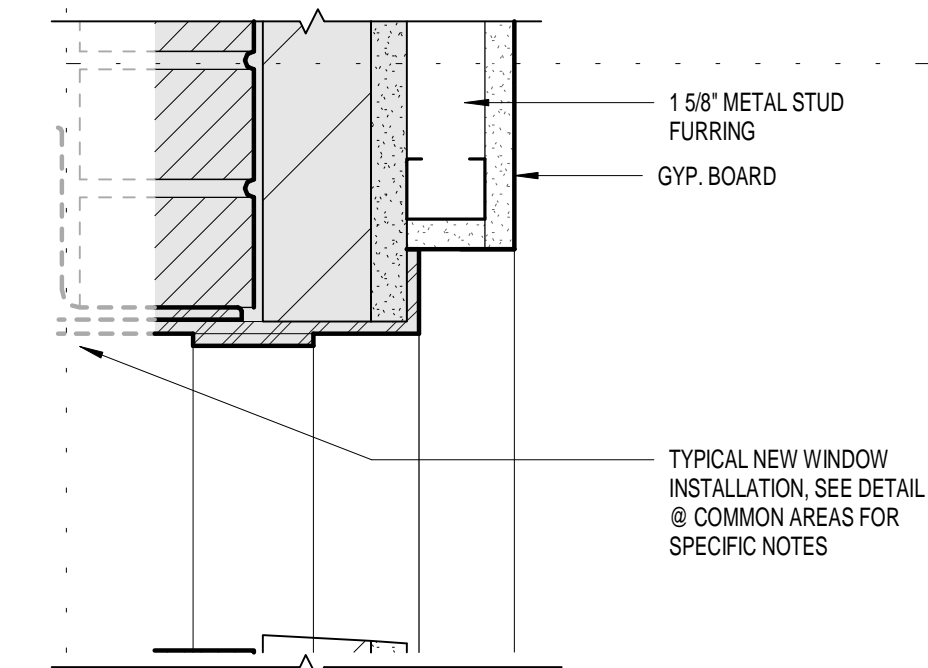
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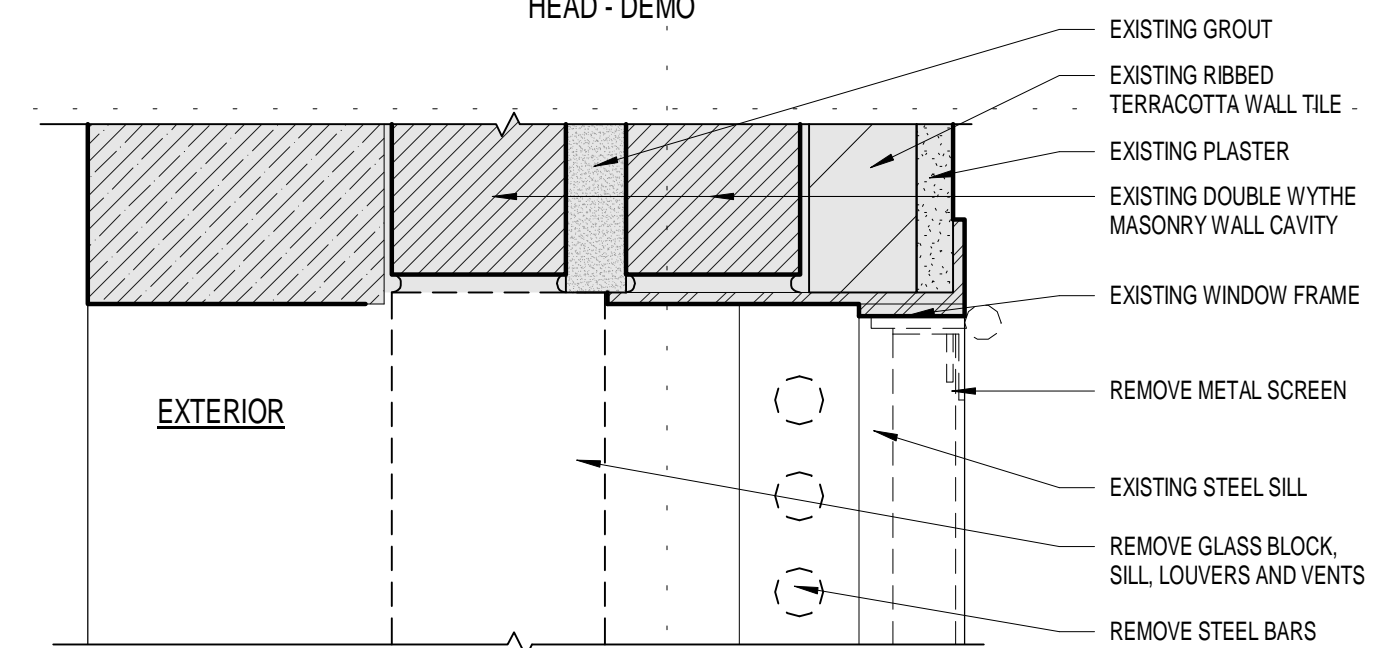
HEAD - DEMO



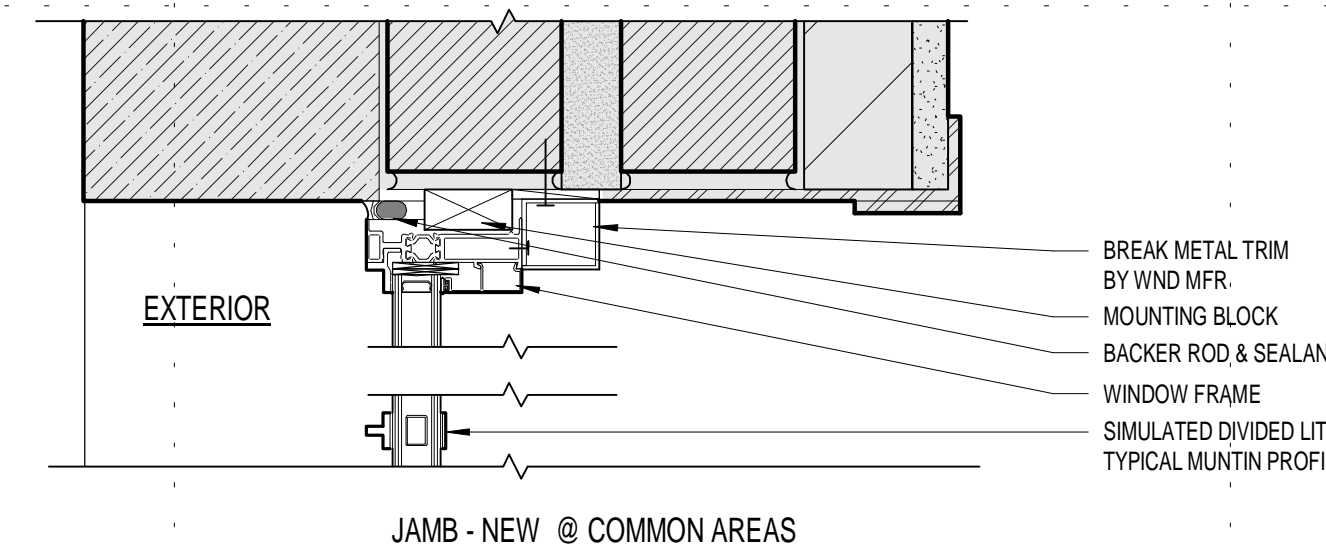
HEAD - NEW @ COMMON AREAS



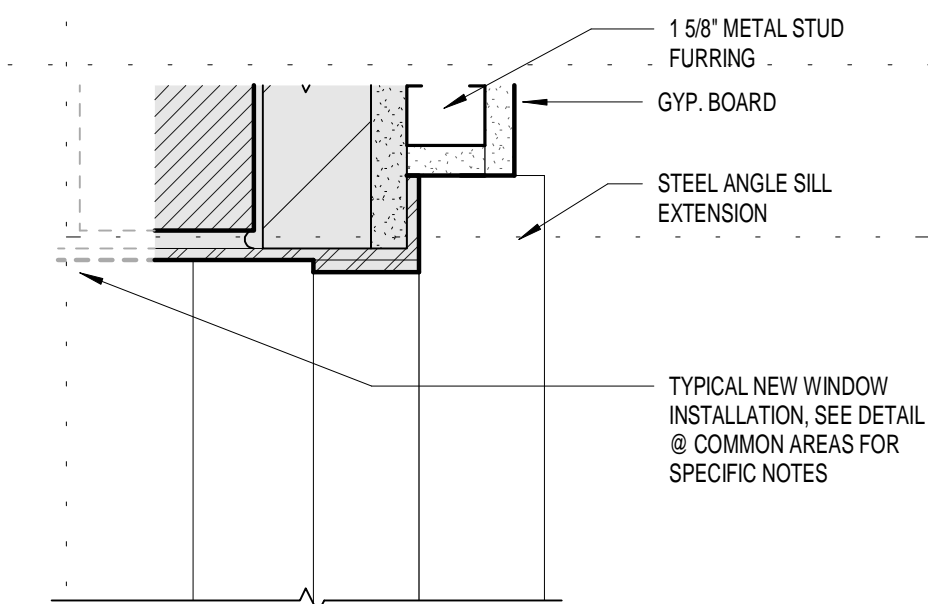
HEAD - NEW @ RESIDENTIAL UNITS



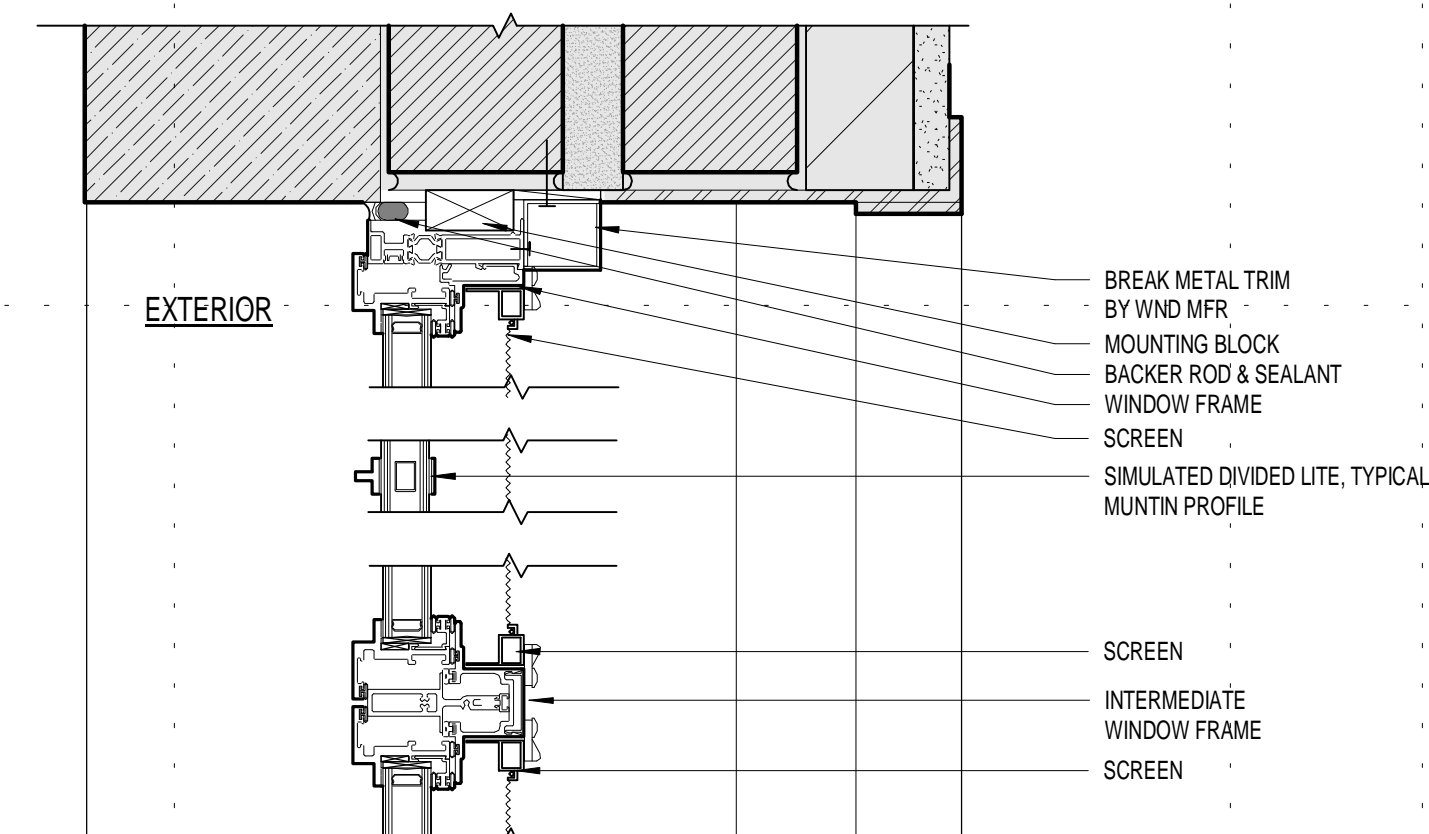
JAMB - DEMO



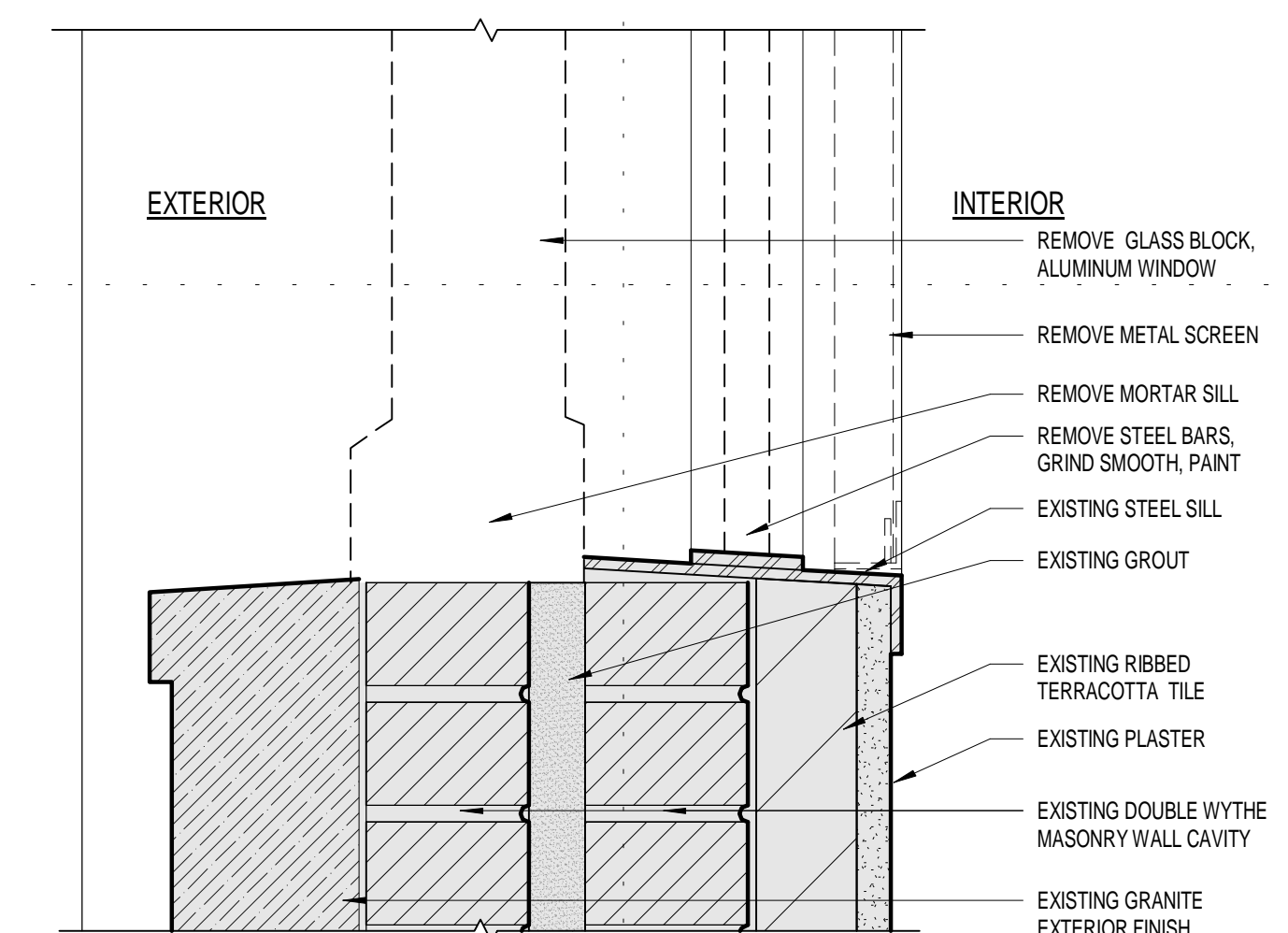
JAMB - NEW @ COMMON AREAS - FIXED TRANSOMS



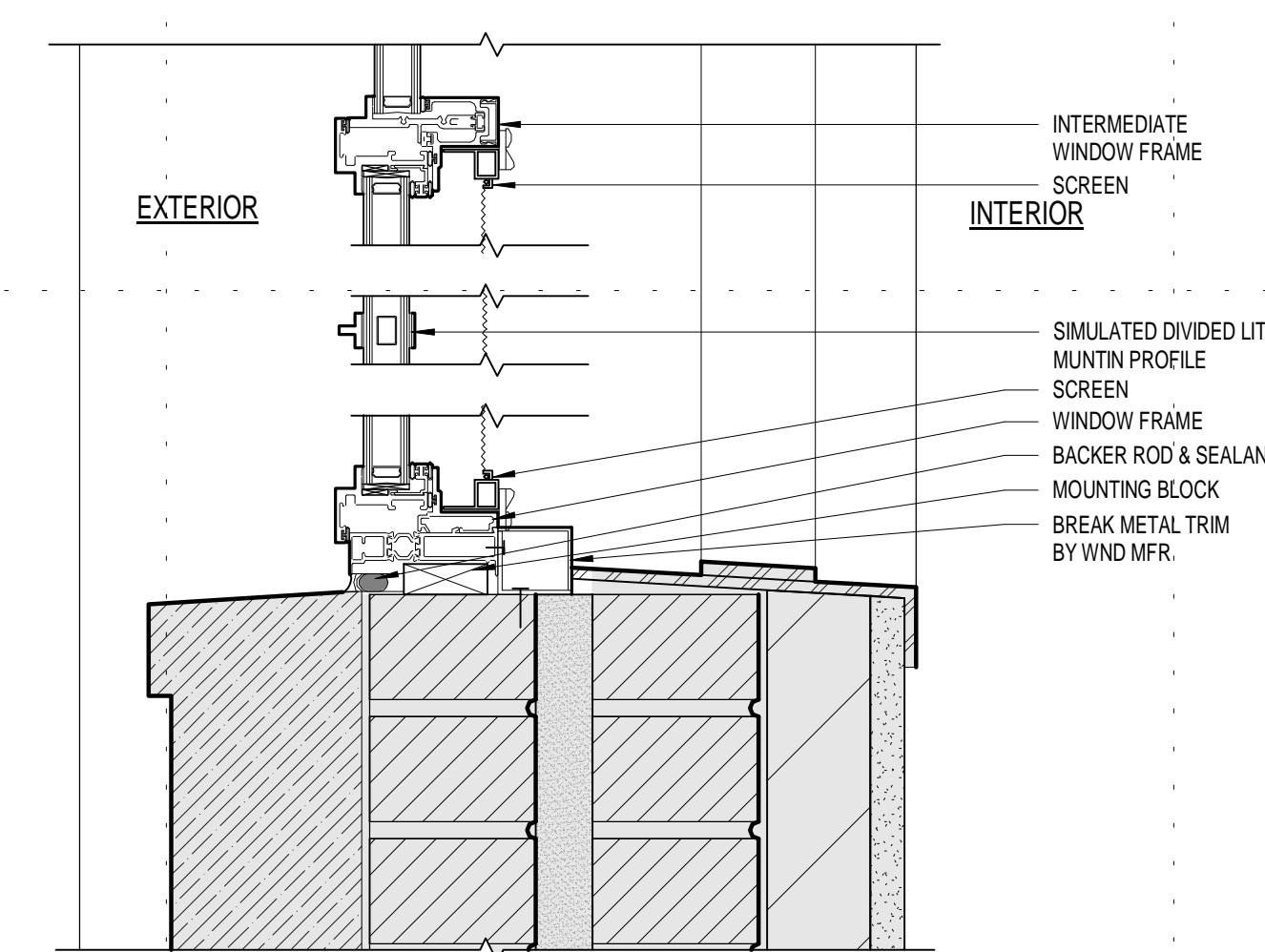
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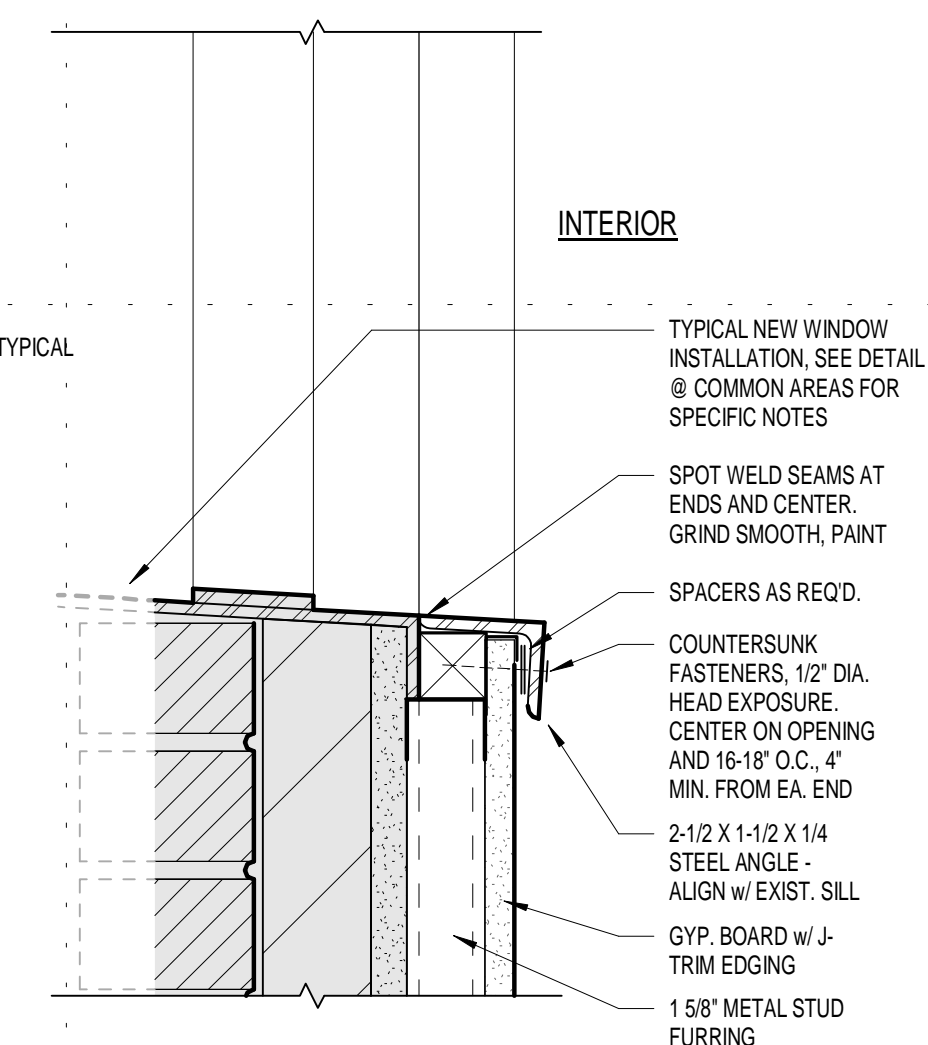
JAMB - NEW @ COMMON AREAS - OPERABLE CASEMENTS



SILL - DEMO

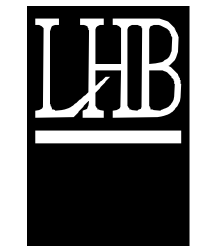


SILL - NEW @ COMMON AREAS



SILL - NEW @ RESIDENTIAL UNITS

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NO	DATE	REVISION

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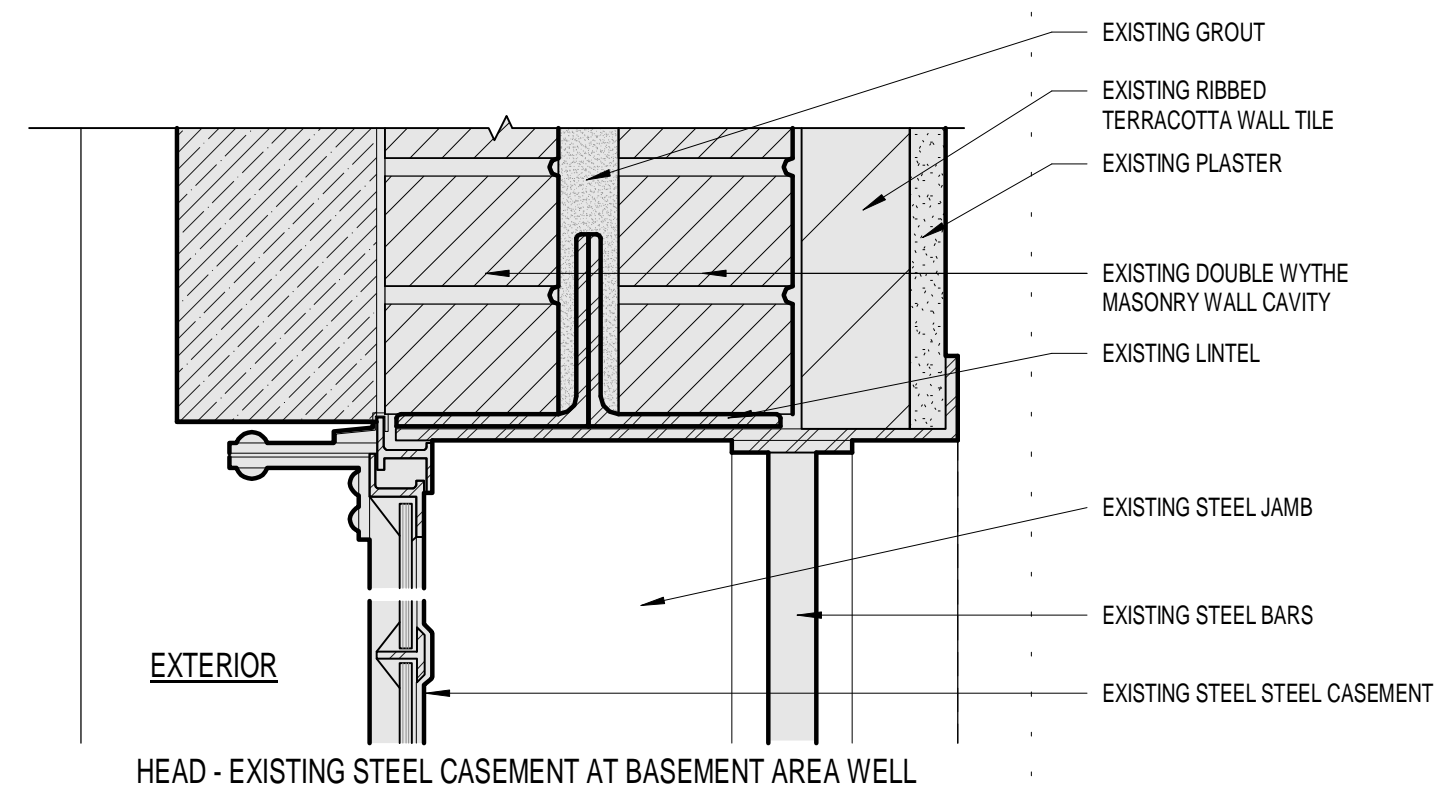
521 W. 2ND STREET  
Duluth, MN 55802

DRAWING TITLE:  
EXISTING WINDOW  
DETAILS

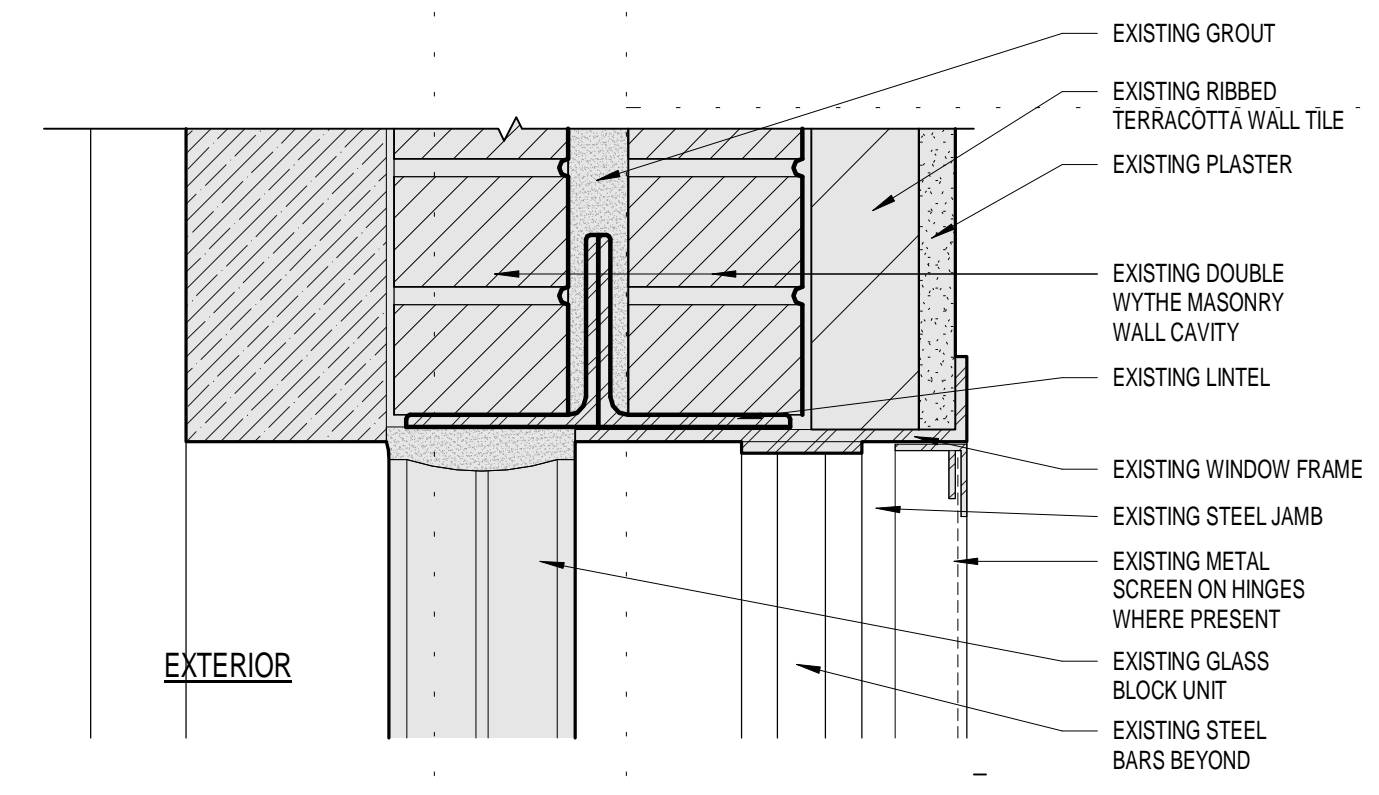
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CHECKED BY: Checker  
PROJ. NO: 180039

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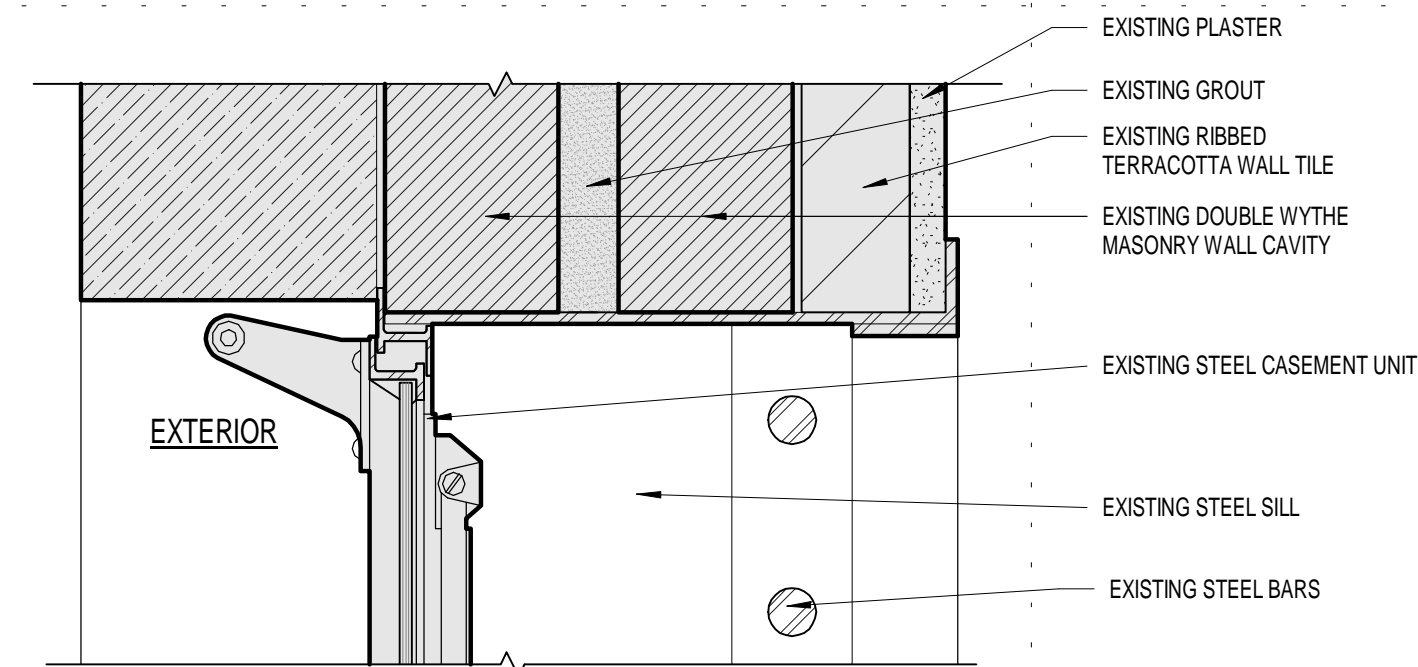
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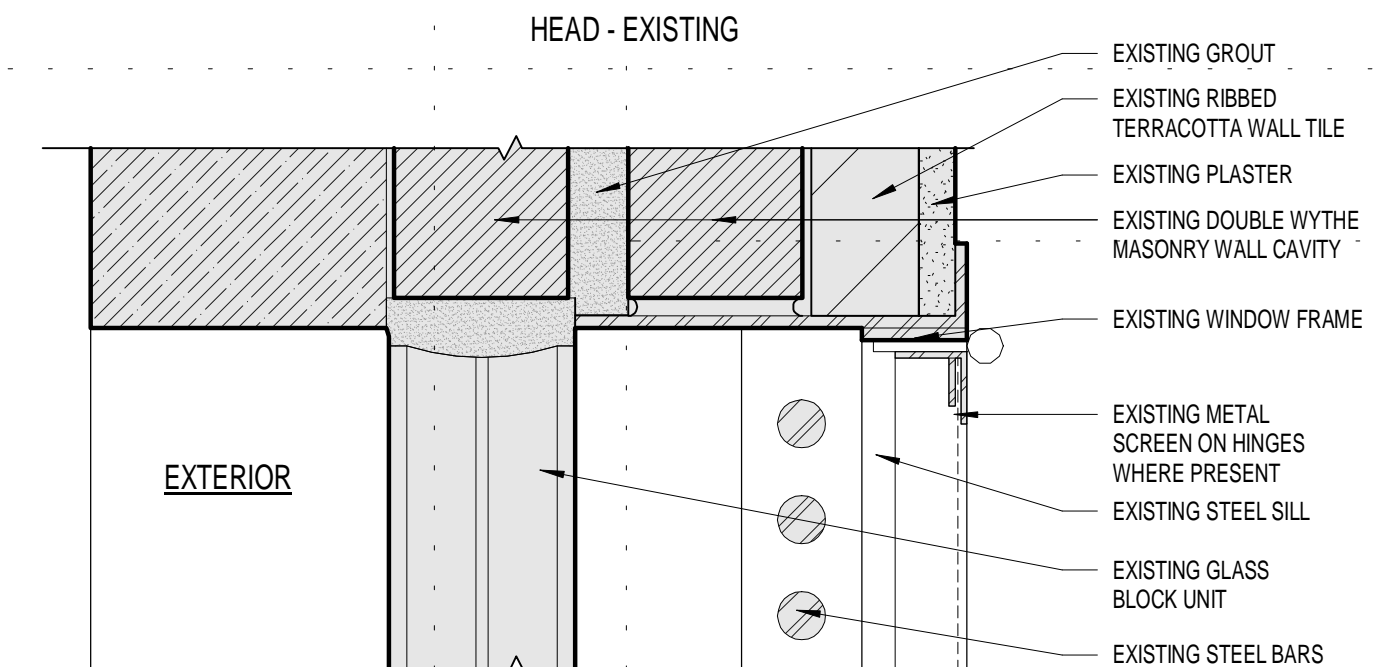
HEAD - EXISTING STEEL CASEMENT AT BASEMENT AREA WELL



HEAD - EXISTING

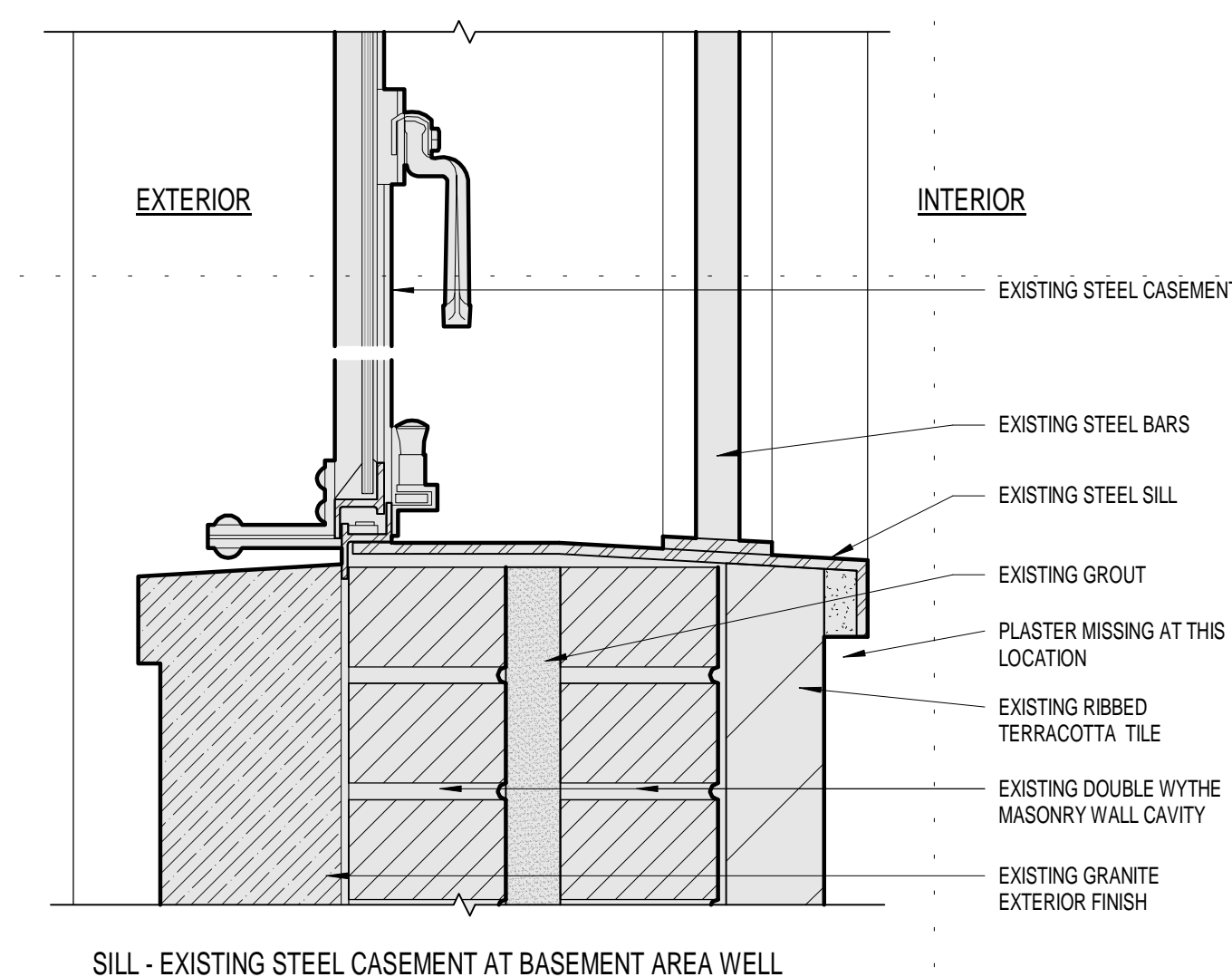


JAMB - EXISTING STEEL CASEMENT AT BASEMENT AREA WELL

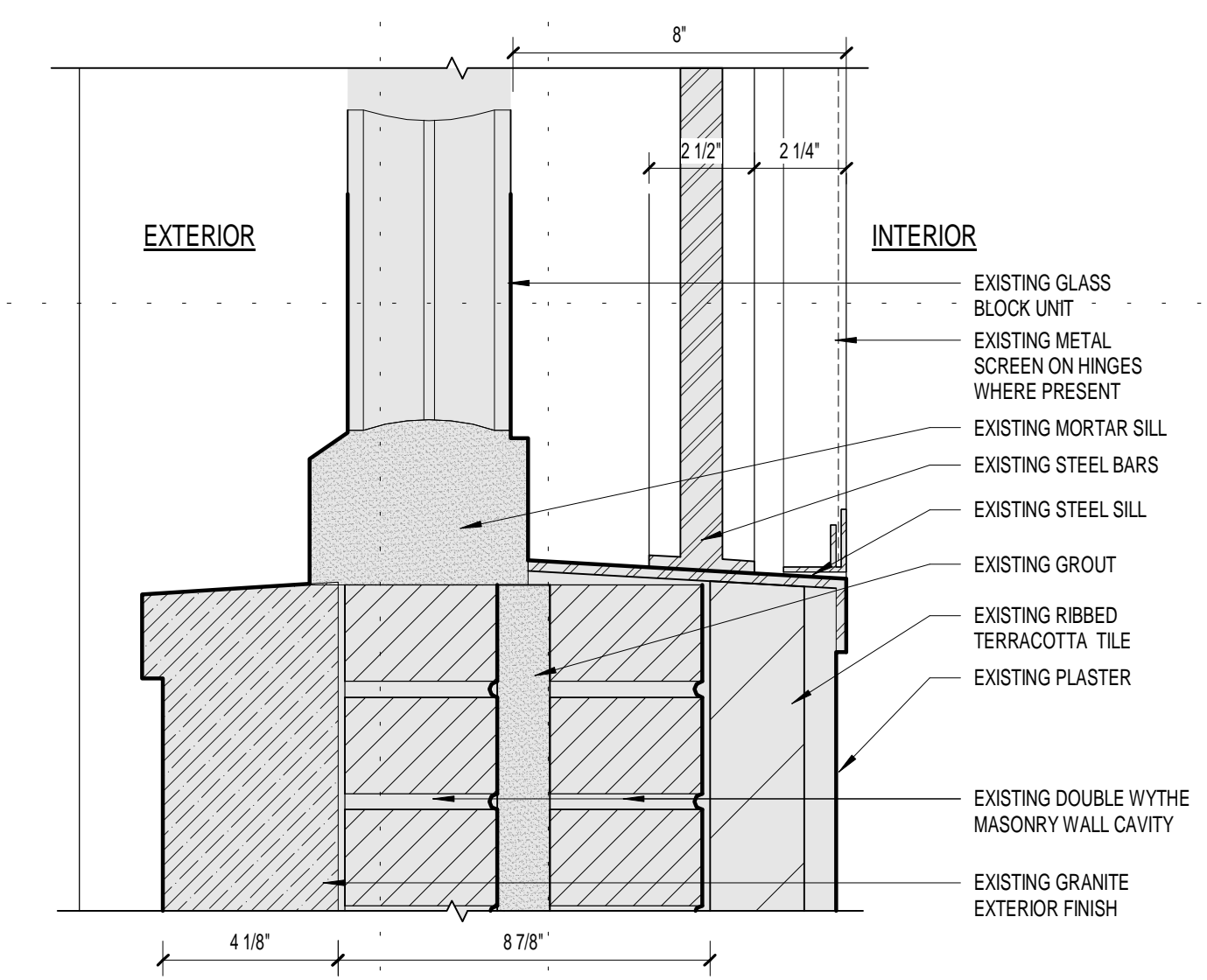


JAMB - EXISTING

NO WORK DESCRIBED ON THIS PAGE. DRAWINGS FOR REFERENCE ONLY.



SILL - EXISTING STEEL CASEMENT AT BASEMENT AREA WELL



SILL - EXISTING

1 EXISTING WINDOW DETAILS  
3" = 1'-0"


BIM 360/180039 SLC Jail Rehab into Housing/180039 St. Louis Co Housing Release A19 Central HSG.rvt  
12/9/2020 10:31:53 AM





**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
411 West First Street  
Duluth, Minnesota 55802

 218-730-5580

 [planning@duluthmn.gov](mailto:planning@duluthmn.gov)

August 17, 2020

Sarah Beimers  
State Historic Preservation Office  
50 Sherburne Ave, Suite 203  
St. Paul, MN 55155

Dear Sarah:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S. C. 470f), and its implementing regulation; 36CFR800, "Protection of Historic Properties," and as authorized by the U.S. Department of Housing & Urban Development (HUD) as a Responsible Entity for CDBG, HOME and ESG funding according to the Section 106 Programmatic Agreement, we are initiating consultation with your office regarding the following:

**1801 E Skyline Parkway, Duluth MN 55805 – Chester Bowl Site Improvements**

Chester Bowl Improvement Club proposes to use CDBG Public Facilities funds to make site improvements around the Chester Bowl chalet and recreation area. Please see the attachments for details. We also note that per the Programmatic Agreement Attachment E "When to Consult with Tribes Under Section 106," we have determined the need for tribal consultation for this project due to the nature of the proposed rehabilitation work: ground disturbance.

Based on the site's history, there is little evidence that the project will impact historical or archeological sites. Some places listed in the Historic Properties Database that are nearby but not directly in the project area include Chester Creek bridge and the segment of Skyline Parkway from Chester Park to Lincoln Park. Based on our research, we have made the determination that no historical or archeological resources will be affected by this project, which we now ask you to review. Please respond in writing to the City within the 30-day time period as noted at section 800.3(c) 4.

If you do not concur with the findings in this submission, we request that you express your concerns and questions in writing within that 30-day period. Unless the City receives comments to the contrary within thirty (30) days, of this letter, the City will assume that the Minnesota State Historical Society concurs with the City's determination that no historical or archeological resources will be affected by this project.

Sincerely,

Ben VanTassel  
Manager, Planning & Development Division  
[bvantassel@duluthmn.gov](mailto:bvantassel@duluthmn.gov) (218) 730-5299

[www.duluthmn.gov](http://www.duluthmn.gov)

The City of Duluth is an Equal Opportunity Employer.

## PROJECT DESCRIPTION

Address of the project site: \_\_\_\_\_

City project number (if applicable): \_\_\_\_\_

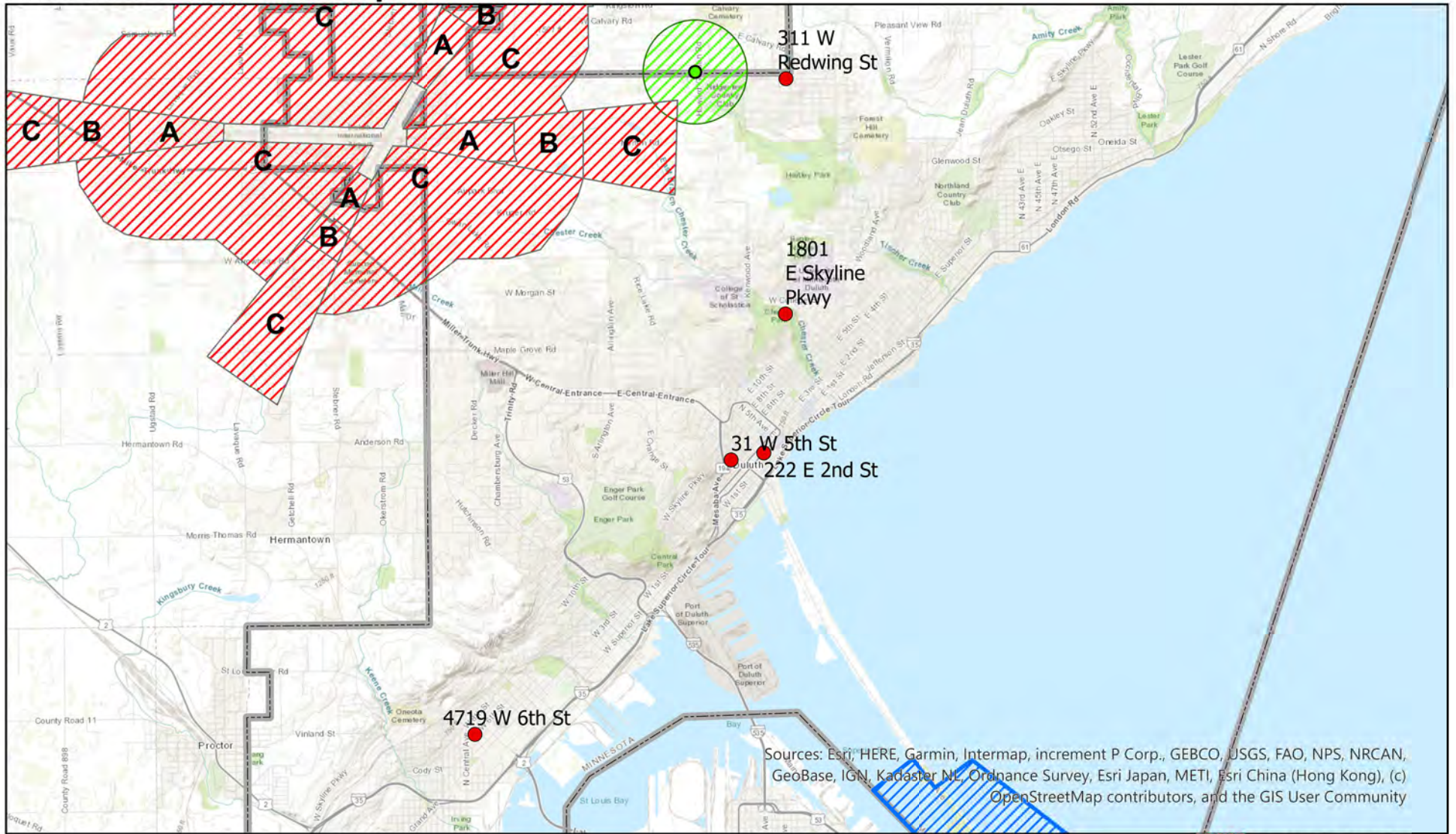
Funding source:  CDBG  HOME  OTHER: \_\_\_\_\_

Funding amount (for this site/project): \$ \_\_\_\_\_

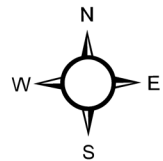
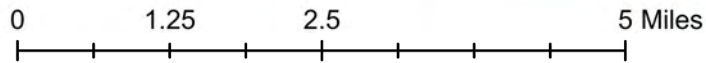
Scope of work:



# Environmental Review Map



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



-  Airport Safety Zones
-  CBRS
-  Landfill Sites
-  Landfill 3,000ft Buffer
-  Project Addresses



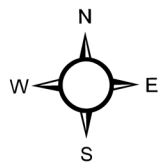
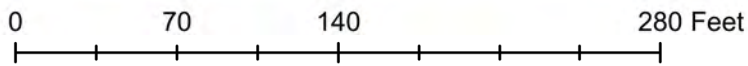
# Environmental Review Map



1801 E Skyline Pkwy- Chester Bowl Chalet

Chester Bowl Dr

1801 E Skyline Pkwy



## Legend

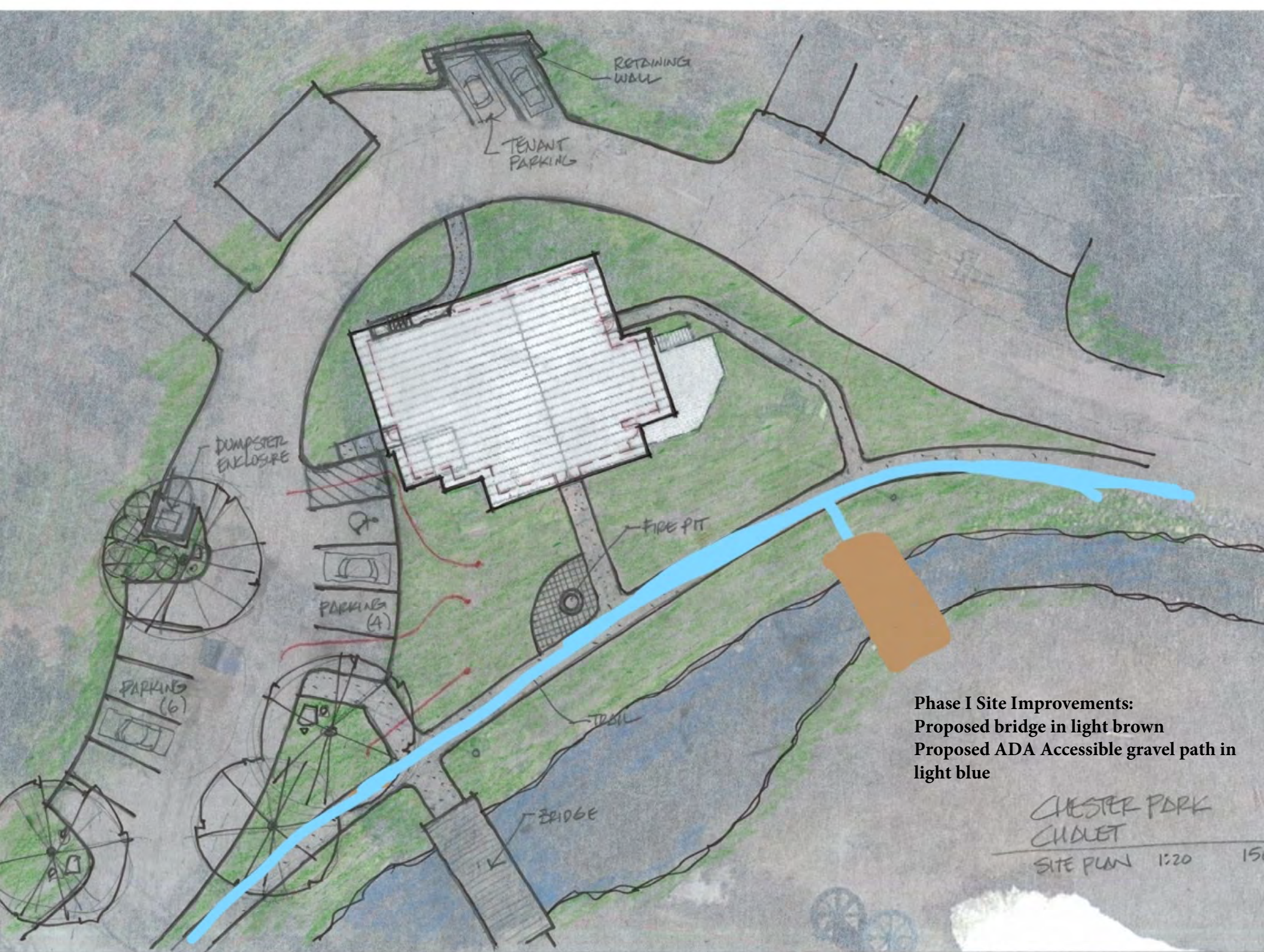
- Freshwater Emerged Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- MPCA sites
- General Flood Plain
- Flood Way
- Flood Fringe



PROPOSED BRIDGE







**Phase I Site Improvements:**  
Proposed bridge in light brown  
Proposed ADA Accessible gravel path in light blue

CHESTER PARK  
CHULET  
SITE PLAN 1:20 15



## When To Consult With Tribes Under Section 106

Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, and transfer, lease or sale of properties of the types listed above.

### If a project includes any of the types of activities below, invite tribes to consult:

- significant ground disturbance (digging)**  
Examples: new sewer lines, utility lines (above and below ground), foundations, footings, grading, access roads
- new construction in undeveloped natural areas**  
Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas
- incongruent visual changes**  
Examples: construction of a focal point that is out of character with the surrounding natural area, impairment of the vista or viewshed from an observation point in the natural landscape, or impairment of the recognized historic scenic qualities of an area
- incongruent audible changes**  
Examples: increase in noise levels above an acceptable standard in areas known for their quiet, contemplative experience
- incongruent atmospheric changes**  
Examples: introduction of lights that create skyglow in an area with a dark night sky
- work on a building with significant tribal association**  
Examples: rehabilitation, demolition or removal of a surviving ancient tribal structure or village, or a building or structure that there is reason to believe was the location of a significant tribal event, home of an important person, or that served as a tribal school or community hall
- transfer, lease or sale of a historic property of religious and cultural significance**  
Example: transfer, lease or sale of properties that contain archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, plant and animal communities, or buildings and structures with significant tribal association
- None of the above apply**

Chester Bowl 1801 E Skyline - Site Improvements

Mollie Hinderaker

8/4/20

---

**Project**

---

**Reviewed By**

---

**Date**

September 4, 2020

Ben VanTassel  
Planning and Development Division  
City of Duluth  
411 West 1<sup>st</sup> Street, Rm 160  
Duluth, MN 55802

RE: Chester Bowl Bridge over Chester Creek and Gravel Path  
1801 Skyline Parkway East  
Duluth, Saint Louis County  
T50 R14 S15 SE  
SHPO Number: 2020-2570

Dear Mr. VanTassel:

Thank you for the opportunity to comment on the above project. Because federal funding is involved, the project is being reviewed according to responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800.

Pursuant to 36 CFR 800.4-5 it is the Federal agency's responsibility to determine the area of potential effect (APE) for the federal undertaking, to identify and evaluate historic properties that may be affected by the proposed federal undertaking, and to assess adverse effects to historic properties, if any. While your submittal dated August 17, 2020, provides baseline information regarding the project site and proposed bridge and path construction project, you have not provided information sufficient for our office to provide concurrence with your agency's "no historic properties affected" determination.

Therefore, in accordance with 36 CFR 800.11(d) we recommend that you submit the following documentation to our office:

- **Determine the Area of Potential Effect** – Provide a brief written description of the area of potential effect (APE), as specified under 36 CFR 800.4(a)(1) and 36 CFR 800.16(d). Include discussion of the potential for the project to have direct and indirect effects on historic properties and provide justification of the boundaries chosen for the APE.
- **Evaluate Chester Park/Chester Bowl for eligibility for listing in the National Register of Historic Places (NRHP)** – It is unclear where are the boundaries for Chester Park and Chester Bowl and whether they overlap. If the project area and APE are within either (or both) of these two properties, it should be determined whether the applicable property(ies) is/are eligible for listing in the NRHP. While these properties have not been identified in previous surveys, we believe they may have potential historical significance. Although it sounds like you have requested a database search to identify previously-surveyed properties, there may be other properties that have not been surveyed, yet, that are eligible. In absence of this evaluation, we

are unable to complete project review. In order to proceed, we recommend that an architectural/historic evaluation be completed, meeting the requirements of the Secretary of the Interior's Standards for Identification and Evaluation.

For a list of consultants who have expressed an interest in undertaking such evaluations, please visit the website [preservationdirectory.mnhs.org](http://preservationdirectory.mnhs.org), and select "Historians, Contract" in the "Search by Specialties" box.

- **Consulting Parties/Public Involvement** – Provide a summary of agency coordination with any other consulting parties and/or public involvement in the Section 106 review process. For example, we see no reference to Section 106 consultation with the Duluth Heritage Preservation Commission (HPC). If you have not done so already, we recommend that your agency initiate consultation with staff for the Duluth HPC and request their comments regarding the proposed federal undertaking. The Duluth HPC should be given an opportunity to review both the results of your agency's efforts to identify historic properties within the APE and the results of the evaluation of Chester Park/Chester Bowl and finding of effect.

We look forward to continuing consultation on this project. Please contact our Environmental Review Program at [Leslie.Coburn@state.mn.us](mailto:Leslie.Coburn@state.mn.us) if you have any questions regarding our review of this project.

Sincerely,



Sarah J. Beimers  
Environmental Review Program Manager

**PHASE I ARCHAEOLOGICAL SURVEY**

**AND HISTORY/ARCHITECTURE STUDY**

**FOR CHESTER BOWL SITE IMPROVEMENTS PROJECT,**

**DULUTH, ST. LOUIS COUNTY,**

**MINNESOTA**

**Susan C. Mulholland**  
**and**  
**Lawrence Sommer**

**Duluth Archaeology Center**  
**5910 Fremont Street Suite 1**  
**Duluth, Minnesota**

**for**  
**Chester Bowl Improvement Club**

**June 2021**

**Duluth Archaeology Center Report Number 21-27**



## **ABSTRACT**

Historic/architecture and archaeological investigations were requested in advance of the proposed improvement project at Chester Bowl in Chester Park, City of Duluth in St. Louis County, Minnesota. The improvements project is to upgrade an existing gravel path and install a bridge over Chester Creek immediately in front of the Thom Storm Chalet.. SHPO consultation resulted in requests for a) archaeological survey of areas of ground disturbance and b) evaluation of the project site for historic properties eligible to the National Register; review and refinement of the Area of Potential Effects was also requested.

The archaeological survey of the gravel path and proposed bridge location was negative for indications of pre-Contact archaeological sites. Four tests were placed, three along the gravel path and one on the opposite side of Chester Creek in the proposed bridge abutment. All tests were negative for cultural materials and indicated previously disturbed sediments. The area in front of the Chalet was very compact with modern materials (brick, green glass) and lacked an A horizon. The area on the opposite side of the creek was recently restored from a previous artificial pond feature, after the 2012 flood filled the pond basin with sediment.

The history/architecture study considered potential impacts from the proposed gravel path and bridge on possible historic properties. The draft APE for the Site Improvement Project was refined to be smaller than initially defined, in reflection of the low visual impact of the gravel path improvement and the nature of the proposed bridge. Review of the revised APE indicates only one structure, the Thom Storm Chalet, could receive visual impacts. However, the Chalet is recommended as not eligible to the National Register as it is less than 50 years old and does not have any significance in terms of the four criteria of significance. No other structures are within the revised APE.

No additional archaeological work is recommended before construction of the gravel path and placement of the bridge. A determination of No Historic Properties Affected is recommended for the Sites Improvement Project at Chester Bowl.

Copies sent to:

Dave Schaeffer, Chester Bowl Improvement Club, 1801 East Skyline Drive, Duluth MN 55812.

Mollie Hinderaker, Planning and Development Division, City of Duluth, 411 West 1<sup>st</sup> Street,  
Duluth MN 55802.

Sarah Beimers, Compliance Officer, State Historic Preservation Office, History Building, 345  
Kellogg Boulevard West, St. Paul, MN 55102.

Amanda Gronhovd, State Archaeologist, Ft. Snelling History Center, St. Paul, MN 55111.

Acknowledgments:

Dave Schaeffer provided information and maps of the project area as well as information on the Chalet. Amanda Gronhovd, State Archaeologist, issued the State Archaeology License. Jim Krumrie provided a search of the SHPO databases.

Personnel:

Susan C. Mulholland	Principal Investigator
Lawrence Sommer	Architectural Historian
Jennifer Shafer	graphics supervisor
Elizabeth Yordy	survey crew

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# **BACKGROUND INFORMATION**

## **INTRODUCTION**

History/architecture studies and Phase I archaeological reconnaissance survey were conducted by the Duluth Archaeology Center (DAC) for the proposed Site Improvements Project for Chester Bowl (Appendix I). Chester Bowl is within the upper portion of Chester Park in the City of Duluth, St. Louis County, Minnesota (Figure 1). Chester Park is City land administered by the Duluth Parks and Recreation Department. The Site Improvements Project includes approximately 60 feet of an existing gravel path located between the Chalet and Chester Creek as well as a small area on the south side of the creek for the south bridge abutment (Appendix I). The Area of Potential Effects (APE) for this project was initially defined as the viewshed around the gravel path and bridge location, following trails and the crest of the recreational ski hill that have a view of the path area (Appendix I: Attachment B-Exhibit B).

DAC was contracted to provide both history/architecture studies and a standard Phase I archaeological survey for the project. The history/architecture study includes review of the draft APE, including evaluation of the boundary and justification, as well as evaluation of the proposed project APE for historic properties eligible to the National Register of Historic Places (NRHP). The Phase I archaeological survey is designed to search for evidence for historic properties (especially unrecorded archaeological sites) in the area of proposed ground disturbance within the APE. Both studies were conducted under the appropriate SHPO standards (Heritage Preservation Department 2017, Anfinson 2011).

## **PROJECT LOCATION**

The Chester Bowl Site Improvements Project is within Chester Park (Upper Chester Park/Chester Bowl) in the City of Duluth, St. Louis County, Minnesota (Figure 2). Chester Park is administered by the Duluth Parks and Recreation Department, which oversees an extensive system of parks within the City. Chester Bowl refers to the Upper Chester Park area, which has been developed as a recreational area for decades. The specific proposed improvements (path, bridge) are adjacent to the Thom Storm Chalet at 1801 Skyline Drive. The legal description of the project area is T50N, R14W, Section 15, N half of the SE (Table 1).

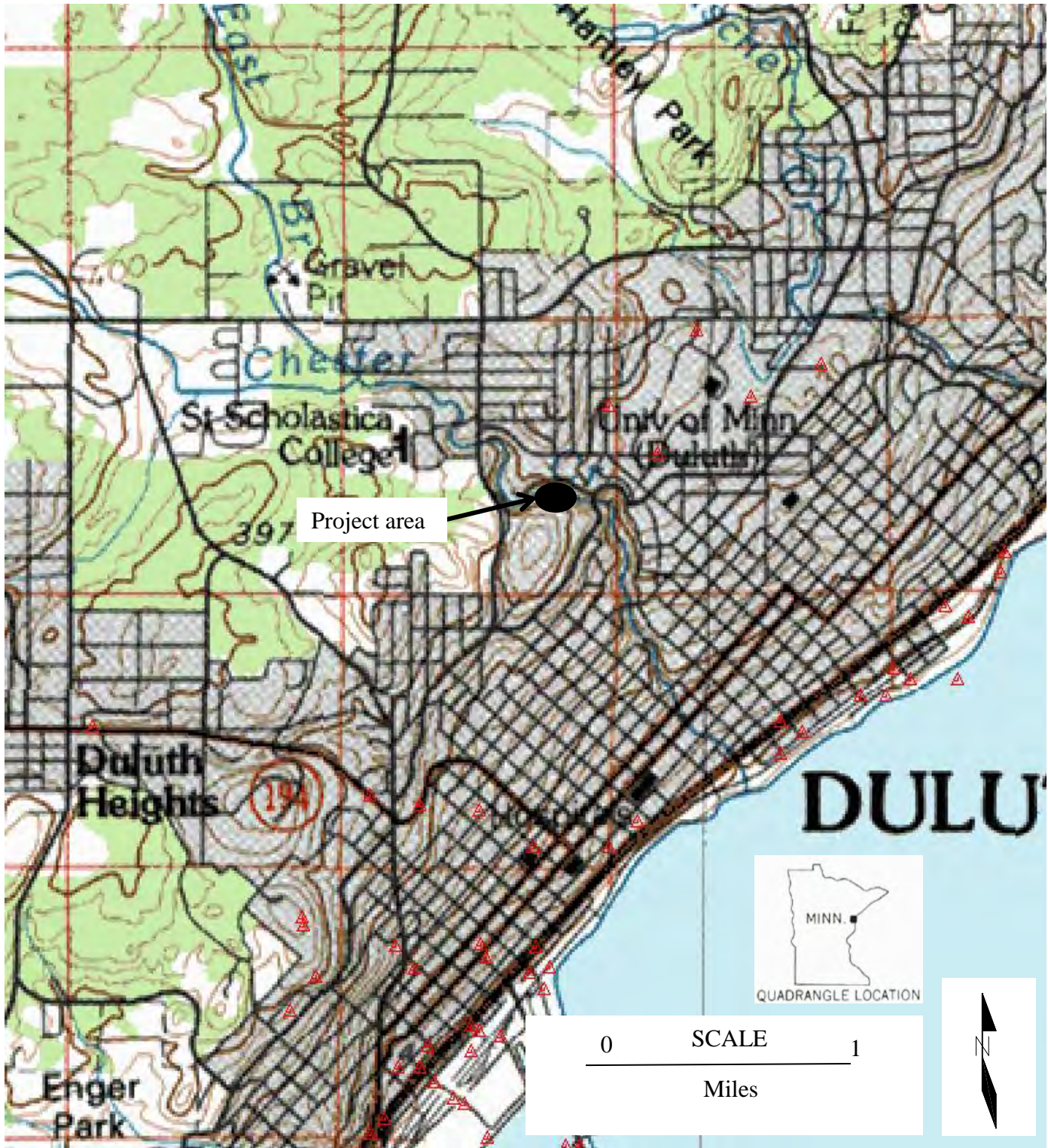


Figure 1. Location of Chester Bowl, Duluth 1980 quadrangle (1:100,000) USGS topographic map.



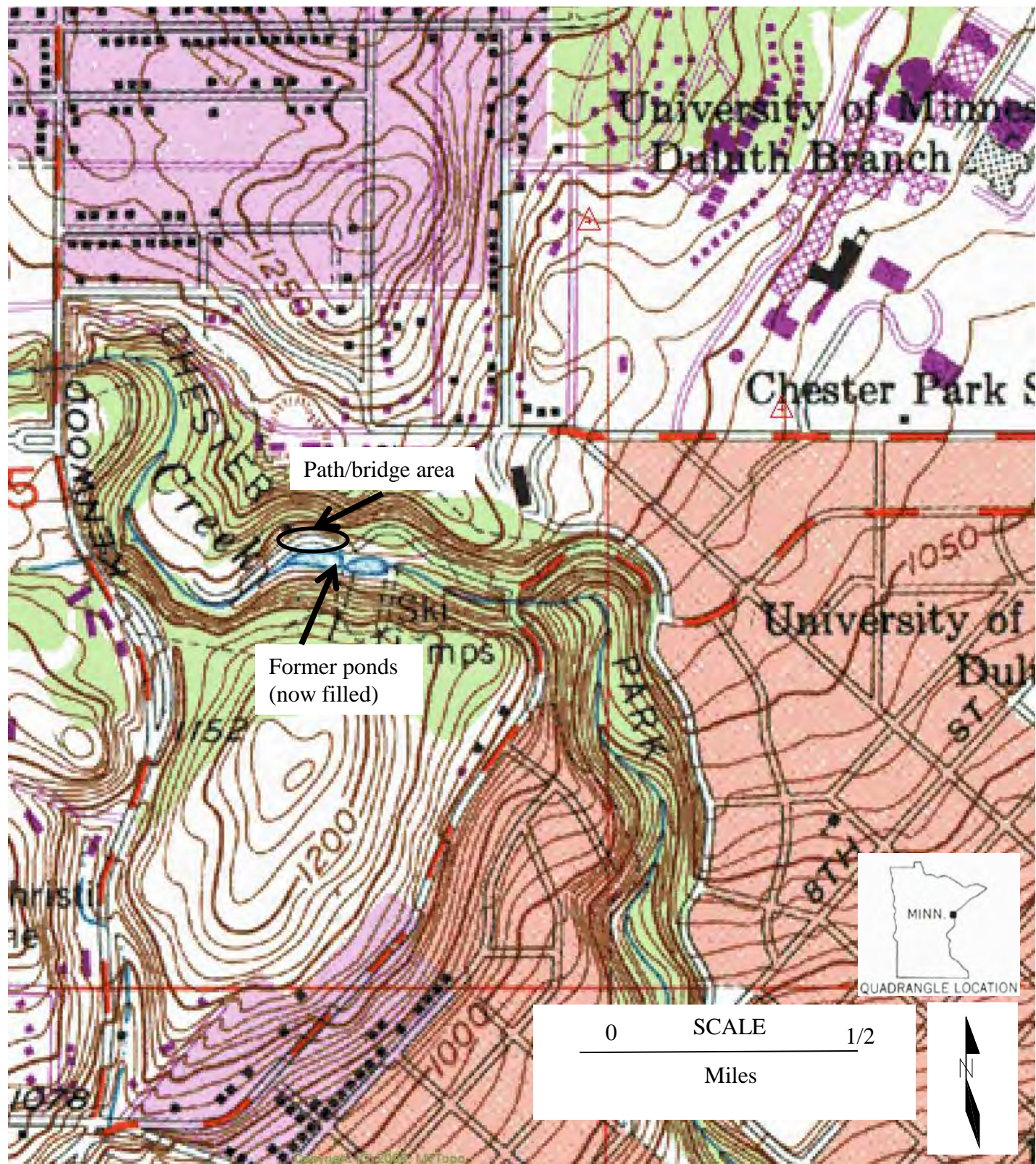


Figure 2. Site Improvement Project, Duluth 1953 (Revised 1993) quadrangle (1:24,000) USGS topographic map.

**Table 1. UTM\* coordinates of the Project**

Path East End/Bridge north abutment	568982E	5184843N
Path West End	568962E	5184831N
Bridge South Abutment	568994E	5184821N

\*1983 North American Datum, zone 15

The draft Area of Potential Effects was initially defined as within the viewshed of the proposed path improvement and bridge installation (Figure 3). Evaluation of the draft APE was requested as part of the history/architecture portion of this project (see below). The APE for the archaeology portion of the project is defined as the site improvements, specifically the existing gravel path (linear 60 feet) and the south bridge abutment (the north bridge abutment is at the eastern end of the path).

## **ENVIRONMENTAL SETTING**

The project is within the floodplain of Chester Creek, which is at the bottom of a steep sided stream valley on the Duluth hillside. Chester Creek starts inland from St. Scholastic Collage and drains into Lake Superior. The lakes and rivers throughout Minnesota watersheds possess a higher potential for prehistoric activity (Hudak et al. 2002). Archaeological sites from various pre-Contact historic contexts are to be expected on higher ground adjacent to water features. Sites from post-Contact historic contexts may be expected throughout the area, which is within the City of Duluth boundaries. In addition, Chester Bowl/Park has been a recreational site since the early 1900s as well as adjacent to Skyline Parkway (a NRHP listed property). The potential for historic properties includes Native American archaeological sites and Euroamerican structures.

The geomorphic history of this area is a complex of glacial and post-glacial activity. The project is located in the Highland Flutes geomorphic region between the Highland Moraine to the north/west and the Nemadji-Duluth lacustrine plain to the south/east (University of Minnesota 1977). The lacustrine plain is nearly level glacial lake basin and the moraine is the boundary between the Rainy Lobe and the Superior Lobe of glacial ice; the Flutes are rocky and sloping. This area is also designated as the North Shore Highland physiographic area, which incorporates the Highland Flutes



**EXHIBIT B**

**APE Map**



**Legend**




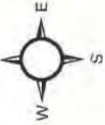
-  Proposed site improvements
  -  Area of potential effect
  -  Indicates corresponding on-the-ground photo
- 0 175 350 700 Feet
- 

Figure 3. Draft APE for Site Improvements Project. From Chester Bowl Improvements Club.



and Moraine as well as adjacent parts of the glacial lake basin (Wright 1972:561, 566).

The APE is located in the North Shore watershed, which is comprised of short streams on the hillside above Lake Superior (Waters 1977:46). This narrow strip has a very steep topography resulting in high gradients and fast, short streams. Stream valleys tend to be young, established since the retreat of the last Superior Lobe advance; spectacular waterfalls and scenic views are common. The southern end of the watershed is within the City of Duluth, adjacent to the outlet of the St. Louis River watershed.

The vegetation at the mid 1800s as based on the General Land Office (GLO) survey records is a patchwork of several types (Marschner 1974). A mixed hardwood-pine complex is present throughout most of the area, containing maple, white pine, basswood, oaks, hornbeam, ash, elm, aspen, birch and balsam fir. This complex is within a larger area of white and Norway (red) pines. Conifer swamp with tamarack, fir, and balsam occurs in patches throughout the area.

## **ARCHAEOLOGICAL BACKGROUND**

The project APE is in the Lake Superior Shore archaeological region (9) of Minnesota (Anfinson 1990), in the northern part of the region (9n). The project area is also located within the southern part of the Northeastern Minnesota District (4) on which the state historic contexts are based (Dobbs 1988a:19). Although specific boundaries generally follow county lines, the areas incorporate roughly similar geographic landscapes that reflect various episodes of glacial activity.

The two slightly different versions of archaeological regions or districts in Minnesota reflect different emphasis on physical landscape characteristics. Anfinson (1990) bases regions on patterns of lakes with some vegetational input. Dobbs (1988a:19-24) focuses on glacial history and therefore surface geomorphology, as well as using county boundaries where feasible. In general, the two classifications fit reasonably well in terms of the archaeological districts.

The major stages in which pre-Contact historic contexts are grouped are most commonly considered to be Paleoindian, Archaic, and Woodland although later, more complex contexts are recognized as well (Minnesota Historical Society 1999:24). Dobbs (1988a) splits the Paleoindian into Fluted (Early) and Lanceolate (Late) segments, as well as dividing the Woodland into Ceramic/Mound and Late Prehistoric. Individual historic contexts are considered in relation to the regional differences in the archaeological record. District 4 contains evidence of the three major

stages but not all historic contexts within those stages.

Only scattered projectile points indicative of Early Paleoindian (Fluted) occupation have been reported in northern Minnesota, most from the St. Louis River drainage (Higgenbottom 1996; Buhta et al. 2011); Late Paleoindian (or Lanceolate) is better documented at the Reservoir Lakes to the north (Harrison et al. 1995) and in the Superior National Forest farther north (Okstad et al. 2000). The Archaic Tradition is represented by Lake-Forest Archaic to the south, Prairie Archaic to the west, and Shield Archaic to the north (Dobbs 1988a). The Woodland Tradition (Ceramic/Mound) is well-represented in the general area: Laurel is well-known with Brainerd to the west (Anfinson 1979). The Late Prehistoric includes Blackduck as well as Selkirk to the north. The Sandy Lake historic context occurs in northeastern Minnesota as well.

Most or all of the Contact period contexts are likely represented in the project area (Dobbs 1988b). Both Dakota and Ojibwe were in northern Minnesota during Contact times. Euro-American contexts could include French, British, and Initial United States as the Savanna Portage between the St. Louis River at Floodwood and Sandy Lake connects Lake Superior to the Mississippi River (Luukkonen 2007).

Post-Contact contexts include both period and thematic contexts (Minnesota Historical Society 1999). Northern Minnesota Logging (1870-1930s) is directly applicable to all of Northeastern Minnesota. Other potential historic contexts include the Civilian Conservation Corps, Recreation Tourism, and Homesteads. The City of Duluth with a long history of port activities as well as sawmills and other industries is a rich source of post-Contact historic properties.

The GLO survey records from the mid 1800s were compiled into a series of maps showing trails and habitations as well as vegetation types. The project area is not immediately adjacent to any such features (Trygg 1966). However, an “Indian trail” connects to Island Lake through section 14 (Figure 4). The exact relation to Chester Bowl is not known, although County Road 4 is widely considered to approximate the Vermilion Trail which may have followed the trail to Island Lake.

Historic aerial photographs show clearings, roads/railroads, and other features on the landscape at the time of the photograph ([www.dnr.state.mn.us/maps/landview/index.html](http://www.dnr.state.mn.us/maps/landview/index.html)). In 1939, the earliest aerial photograph indicates the road within Upper Chester Park area is in place as well as the two former ponds (Figure 5). A large tennis court is to the west and some trails are present. The same features appear in the 1948 aerial photograph (Figure 6).

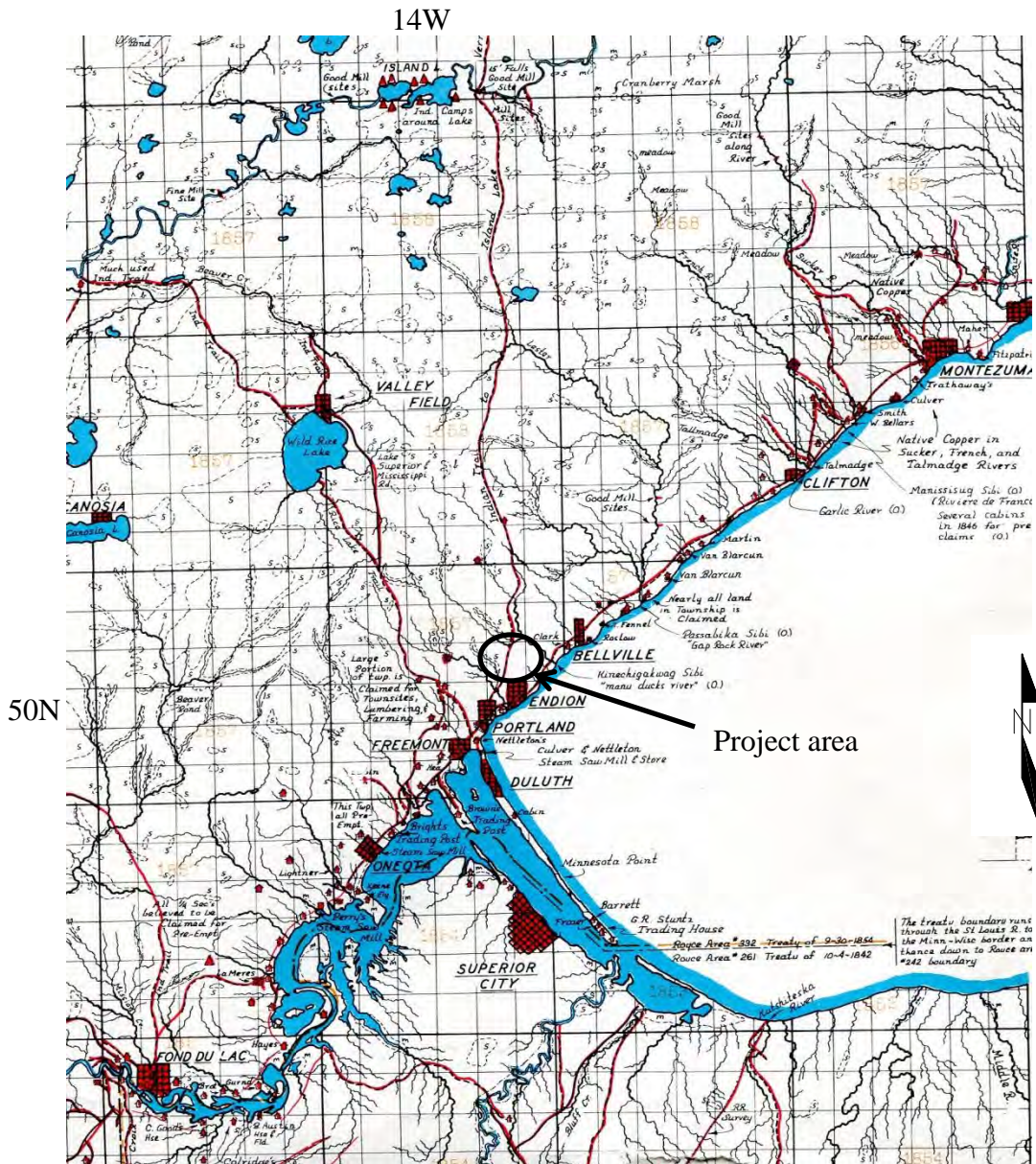


Figure 4. GLO cultural features in project vicinity (Trygg 1966:sheet 14).

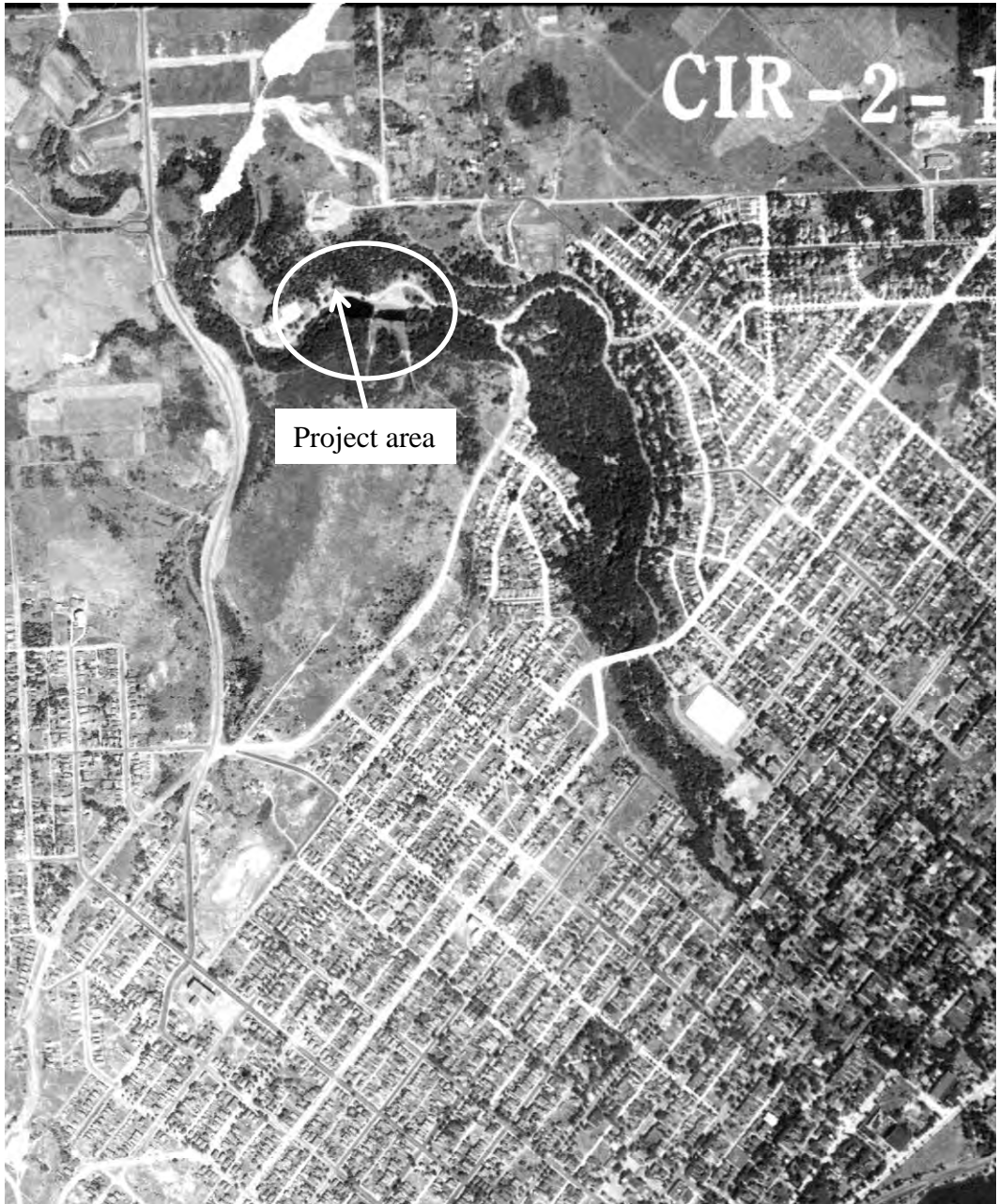


Figure 5. 1939 historic aerial photograph CIR-2-19 (8-13-39). From [www.dnr.state.mn.us/maps/landview/index.html](http://www.dnr.state.mn.us/maps/landview/index.html).





Figure 6. 1948 historic aerial photograph SLC-8-51 (8-21-48). From [www.dnr.state.mn.us/maps/landview/index.html](http://www.dnr.state.mn.us/maps/landview/index.html).

### *Duluth Hillside Archaeological Investigations*

The Duluth hillside has not been well investigated for archaeological sites, in part as a result of lack of projects that need review and in part from a perception that any location within the City limits has received intensive and extensive ground disturbance. Many areas within Duluth are extensively disturbed but generally not the City Parks and Forests, many of which are on the more rugged topography above flatter, more easily developed areas. Review of the township (T50N R14W) indicates that numerous structures are recorded, including roads, but few archaeological sites have been found (Thomas Cinadr, personal communication, August 2016). The only pre-Contact site is actually a find spot of a projectile point (Mulholland et al. 2011:82). Other sites include cemeteries, structural remnants on the lakeshore, and homesteads. However, it is worth noting that a complex of pre-Contact sites was recorded in the Bayview Forest on the hillside farther to the southwest (Mulholland et al. 2011:81). These sites are associated with the 62<sup>nd</sup> Avenue Creek and located on small terraces within walking distance of water. This type of terrain is not within the project APE but could be located on the valley slopes immediately above and along Chester Creek.

# ARCHAEOLOGICAL PHASE I SURVEY

## FIELD METHODOLOGY

The archaeological survey was conducted using standard Phase I survey methodology (Anfinson 2011). The project APE is located within Chester Park, which is administered by the Duluth City Parks and Recreation department; survey was conducted under State annual archaeology license 21-064 (Appendix II). The Park is within the valley formed by Chester Creek on the Duluth hillside and is generally considered to have a high potential for archaeological sites. Areas of high potential for pre-Contact archaeological sites include undisturbed areas of higher ground located near existing potable water resources or where these resources existed earlier (Hudak et al. 2002).

A standard Phase I methodology examines the entire area of the APE with either shovel testing or pedestrian walkover survey depending on surface visibility and the degree of surficial disturbance, at a maximum of a 15 meter (50 foot) interval between transects and test holes. If cultural materials are identified, a shorter interval spacing of 5 to 7.5 meters (16 to 24 feet) is most commonly used to better define the site dimensions and intra-site artifact densities. Where the ground is suitable, walkover survey is conducted in lieu of shovel testing using an approximate 5 to 10 meter (15 to 30 foot) spacing between transect intervals. Modifications are based on field conditions; areas of water-saturated ground are usually avoided. During the Phase I testing, areas exhibiting extensive surface disturbance are not shovel tested but do receive walkover survey if feasible.

Where shovel testing is conducted, the test hole size is approximately 40 cm (16 inches) in diameter. The diameter of the hole is also contingent on the depth that the testing is expected to reach; the greater the depth, the wider the hole. Test hole depths vary widely and are dependent on the depositional environment and region in which the investigation is taking place. In environments where the possibility of deeply buried cultural deposits might be expected, such as large river valleys, test hole depths can exceed 100 cm (39 inches). Where feasible, shovel probes are extended at least 20 cm into the usually lighter colored lower sediments. Test holes are back-filled when the above depth conditions are reached. Prior to back-filling observations are made about sediment stratigraphy from all test holes, both positive and negative. All sediments removed from the shovel test holes are dry screened through quarter-inch hardware mesh.



While the methodologies outlined above work well to locate archaeological cultural materials, the determination that the items observed represent a distinct cultural entity or site is also vital. Localities with pre-Contact materials are for the most part assigned site status. However, post-Contact materials in some cases may represent isolated random pieces of roadside or other scattered trash, traditionally not assigned site status, and need to be separated from those deposited from an occupation or special activity use area. Though this may appear on the surface a simple task, in reality it may be more difficult than it first appears. In some instances in Minnesota the field survey is examining areas occupied or used historically for well over 150 years, including old farmsteads and roads that have had little alteration in their route or location over that time span. A broken glass fragment from a bottle thrown away 100 years ago looks the same whether it is directly associated with a farmstead or is roadside trash or some other types of random garbage scatter. Therefore, the context and association in which the artifact(s) are recovered becomes vital.

The identification of whether or not post-Contact artifacts are part of a site or represent trash disposal or dispersal is based on the presence of definable site boundaries, or by the association with either physical structural remains or an activity use area. Site identifications based on surface or shovel test recovered artifacts require that an association be made either with a visible surficial structural remnant or with a definable artifact concentration. The logic to these stringent site identification criteria is based on the known fact that many areas have had extensive and continuous occupation during the recent post-Contact period and that culturally derived materials from that general temporal framework litter the area. These limitations were established to eliminate site designations that are based on post-Contact trash dispersal patterns, especially those of the more recent periods.

After the identification that the post-Contact cultural materials represent a definable entity with its boundaries defined, a plan map of all pertinent features associated with the site is made. Items mapped include any structural remnants, physical features, debris determined to be associated with the function of the site (excluding recent roadside trash), and natural features, all plotted by compass readings with either paced or taped measurements. The mapping of pre-Contact sites is similar but concentrates on site boundaries, artifact concentrations and associated shovel test holes (both positive and negative), and their relationship with the existing terrain. Sites located in agricultural fields with no discernable landmarks are tied to datum points via compass and paced

measurements. Pre-Contact site boundaries are recorded using a global positioning unit (GPS) for later placement on plan maps.

## **LABORATORY ANALYSIS**

No pre-Contact artifacts were found during work on this project. Modern materials were reviewed but are representative of modern dispersal of trash. No laboratory analysis was conducted for this project.

## **SPECIFIC PROJECT DATA**

The field examination for the Phase I survey occurred on June 6, 2021. Phase I survey was conducted to State Historic Preservation Office (SHPO) and Office of the State Archaeologist (OSA) standards (Anfinson 2011) state archaeology license 21-064 (Appendix II). The focus of this survey was an archaeological examination of the area of proposed ground disturbance within the project APE, primarily an existing gravel path approximately 60 feet in length and including the proposed south abutment of a bridge across the creek channel (Figure 3). The survey includes small areas on both sides of Chester Creek immediately in front of the Thom Storm Chalet and opposite the recreational ski hill to the south. The portion of the APE at the foot of the ski hill was the location of a pond (artificially constructed ca. 1929) prior to reconstruction following the 2012 floods (Mulholland et al. 2016). The pond drained when the upper dam was breached by flooding and was covered with flood sediments. The rest of the APE consists of the existing gravel path located immediately between the Chalet and the creek, extending between two portions of the road. The path is at the foot of a slight slope and above a steeper bank to the creek.

## **RESULTS**

The Phase I survey examined the project APE for indications of historic properties, including surface features and artifacts. Four shovel tests were placed, three adjacent to the existing gravel path and one on the opposite side of the creek (Table 2). Pedestrian walkover of both areas did not identify any surface features or artifacts. All four tests were negative for artifacts except for modern materials (brick fragments, green glass). The three tests on the north side of the APE were all in hard and compact silty sands with gravel; no A horizon (dark organic layer) at the surface indicates the

area was not stable long enough to accumulate organics. Test 4 on the south side was all brown silty sand with cobbles and gravel; no A horizon was present and the ground surface appeared to be sparse grass.

**Table 2. Shovel Tests in Project APE**

#	LOCATION	UTM* COORDINATES
1	west end gravel path	0568962E / 5184831N
2	center gravel path	0568968E / 5184835N
3	east end gravel path/bridge north end	0568982E / 5184843N
4	south end of bridge are	0568994E / 5184821N

\*Universal Transverse Mercator, zone 15, North American Datum (NAD) 1983

Both portions of the APE are considered to be previously disturbed (Figure 7). The lawn between the Chalet and the creek was landscaped during and after the Chalet construction in 1974 (Dave Schaeffer, personal communication, 2021). The area south of the creek was reconstructed more recently after the 2012 flood destroyed the dam that impounded the pond, released the water, and deposited flood sediments throughout the pond basin (Mulholland et al. 2016).



A



B



Figure 7. A. Existing gravel path between Chalet and creek. B. South bridge abutment area on Chester Creek.

# **HISTORY/ARCHITECTURE STUDY**

## **OBJECTIVES AND METHODS**

The objectives of this study are to:

Review and refine the draft Area of Potential Effects (APE) to reflect the proposed partially federally (HUD)-funded Chester Bowl Site Improvements Project;

Identify any historic properties that may be directly or indirectly affected by the proposed improvements;

Identify any potential adverse impacts on existing or potential historic properties within the APE;

Conduct a Determination of Eligibility (DOE) for listing in the National Register of Historic Places for any identified properties within the APE.

Methods included several steps. Review of the Chester Park/Chester Bowl historical background and development was previously conducted (Mulholland et al. 2016) and is used in this study. Evaluation of the draft APE and boundaries was conducted to reflect the scale and scope of the proposed site improvements. Identification of any existing and potential historic/architectural resources located within the APE was done during a field visit to review the APE and document/photograph any structures/properties within and near the revised APE. The identified properties within or near the APE were reviewed for potential eligibility for listing in the National Register of Historic Places. A formal Determination of Eligibility (DOE) would have been conducted for properties identified as having potential for National Register listing.

## **CHESTER PARK HISTORICAL OVERVIEW (from Mulholland et al. 2016:13-17)**

One of Duluth's oldest public parks, Chester Park dates from the early 1890s. It was originally called Garfield Park for President James Garfield, but this name was changed in 1903 to recognize Charles Chester who homesteaded along the creek in 1856. His homestead was near today's Fifth Street just east of Thirteenth Avenue East (Dierckins 2006:88).

Chester Park follows Chester Creek from Kenwood Avenue down the hill to Fourth Street where the creek disappears underground before emptying into Lake Superior near Lief Erikson Park. The portion of the park below Skyline Parkway is called Lower Chester while the section of the park

above Skyline Parkway is known as Upper Chester, or more frequently, Chester Bowl. The park encompasses a total of 108 acres that includes several miles of hiking and cross country ski trails (Dierckins 2006:89).

Beginning in 1906 the Duluth Ski Club played a major role in transforming Chester Bowl from a wilderness park into a world-renowned center of ski jumping activity. During the autumn of 1906 a group of Duluth Ski Club members cleared a site on the west side of Chester Bowl for a new ski jump. The site faced north protecting it from the sun, and the forested hills offered protection from the wind. On January 1, 1907, 500 people turned out to watch the first competition on the new hill. Immediately after this first ski jumping competition the small temporary scaffold was made higher so the skiers could jump farther (Dierckins 2012).

This first Chester Park ski jump blew down three times before World War I. The ski club was forced to disband in 1915 because of financial problems. By 1922 the club reorganized and made plans to construct a new ski jump at Chester Bowl. By 1924 the largest steel ski slide in the world was completed in time to host the U.S. national championship tournament (Dierckins 2012).

During the 1920s the field house, athletic fields and a tourist camp were added to Chester Bowl. Toboggan slides were added in 1928. Two slides started just off Kenwood Avenue, crossed Chester Creek and ended on the athletic field. A third slide ran some 800 feet along the west side of the creek before ending just west of the skating pond (Slabodnik 2014).

Ski jumping continued to be popular with the Duluth Ski Club producing a long list of national champions and Olympic contenders. In 1969 the Little Chester ski jump was constructed, and by the 1970s there were a total of five ski jumps of varying sizes at Chester Bowl (Dierckins 2012).

By the 1990s interest in ski jumping was declining. The last ski jumping tournament was held at Chester Bowl in 2005. The ski jumps were allowed to deteriorate and were finally removed because of safety concerns in 2014. No structural remnants of the ski jumps are visible as aboveground structures in Chester Bowl today.

Since the 1970s, alpine or downhill skiing has been a popular winter activity at Chester Bowl. Several ski runs served first by a rope tow and later by a chairlift have been in place where hundreds of local kids learn and practice their skiing and snowboarding skills each winter.



## **Skyline Parkway Historic Property**

Duluth's Skyline Parkway runs the length of the city along the glacial beach ridge of Glacial Lake Duluth some 500 feet above Lake Superior (Nunnally 1996, 1997). This parkway is one of Duluth's most famous attractions. The original section of the parkway ran from Chester Park to Lincoln Park. In 1929 the parkway route was officially named Skyline Parkway. It was designated a state scenic byway in 1999.

In his 2011 study of the Skyline Parkway's cultural resources, Stark makes the following observations about Chester Park and its relationship to Skyline Parkway: "Upper Chester Park is noted for its winter sports offerings, and facilities for ski recreation and toboggan runs have been operating since the early 1920s. The facilities are situated north of Skyline Drive (Parkway), however, and do not appear to be intrinsic to the character of the parkway" (Stark 2011: 61). Stark further notes that: "Chester Park does not form an important part of the parkway's character...and is excluded from the boundaries of Skyline Parkway..." (Stark 2011: 61).

## **CHESTER BOWL SITE IMPROVEMENTS PROJECT**

### **Proposed Work**

The current Site Improvements Project includes the following work elements:

1. Construct a fully accessible bridge connection across Chester Creek that can be used year round. This bridge would be approximately sixteen feet wide and designed for year round use. This bridge would be accessible to all users including skiers and snowboarders. This new bridge would replace a temporary seasonal bridge that is installed each fall and removed each spring.
2. Reconstruct the existing gravel path between the Thom Storm Chalet and Chester Creek, connecting to the new bridge that will provide direct access from the closest parking area. This new path connection will replace a worn footpath that does not meet accessibility requirements.

These improvements are shown on the accompanying site plan (Figure 8). They will not have any adverse impacts on any historic/architectural properties. Nor will they create any adverse visual impacts. The existing gravel path will be widened and made ADA accessible but be in essentially



Figure 8. Site Improvements Project, Chester Bowl. From Chester Bowl Improvements Club.

the same footprint. The bridge will be a new structure but will conform with existing bridges that cross Chester Creek in different areas.

## **AREA OF POTENTIAL EFFECTS (APE) REVIEW**

The draft Area of Potential Effects (APE) was outlined in the Scope of Work as Exhibit B (Figure 3). The draft APE was configured to broadly encompass potential visual sight lines and impacts the proposed project might have on the landscape. Following review of the proposed project and a field visit to the site, a much more compact APE as noted on the APE map (Figure 9) is recommended.

**Justification:** Because of the limited scope and very small scale of the proposed improvements project, both the actual as well as the visual impacts of the proposed work will be minimal. No existing or potential historic properties are located within or near the APE. The only structure located within the APE, the Thom Storm Chalet, is not eligible for National Register listing because of its age and other factors. This building was evaluated as part of this review. The current recreational ski run is also not eligible as it was constructed in the 1970s and was not present during the earlier recreational ski jump activities described above.

## **EVALUATION OF HISTORIC PROPERTIES**

### **National Register of Historic Places**

The National Register of Historic Places (NRHP) is the nation's official list of places deemed worthy of preservation. For a property to qualify for listing in the National Register it must be at least fifty years old or be of exceptional importance and possess the quality of significance in American history, architecture, archeology, engineering, and culture. Significance can be at the local, regional, or national level. Five general property types include districts, sites, buildings, structures and objects. Historic properties are evaluated in terms of four criteria of significance; a historic property may be significant in terms of one or more criteria.



**EXHIBIT B**

**APE Map**



**Legend**

- 0 175 350 700 Feet
- Proposed site improvements
- Area of potential effect
- Indicates corresponding on-the-ground photo

Figure 9. Revised APE for Site Improvements Project. Modified from Chester Bowl Improvements Club.



- A. Associated with events that have made a significant contribution to the broad patterns of our history; or
- B. Associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguished entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important to prehistory or history.

To be listed in the National Register of Historic Places, a property must not only be significant under at least one of the National Register evaluation criteria, it also must possess sufficient integrity to convey its significance. Evaluating integrity is sometimes subjective, but it always must be grounded in an understanding of a property's physical features and how they relate to its significance. Historic properties either retain integrity or they do not. The National Register of Historic Places identifies seven aspects or qualities that define integrity.

Location is the place where the historic property was constructed or the place where the historic event occurred. This aspect is important for those properties that are significant because of their association with an important event (A) or person (B).

Design is the combination of elements that create the form, space, structure and style of a property. This aspect is important for those properties that are representative examples of a building type, architectural style or the work of an important designer (C).

Setting is the physical environment of a historic property. While location refers to the specific place where a property was constructed or where an event occurred, setting refers to the character of the place in which the property played its historic role. This aspect is especially important for districts.

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. This aspect is important for properties that are significant as examples of a building type, architectural style or the work of an important designer (C). A property must retain the key exterior materials dating from the period of its historic significance.

Workmanship is the physical evidence of the crafts of a particular culture or people during any given

period of history or prehistory. This aspect is important for properties that are significant as examples of a building type, architectural style or the work of an important designer (C). Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional or national applications of both technological practices or aesthetic principles.

Feeling is the property's expression of the aesthetic or historic sense of a particular period of time. This aspect is important for properties that are significant as contributors to a larger grouping or district of properties.

Association is the direct link between an important historic event or person and a historic property. This aspect is important for properties that are significant for their connection to an important event (A) or person (B). A property retains association if it is the place where the actual event or activity occurred and is sufficiently intact to convey that relationship. Like feeling, association requires the presence of physical features to convey a property's historic character.

To retain historic integrity, a property always will possess several, if not most, of these aspects. The retention of these specific aspects of integrity is paramount for a property to convey its significance.

NOTE: This information about the National Register of Historic Places criteria for evaluation and assessing integrity is summarized from National Register Bulletin 15 *How to Apply the National Register Criteria for Evaluation*.

### **Properties Located Within the APE**

The only structure located within the revised project APE is the Thom Storm Chalet (Figure 10). The chalet's postal address is 1801 East Skyline Parkway. This building was constructed in 1974 to replace a 1927 field house that was demolished when the new chalet was completed. The chalet has served the needs of skiers, snowboarders, and other park users year round since it was constructed.



Figure 10. Thom Storm Chalet, facing south.

No other structures are located within the revised APE. Even the draft APE only includes a ski run constructed in the 1970s; the chair lift associated with the run was relocated from Spirit Mountain.

### **Review of Eligibility for the National Register of Historic Places**

The Thom Storm Chalet was constructed in 1974 as a replacement for the earlier (1927) field house, which was the structure in place during the majority of the recreational use of Chester Bowl. The Chalet has since been used for recreational and organizational activities associated with Chester Bowl. However, the Chalet has no association with the previous historical recreational use (Criterion A) or important people associated with that use (Criterion B). The architectural style (Swiss Chalet) is not exceptional in any characteristics and the structure was not designed by a significant architect. In addition, no information important to history or prehistory is likely to be associated with this structure (Criterion D).

The National Register Bulletin 15, *How to Apply the National Register Criteria for Evaluation*, summarizes the criteria used to determine eligibility to the National Register: “For a property to qualify for listing in the National Register of Historic Places it must be at least fifty years old or be of exceptional significance and possess the quality of significance in American history, architecture, archeology, engineering and culture.”

Because the Thom Storm Chalet building is less than fifty years old, it is not eligible for listing in the National Register of Historic Places. The building also does not meet any of the four criteria of significance under which historic properties are evaluated for potential National Register listing. The Thom Storm Chalet is recommended as not eligible for listing in the National Register of Historic Places.

There are no other buildings or structures located within the revised APE boundaries.



## **Consultant's Findings**

The proposed scope of work is limited. The current Site Improvements Project, because of its scale and the nature of the proposed work, should not create any impact at all on any historic resources. This includes both direct and indirect impacts.

There are no historic properties eligible to the National Register located within the revised APE. Only one structure, the Thom Storm Chalet, is present and is recommended as not eligible to the National Register as a result of the age and lack of significance. Overall, the proposed project has no potential impact on any historic/architectural resources potentially eligible to the National Register.

It is beyond the scope of this project to consider whether Upper Chester Park itself may be potentially eligible for National Register listing. Duluth's park and open space system is vast. Although specific sites and/or structures within some of Duluth's parks have been nominated for National Register listing, it would be very difficult to justify nominating an entire park that encompasses over 100 acres, most of which is undeveloped, or even a large portion of such.

# **CONCLUSIONS AND RECOMMENDATIONS**

## **REVIEW OF DRAFT APE/REFINEMENT OF APE**

The review of the proposed Site Improvements Project (upgrading a gravel path, installing a bridge) indicates that there are minimal viewshed impacts from the proposed construction. A revised APE is recommended that is smaller than the draft APE for visual effects. The APE for the archaeological survey is recommended as the immediate location of proposed ground disturbance (the footprint of the path and bridge abutments).

## **PHASE I ARCHAEOLOGICAL SURVEY**

A standard Phase I archaeological survey was conducted in the proposed Site Improvements Project APE in a portion of Chester Park. Pedestrian walkover was conducted for areas of bare sediment; no artifacts were identified on the surface. Shovel tests were placed adjacent to the existing path (3) and the south bridge abutment (1). No artifacts were identified from the shovel tests, just modern items (brick fragments, green glass). No previously recorded historic properties were identified in or adjacent to the archaeological APE.

## **ELIGIBILITY OF STRUCTURES**

Only one structure, the Thom Storm Chalet, is present within the revised APE. It is less than 50 years old, therefore is not eligible for National Register listing. It also was not present during the majority of the recreational ski jump activities that might be significant for recreation, and has no architecturally significant characteristics.

## **RECOMMENDATIONS**

Based on the results of the investigations, a determination of No Historic Properties Affected is recommended for the project to upgrade the path and install the bridge. No evidence of archaeological sites was observed in the footprint of the proposed improvements. No visual impacts are anticipated as no historic properties were identified. The Thom Storm Chalet is recommended as not eligible to the NRHP by reason of lack of significance in terms of all four criteria; it is not

associated with important historical activities, important people, significant architectural/design elements, or possible contributions to history.

**If any evidence of human remains is uncovered during construction or any other disturbance activities, the provisions of the Private Cemeteries Act must be followed (Anfinson 2008). All work in the area of the possible burial must cease and the proper authorities notified, including local law enforcement and the Office of the State Archaeologist. This is required in order to determine the affiliation of the burial. The OSA recommends avoidance of any indications of burials by a buffer of at least 50 feet diameter.**

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**APPENDIX I: Chester Bowl Site Improvements Project, Historic/Archaeological Consultant Work RFP-Scope of Work**

**Chester Bowl Site Improvements Project  
Historic/Archaeological Consultant Work  
RFP - Scope of Work**

**Historic Resources Consultation**

Based on request from MN SHPO letter dated Sept 4, 2020 (Attachment A) to gain environmental clearance for the proposed partially HUD-funded Chester Bowl Site Improvements project.

1. Evaluate and refine the draft Area of Potential Effect (APE) Narrative (Attachment B)
  - a. Evaluate “APE Boundary” and “APE Justification” sections for compliance based on the definition at 36 CFR 800.16(d).
  - b. Refine “APE Discussion” section to address the potential for the proposed project to have direct or indirect effects on historic properties. This could include identifying listed or potentially listed historic properties and the effect of the proposed project on said historic properties based on the scale and nature of the federal undertaking. A preliminary search was done of nearby historic database properties and is included as Attachment C. Evaluate this section for compliance based on the definition at 36 CFR 800.16(d).
  
2. Evaluate the proposed project site for eligible property listing on the National Register of Historic Places (NRHP)
  - a. Based on the proposed project’s APE, Conduct an architectural/historic evaluation that meets the requirements of the Secretary of the Interior’s Standards for Identification and Evaluation.

**Archeological Resources Consultation**

Based on request from MN SHPO letter dated Nov 13, 2020 (Attachment D)

1. Based on the proposed project’s APE, conduct an archaeological survey that meets the requirements of the Secretary of the Interior’s Standards for Identification and Evaluation.
  - a. Minimize overlap in the scope of work by utilizing the scope of an archaeological survey (Attachment E) that was done in December 2016 for an adjacent section of Chester Creek.





September 4, 2020

Ben VanTassel  
 Planning and Development Division  
 City of Duluth  
 411 West 1<sup>st</sup> Street, Rm 160  
 Duluth, MN 55802

RE: Chester Bowl Bridge over Chester Creek and Gravel Path  
 1801 Skyline Parkway East  
 Duluth, Saint Louis County  
 T50 R14 S15 SE  
 SHPO Number: 2020-2570

Dear Mr. VanTassel:

Thank you for the opportunity to comment on the above project. Because federal funding is involved, the project is being reviewed according to responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800.

Pursuant to 36 CFR 800.4-5 it is the Federal agency's responsibility to determine the area of potential effect (APE) for the federal undertaking, to identify and evaluate historic properties that may be affected by the proposed federal undertaking, and to assess adverse effects to historic properties, if any. While your submittal dated August 17, 2020, provides baseline information regarding the project site and proposed bridge and path construction project, you have not provided information sufficient for our office to provide concurrence with your agency's "no historic properties affected" determination.

Therefore, in accordance with 36 CFR 800.11(d) we recommend that you submit the following documentation to our office:

- **Determine the Area of Potential Effect** – Provide a brief written description of the area of potential effect (APE), as specified under 36 CFR 800.4(a)(1) and 36 CFR 800.16(d). Include discussion of the potential for the project to have direct and indirect effects on historic properties and provide justification of the boundaries chosen for the APE.
- **Evaluate Chester Park/Chester Bowl for eligibility for listing in the National Register of Historic Places (NRHP)** – It is unclear where are the boundaries for Chester Park and Chester Bowl and whether they overlap. If the project area and APE are within either (or both) of these two properties, it should be determined whether the applicable property(ies) is/are eligible for listing in the NRHP. While these properties have not been identified in previous surveys, we believe they may have potential historical significance. Although it sounds like you have requested a database search to identify previously-surveyed properties, there may be other properties that have not been surveyed, yet, that are eligible. In absence of this evaluation, we

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MINNESOTA STATE HISTORIC PRESERVATION OFFICE

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AN EQUAL OPPORTUNITY AND SERVICE PROVIDER

are unable to complete project review. In order to proceed, we recommend that an architectural/historic evaluation be completed, meeting the requirements of the Secretary of the Interior's Standards for Identification and Evaluation.

For a list of consultants who have expressed an interest in undertaking such evaluations, please visit the website [preservationdirectory.mnhs.org](http://preservationdirectory.mnhs.org), and select "Historians, Contract" in the "Search by Specialties" box.

- **Consulting Parties/Public Involvement** – Provide a summary of agency coordination with any other consulting parties and/or public involvement in the Section 106 review process. For example, we see no reference to Section 106 consultation with the Duluth Heritage Preservation Commission (HPC). If you have not done so already, we recommend that your agency initiate consultation with staff for the Duluth HPC and request their comments regarding the proposed federal undertaking. The Duluth HPC should be given an opportunity to review both the results of your agency's efforts to identify historic properties within the APE and the results of the evaluation of Chester Park/Chester Bowl and finding of effect.

We look forward to continuing consultation on this project. Please contact our Environmental Review Program at [Leslie.Coburn@state.mn.us](mailto:Leslie.Coburn@state.mn.us) if you have any questions regarding our review of this project.

Sincerely,



Sarah J. Beimers  
Environmental Review Program Manager

**DRAFT Area of Potential Effect (APE) Narrative  
Chester Bowl Site Improvements Project**

**Proposed project description:**

The Chester Bowl Improvement Club proposes a project that includes site work and accessibility upgrades to the grounds surrounding the Chester Bowl Ski Chalet and recreation area. The project implements a fully accessible bridge connection across Chester Creek to be used year round. This includes the design and construction of a permanent bridge across Chester Creek (approximately 16 feet wide) for year round-use, including for the winter ski and snowboard program. This bridge, including access to it, will be fully accessible to all users. This will include creation of a gravel path between the Chalet and Chester Creek, built within current accessibility standards, to connect two sections of the park and provide direct access to the bridge from the closest parking area. The gravel path replaces a worn footpath that is not accessible, and the permanent bridge is a new permanent structure, replacing a temporary and non-accessible seasonal bridge that is installed each fall and removed each spring. See Exhibit A for proposed project documents.

**APE Boundary:**

The APE boundary delineation can be seen on Exhibit B of this document. In addition to the aerial map showing the boundary delineation, Exhibit B includes on-the-ground pictures to better indicate the visual sight lines to the proposed project.

**APE Justification:**

Upon direction from MN SHPO after the 11/2/20 WebEx meeting and email correspondence, the APE for this proposed project was delineated largely to recognize the visual impacts the project might have on the landscape. The north, east, and west boundaries of the APE roughly follow multi-use hiking trails that are heavily wooded, giving partially obstructed views to the proposed project. The southern boundary is at the crest of the recreational ski hill where views of the proposed project are obstructed upon ascending the hill.

**APE Discussion:**

A search was conducted of the MN SHPO historic properties database for nearby properties and none were found to be within the proposed project's APE. The proposed project has no potential to cause effect of historic resources or property due to the minimal scope of the proposed work and the limited size of the APE.

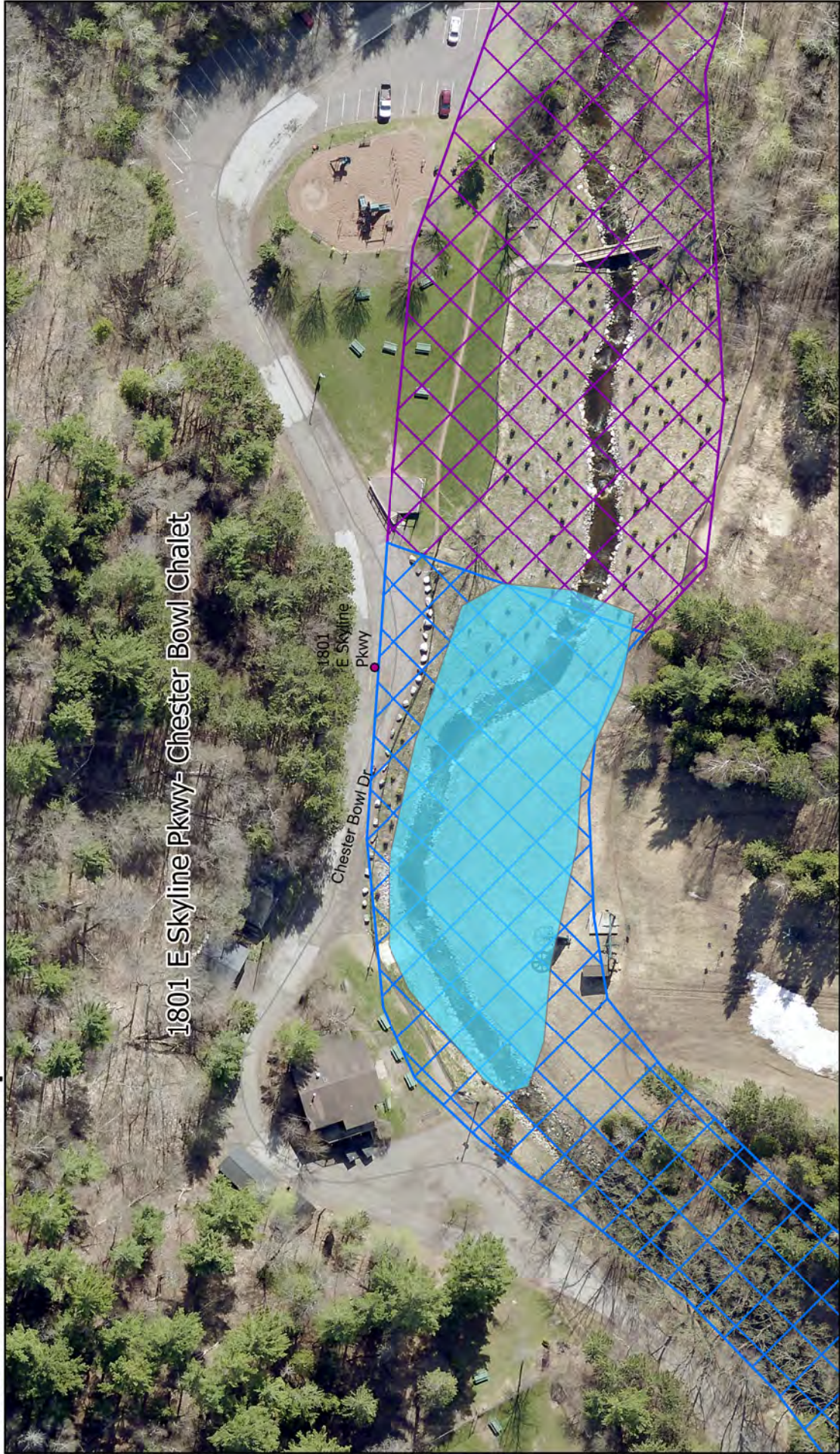


# Environmental Review Map

1801 E Skyline Pkwy- Chester Bowl Chalet

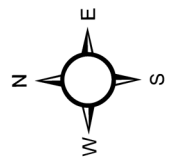
1801 E Skyline Pkwy

Chester Bowl Dr



## Legend

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- MPCA sites
- General Flood Plain
- Flood Way
- Flood Fringe







Phase I Site Improvements:  
 Proposed bridge in light brown  
 Proposed ADA Accessible gravel path in light blue

CHESTER PARK  
 CHALET  
 SITE PLAN 1:20 15



# EXHIBIT B

## APE Map



### Legend

- 0 175 350 700 Feet
- Proposed site improvements
- Area of potential effect
- Indicates corresponding on-the-ground photo







## ATTACHMENT C

### Historic Properties Database Search

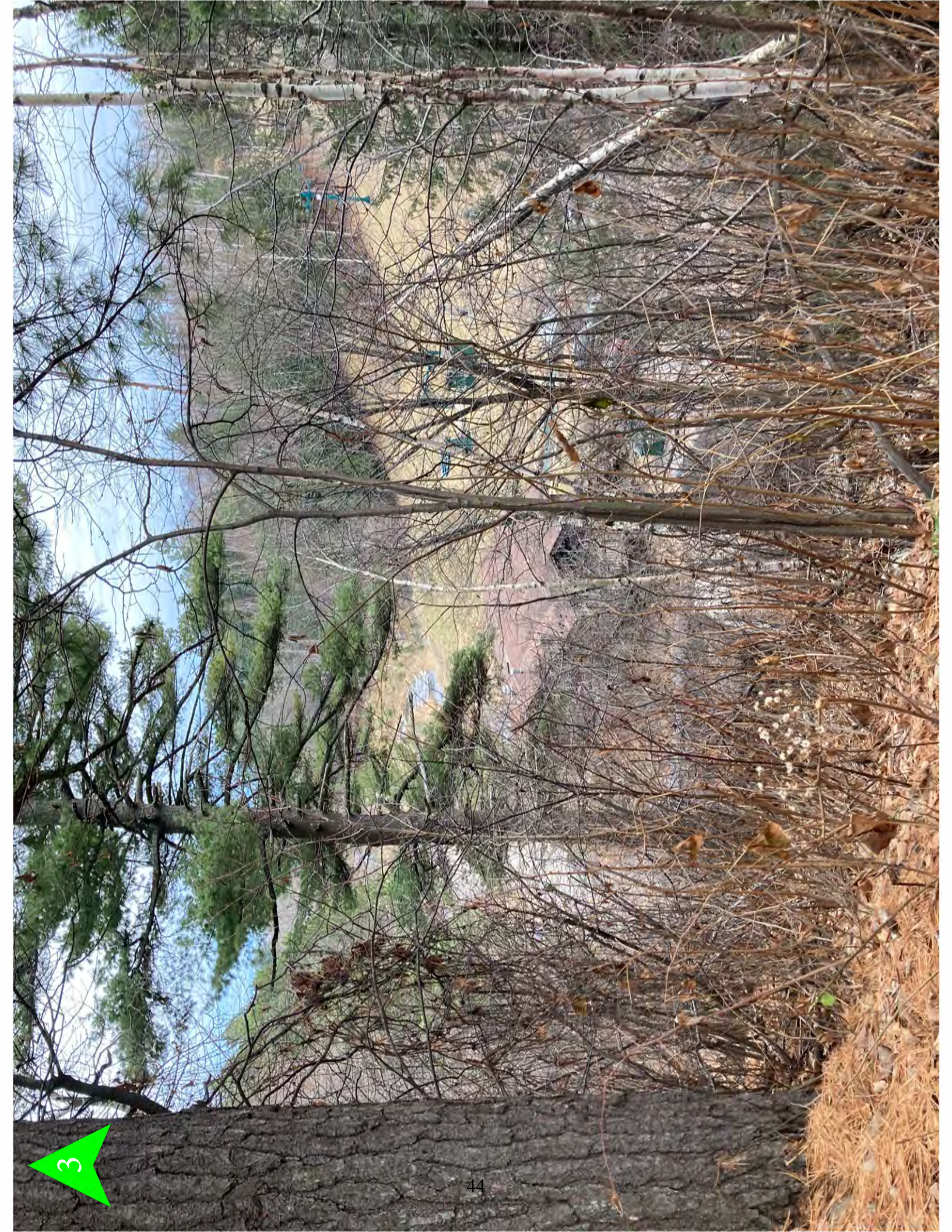
#### Properties near Chester Bowl Site Improvements Project:

- SL-DUL-2302, Chester Creek Junction (Chester Park Drive over Chester Creek)
  - Listed as “Y” for CEF
- SL-DUL-2339, Chester Park Drive (From E 4<sup>th</sup> St to W Kent Rd)
  - Listed as “Y” for CEF
- SL-DUL-2663, MSAS 134 (9<sup>th</sup> St) over Chester Creek (Bridge No. L6114)
  - Not listed as anything
- SL-DUL-2415, Skyline from Chester Park to Lincoln Park
  - Listed as “Y” for CEF
- SL-DUL-2446, Skyline Parkway over Chester Creek (Bridge No. L6115)
  - Listed as “Y” for CEF









3





4





5





6





November 13, 2020

*VIA EMAIL ONLY*

Ms. Mollie Hinderaker  
Planning and Development Division  
City of Duluth  
411 West 1<sup>st</sup> Street  
Duluth, MN 55802

RE: Chester Bowl Bridge over Chester Creek and Gravel Path  
1801 Skyline Parkway East  
Duluth, St. Louis County  
SHPO Number: 2020-2570

Dear Ms. Hinderaker:

Since we last met by videoconference on November 2, 2020, our archaeologist has reviewed this project, pursuant to the responsibilities given to the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800.

Due to the nature and location of the proposed project, our archaeologist recommends that an archaeological survey be completed. The survey must meet the requirements of the Secretary of the Interior's Standards for Identification and Evaluation. For a list of consultants who have expressed an interest in undertaking such surveys, please visit the website [preservationdirectory.mnhs.org](http://preservationdirectory.mnhs.org), and select "Archaeologists" in the "Search by Specialties" box.

We note that an archaeological survey was completed in December 2016 for a project to restore a section of Chester Creek channel and remove two dams near the location of the current project. For that project, we determined that no historic properties would be affected. However, the Area of Potential Effects for the earlier project differs slightly from that of the current project. The 2016 survey examined the stream channel; in the current proposed project, the development is adjacent to the stream, which would have higher archaeological potential. You could recommend that the consulting archaeologist consider the scope of the previous survey, since that may reduce the area that would need to be examined for the current project. I will attach a copy of the 2016 survey to the email when I send you a copy of this letter.

You may wish to submit the results of the archaeological survey to the Mille Lacs THPO, who, as

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MINNESOTA STATE HISTORIC PRESERVATION OFFICE

50 Sherburne Avenue ■ Administration Building 203 ■ Saint Paul, Minnesota 55155 ■ 651-201-3287

[mn.gov/admin/shpo](http://mn.gov/admin/shpo) ■ [mnshpo@state.mn.us](mailto:mnshpo@state.mn.us)

AN EQUAL OPPORTUNITY AND SERVICE PROVIDER

you indicated, is interested in being consulted about this project.

We look forward to receiving the results of both the evaluation of Chester Park, as requested in our September 4, 2020, letter and the archaeological survey for this project.

If you have any questions regarding our review of this project, please contact Leslie Coburn, Environmental Review Coordinator, at [leslie.coburn@state.mn.us](mailto:leslie.coburn@state.mn.us).

Sincerely,



Sarah J. Beimers  
Environmental Review Program Manager

cc: Ben VanTassel, City of Duluth

Enclosure: *Phase I Archaeological Survey for the Proposed Stream Restoration of a Portion of Chester Creek in Chester Park, Duluth, St. Louis County, MN*



**APPENDIX II: MN State Archaeology License 21-064**

# MINNESOTA ARCHAEOLOGICAL SURVEY LICENSE APPLICATION

This license only applies to Phase I survey fieldwork<sup>1</sup> conducted under Minnesota Statute 138.31-.42<sup>2</sup> at the location listed below and during the 2021 calendar year<sup>3</sup>. Any archaeological investigation performed on publicly owned or managed (non-federal) land must have a licensed archaeologist associated with the project. Archaeological investigations include, but are not limited to, the following methodologies: assessing archaeological potential, mapping, geophysical studies, drone surveys, surface survey, shovel testing, coring, soil, chemical and biological sampling, augering, and excavation<sup>4</sup>.

The Principal Investigator must have a separate license for each Phase I survey project. Each Phase II evaluation, Phase III major investigation, and burial site work must also be individually licensed. Only the individual indicated below is licensed as the principal investigator<sup>5</sup>. *The principal investigator is responsible for all work conducted by their employees, contractors, and subcontractors*<sup>6</sup>. The licensed individual (principal investigator) is responsible for reading, understanding, and complying with all Conditions attached to this license. Future licenses may be denied or revoked for failure to comply with this license, its conditions, professional ethics, or professional work standards.

## **Applicant Information**

Name: Susan Mulholland

Institution/Agency/Company Affiliation: Duluth Archaeology Center

Title/Position: President/principal investigator E-Mail: archcenter@aol.com

Address: 5910 Fremont Street, Suite 1, Duluth MN 55807

Work Phone: 218-624-5489

Cell Phone: 218-355-0153

## **Education/Qualifications**

Name of Advanced Degree Institution: University of Minnesota Degree: Ph.D.

Department Name: Ancient Studies/Interdisciplinary Archaeological Studies Year of Completion: 1987

### ***Required documentation:***

Curriculum Vita and documentation of appropriate experience attached (*submit an updated CV annually*)

Up-to-date CV and documentation on file at the OSA

<sup>1</sup> The study of the traces of human culture at any land or water site by means of surveying, digging, sampling, excavating, or removing objects, or going on a site with that intent (MS 138.31 [Subd. 7])

<sup>2</sup> State archaeological licenses are required on publicly owned and managed (non-federal) land.

<sup>3</sup> January 1<sup>st</sup> through December 31<sup>st</sup> of a given year

<sup>4</sup> As technologies change, survey options increase. This list is not intended to be nor can it be comprehensive.

<sup>5</sup> The individual named on this license. The Principal Investigator is responsible for the methods, implementation, standards, results, and recommendations of all work conducted under this license.

<sup>6</sup> Any person or entity working for or under the Principal Investigator's direction or contract as part of this license.



**License History**

Year of most recent license: 2020

Type of License (survey, evaluation, etc.): annual License #: 20-030

Have you ever been denied an archaeological license?

No  Yes; If yes, when: \_\_\_\_\_ Where: \_\_\_\_\_

Explain: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Curation**

Minnesota Historical Society #: 954

Other Approved Curation Facility Name: \_\_\_\_\_ #: \_\_\_\_\_

By signing this license application, I consent to the sharing of information submitted as part of the licensing process among the Office of the State Archaeologist (OSA), the Minnesota Historical Society (MHS), and the Minnesota Indian Affairs Council (MIAC). As the primary licensing agencies, OSA and MHS may share license application information with MIAC and Tribal Historic Preservation Offices (THPOs) as part of the tribal consultation process. I understand that the information shared with MIAC includes only the information I submit as part of the license application process. This consent expires upon completion of the above-stated purpose.

**Signatures**

Applicant: *Ausan Mulholland* Date: 4/15/2021

Minnesota Historical Society Approval: *J. C. R. L.* Date: 04/21/2021

Minnesota State Archaeologist Approval: *Shirley D. ...* Date: 4/21/21

**LICENSE NUMBER:** 21-064



## MINNESOTA ARCHAEOLOGICAL PROJECT INFORMATION

LICENSE #: 21-064

*\* IMPORTANT -This information will be shared with MIAC and tribal officials as part of the tribal consultation process.*

### **Applicant Information**

Name: Susan Mulholland

Institution/Agency/Company Affiliation: Duluth Archaeology Center

### **Land Management**

Type of Land: (check all that apply)

- State-Owned or Managed  
 County-Owned or Managed  
 Township/City Owned or Managed  
 Other non-federal public (describe): \_\_\_\_\_

### **Dates**

Dates of proposed fieldwork: 1 day in May to June, depending on weather

### **Survey**

Give the name and purpose of the project and proposed survey methods (attach pages if necessary)

Chester Bowl Site Improvement Project; construct bridge over Chester Creek and path to Chalet area. Phase I survey will use pedestrian walkover with shovel testing at areas of appropriate terrain based on slope, distance to waterways, and previous disturbance.

Survey areas (attach a detailed map for each survey area):

Location (include an address or Property ID #, and PLSS location):

PIDs 010-2710-03910 and 010-2710-03900 at 1801 East Skyline Parkway [City of Duluth] in T50N R14W section 15 N-SE



## **CONDITIONS OF MINNESOTA ARCHAEOLOGICAL SURVEY LICENSE**

1. The licensed individual and the sponsoring institution/agency/company must comply with all the conditions attached to the license. If the licensee does not comply with these conditions, the license could be revoked and impact one's ability to obtain future licenses.
2. All information given on this license application is accurate and up to date.
3. The individual listed on this license is responsible for all work of their employees, contractors, and subcontractors.
4. A license can be denied for any of the following reasons: a) failure to meet the required professional qualifications standards, b) failure to possess the necessary regional, topical, or managerial experience, c) failure to fulfill the conditions of a previous license, or d) exhibiting unethical professional behavior, including, but not limited to falsifying field notes or reports, plagiarism, intentionally misrepresenting professional qualifications or experience, mishandling archaeological and site information or materials owned by the state per MS 138.37 (Subd. 1).
5. This license can be revoked or suspended by the State Archaeologist or the director of the MHS, or their agent, at any time for failure to fulfill the license conditions or for exhibiting unethical behavior such as listed above (4). Appeals of license denial, suspension, or revocation must follow procedures outlined in Minnesota Statutes 138.36, Subd. 6
6. As part of this license and in support of Executive Order 19-24, licensing information will be submitted to MIAC and tribal officials as part of the tribal consultation process. The licensee is strongly encouraged to continue consultation with MIAC and appropriate THPOs.
7. If the project area is within the boundaries of a reservation or Dakota community, archaeologists should directly communicate with the appropriate THPO or tribal cultural resource specialist regarding the proposed work.
8. If the project area is on Federal land, archaeologists should directly communicate with the federal agency regarding proposed work.
9. Under the provisions of Minnesota Statutes 138.31-138.42, the license applicant must be a Qualified Professional Archaeologist as specified in Minnesota Statutes (MS) 138.31, Subd. 10, and meet the Secretary of the Interior's Professional Qualifications Standards for Archaeology. The applicant must also possess the appropriate regional, topical, and managerial experience to undertake reconnaissance surveys.
10. This license only applies to Reconnaissance/Phase I archaeological surveys conducted on non-federal public lands in Minnesota. If more than two square meters of formal unit excavation or procedures that involve terrain disturbance (e.g., machine excavation) at a known site are planned, the principal investigator must consult with the Office of the State Archaeologist (OSA) before implementation.
11. This license does not authorize activities within cemeteries, per Minnesota Statutes 307.08. No ground disturbance within 50 feet of recorded cemeteries is allowed, without the prior approval of the State Archaeologist and the Minnesota Indian Affairs Council, in the case of American Indian cemeteries. If human remains or suspected burial-related items are encountered, all work must immediately cease, the remains or items left in situ, and law enforcement contacted (e.g., county sheriff). If the remains are not deemed a crime scene, the licensee must immediately contact the State Archaeologist.
12. This license only applies to fieldwork conducted between the dates specified on this license application.
15. This license applies only to the location specified on this license application.
16. If the licensee ceases association with the institution/agency/company before completing the project, immediately notify the OSA. The OSA and licensee or institution/agency/company

- will develop a plan to fulfill reporting and curation obligations.
17. The license is non-transferable and applies only to work conducted under the direct supervision of the licensee.
  18. The licensee must comply with the field, laboratory, and reporting guidelines in the *OSA Manual for Archaeological Projects in Minnesota*. Any exceptions must be discussed with the OSA before work occurs.
  19. The licensee must obtain permission from the landowner or land manager to enter the land for archaeological investigations.
  20. All archaeological materials and data recovered from non-federal public property in Minnesota are the state's property and should be curated with the MHS (<http://www.mnhs.org/collections/archaeology/curation.htm>), or other OSA approved facility.
  21. If materials, samples, or data are being processed or analyzed by an entity other than that with which the principal investigator is associated, the principal investigator must notify the OSA and MHS.
  22. If materials or samples are to leave the state of Minnesota, the OSA and MHS must approve the transport before materials, samples, or data leave the state.
  23. Official OSA Minnesota site inventory forms must be completed for all archaeological sites identified during surveys (previously recorded and known sites). The site forms must be submitted to the OSA within three months of site discovery. Professional archaeologists are also ethically obligated to inform the OSA if previously unrecorded archaeological sites located outside their project boundaries are identified during their project survey.
  24. One copy of the report (see *OSA Manual for Archaeological Projects in Minnesota*) must be submitted to the OSA for each project within six months of completing the fieldwork. The licensee may submit a written application requesting an extension of this deadline. Digital copies of reports are accepted as .pdf files.
  25. If presentations or publications develop from this project, the OSA and MHS must be notified, and the following information submitted for inclusion in the archaeological site files:
    - a. Location of presentation or publication,
    - b. Date
    - c. Title
    - d. Abstract
    - e. The final and complete version of the presentation, publication, etc.
  26. The licensee must submit a summary report of all licensed activity to the OSA by the end of January of the following year. Summaries should include:
    - a. project name and description (e.g., road construction),
    - b. sponsor/review agency,
    - c. location,
    - d. type of work (Phase I, Phase II) and field methods (e.g., shovel testing),
    - e. results (number of sites located/type of sites or official site numbers) and recommendations
  27. Upon completing the project, the licensee must submit .shp files to the OSA. These files should show the project's Area of Potential Effect and archaeological survey areas, including the type of survey conducted in each survey area. Templates for submitting .shp files are at <https://mn.gov/admin/archaeologist/professional-archaeologists/manuals-licenses/license-types/>. Please do not alter these templates.
  28. Additional conditions may be added, as appropriate. If this occurs, the applicant will be notified of the update and asked to submit a response accepting the Condition.



29. Minnesota Department of Health and the Center for Disease Control recommendations regarding COVID-19 and limiting its spread. These recommendations include, but are not limited to, social distancing, appropriate personal protective equipment (e.g., masking), and sanitation. This Condition does not supersede stricter landowner, agency, or employer restrictions. This Condition will remain in effect until state health officials determine that social distancing is no longer necessary.

I have read, understand, and agree to all Conditions attached to this license. JCM (Initial)

## THE MINNESOTA FIELD ARCHAEOLOGY ACT (MS 138.31-42)

### **138.31 DEFINITIONS.**

#### *Subdivision 1.Scope.*

As used in sections 138.31 to 138.42, the terms defined in this section have the meanings given them.

#### *Subd. 2.Archaeological methods.*

“Archaeological methods” means scientific procedures used in field archaeology by recognized professional authorities on archaeology.

#### *Subd. 3.Commissioner.*

“Commissioner” means the commissioner of administration.

#### *Subd. 4.Custodian.*

“Custodian” means any school or scientific institution which has the physical possession of objects of archaeological significance or data belonging to the state.

#### *Subd. 5.Data.*

“Data” means field notes, photographs, maps, and other records relating to field archaeology.

#### *Subd. 6.Director of the historical society.*

“Director of the historical society” means the director of the Minnesota Historical Society.

#### *Subd. 7.Field archaeology.*

“Field archaeology” means the study of the traces of human culture at any land or water site by means of surveying, digging, sampling, excavating, or removing objects, or going on a site with that intent.

#### *Subd. 8.Historical society.*

“Historical society” means the Minnesota Historical Society.

#### *Subd. 9.Object.*

“Object” means a natural or artificial article, implement, skeleton, bone, or other item of archaeological interest.

#### *Subd. 10.Qualified professional archaeologist.*

“Qualified professional archaeologist” means an archaeologist who meets the United States Secretary of the Interior’s professional qualification standards in Code of Federal Regulations, title 36, part 61, appendix A, or subsequent revisions.

#### *Subd. 11.Schools.*

“Schools” means universities, colleges, and community colleges, whether publicly or privately owned.

#### *Subd. 12.Scientific institutions.*

“Scientific institutions” means museums, historical societies, foundations for archaeological study, state agencies, and scholarly groups with professional standing and physical facilities for the display, study, and preservation of objects of archaeological interest.

#### *Subd. 13.Site or archaeological site.*

“Site” or “archaeological site” has the same meaning as “state site” or “state archaeological site.”

#### *Subd. 14.State site or state archaeological site.*



“State site” or “state archaeological site” means a land or water area, owned or leased by or subject to the paramount right of the state, county, township, or municipality where there are objects or other evidence of archaeological interest. This term includes all aboriginal mounds and earthworks, ancient burial grounds, prehistoric ruins, historical remains, and other archaeological features on state land or on land subject to the paramount rights of the state. Historical remains do not include bottles or ceramics manufactured after 1875.

*Subd. 15. The university.*

“The university” means the University of Minnesota.

### **138.32 LEGISLATIVE INTENT.**

The state of Minnesota reserves to itself the exclusive right and privilege of field archaeology on state sites, in order to protect and preserve archaeological and scientific information, matter, and objects.

It is a declaration and statement of legislative intent that field archaeology on privately owned lands should be discouraged except in accordance with both the provisions and spirit of sections 138.31 to 138.42; and persons having knowledge of the location of archaeological sites are encouraged to communicate such information to the state archaeologist.

### **138.33 UNLICENSED FIELD ARCHAEOLOGY PROHIBITED.**

No person, including state or other public employees other than the state archaeologist and individuals duly licensed by the director of the Minnesota Historical Society shall engage in any field archaeology on any state site.

### **138.34 ADMINISTRATION OF THE ACT.**

The state archaeologist shall act as the agent of the state to administer and enforce the provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the society.

### **138.35 STATE ARCHAEOLOGIST.**

*Subdivision 1. Appointment.*

The state archaeologist shall be a qualified professional archaeologist appointed by the commissioner of administration in consultation with the Executive Council of the Minnesota Historical Society, the Indian Affairs Council, and other interested parties to perform the duties in sections 138.31 to 138.42.

*Subd. 1a. Administrative support; staff.*

The commissioner of administration shall provide the state archaeologist with necessary administrative services. State agencies shall provide the state archaeologist upon request with advisory staff services on matters relating to the duties and jurisdiction of the state archaeologist. The state archaeologist shall hire staff and maintain offices as necessary to perform the duties in sections 138.31 to 138.42.

*Subd. 1b. Contracts; volunteers; grants and gifts.*

The state archaeologist may contract with the federal government, local governmental units, other states, the university and other educational institutions, and private persons or organizations as necessary in the performance of the duties in sections 138.31 to 138.42. Contracts made under this

section for professional services shall not be subject to chapter 16C, as it relates to competitive bidding. The state archaeologist may recruit, train, and accept, without regard to personnel laws or rules, the services of individuals as volunteers for or in aid of performance of the state archaeologist's duties, and may provide for the incidental expenses of volunteers, such as transportation, lodging, and subsistence. The state archaeologist may apply for, receive, and expend grants and gifts of money consistent with the powers and duties in sections 138.31 to 138.42. Any money so received is appropriated for the purpose for which it was granted.

***Subd. 2. Duties of state archaeologist.***

The duties of the state archaeologist shall include the following:

- (a) to sponsor, engage in, and direct fundamental research into the archaeology of this state and to encourage and coordinate archaeological research and investigation undertaken within the state;
- (b) to cooperate with other agencies of the state which may have authority in areas where state sites are located, or which may have the responsibility for marking state sites, or arranging for their being viewed by the public;
- (c) to protect to the extent possible and to encourage the preservation of archaeological sites located on privately owned property;
- (d) to retrieve and protect objects of archaeological significance discovered by field archaeology on state sites or discovered during the course of any public construction or demolition work and, to the extent possible, those discovered during the course of any other construction or demolition work;
- (e) to obtain for the state other objects of archaeological significance, and data relating thereto;
- (f) to cooperate with the historical society, the university, and other custodians to preserve objects of archaeological significance, together with the data relating thereto;
- (g) to disseminate archaeological facts through the publication of reports of archaeological research conducted within the state;
- (h) to approve licensing of qualified professional archaeologists to engage in field archaeology on state sites, as provided in section 138.36; and
- (i) to otherwise carry out and enforce sections 138.31 to 138.42.

**138.36 LICENSES.**

***Subdivision 1. Content; issuance.***

The director of the historical society and the state archaeologist shall formulate and issue such provisions for licenses as are required to carry out and enforce sections 138.31 to 138.42.

***Subd. 2. Power to issue.***

The director of the Minnesota Historical Society, acting as an agent of the state, may issue a license to a qualified person approved by the state archaeologist to engage in field archaeology on a specified state site. The director of the Minnesota Historical Society may also issue a license to a qualified person, either in connection with the right to engage in field archaeology on a specified site, or alone, to engage in purely preliminary or exploratory activities in a specified area where a



site is thought to exist. If a state site or an area to be described in a license is under the jurisdiction of any other agency of the state, or, if the field archaeology to be licensed may interfere with a project of any other agency, the applicant for a permit shall obtain the approval of that agency. The attorney general upon recommendation of the director of the historical society may apply to the district court for injunctive relief to restrain activities which in the director's opinion may damage historical or archaeological sites on public lands or waters.

*Subd. 3. Emergency licenses.*

The director of the historical society or the state archaeologist may waive or abridge provisions of sections 138.31 to 138.42 in an emergency in which objects of interest to the state are found in the course of construction or demolition work, or in other situations in which time is of the essence to save objects or gather data. The director of the historical society or the state archaeologist may issue short form emergency licenses to persons not otherwise qualified to enable them to salvage objects or gather data in the time available.

*Subd. 4. Renewal of licenses.*

The director of the Minnesota Historical Society may renew any license for another calendar year. The application for renewal shall be made in the form and contain the information required by the state archaeologist.

*Subd. 5. Revocation and suspension.*

The director of the historical society or the state archaeologist may revoke or suspend a license because of the improper conduct of the licensee, the use of improper or substandard methods, or other good cause.

*Subd. 6. Review of license decisions.*

Any person whose application for a license under this section has been denied or whose license has been modified, suspended, or revoked, may appeal the decision within 30 days of receiving written notice of the decision by filing a written request with the commissioner for a contested case hearing under chapter 14. If the applicant does not request a contested case hearing within 30 days after receiving written notice of the decision, the decision becomes final and the applicant may not appeal the decision.

**138.37 OWNERSHIP, CUSTODY AND USE OF OBJECTS AND DATA.**

*Subdivision 1. Title to objects and data.*

The state reserves to itself the title to all objects found and data gathered in field archaeology, except as provided in subdivisions 2 and 3. Although a license may name a custodian other than the state archaeologist, title to the objects and data nevertheless is reserved to the state, and physical possession of them reverts to the state if the custodian named ceases to exist, or if the state archaeologist finds that the custodian is not properly caring for them or keeping them conveniently available for study by students of archaeology.

*Subd. 2. Field archaeology on behalf of nonresident schools and scientific institutions.*

The director of the Minnesota Historical Society, with the approval of the state archaeologist, may agree for the state with an agency of another state, or with a school or scientific institution of another state, to permit qualified persons acting for the nonresident agency, school, or institution to be licensed to engage in field archaeology in this state. Under such an agreement, the director of the historical society and the state archaeologist shall, at the time the license is issued, determine

the disposition of the objects found.

*Subd. 3. Disposal of and acquisition of objects.*

If the best interests of this state are deemed served thereby, the state archaeologist, with the approval of the director of the historical society, may barter one or more objects belonging to this state for one or more objects belonging to another state, a private person, or any school, scientific institution, or other body having title thereto; and the state archaeologist, with the approval of the director of the historical society, may dispose of one or more objects belonging to this state. The state archaeologist and director of the Minnesota Historical Society may accept on behalf of the state any gift of an object, of data, or of any deed to a privately owned site if they deem the gift valuable to the state under the provisions of sections 138.31 to 138.42; they may also accept any gift of money to be used for one or more of the purposes covered by sections 138.31 to 138.42, but shall be held strictly accountable to the state for the use made of any such gift of money.

**138.38 REPORTS OF STATE ARCHAEOLOGIST.**

The state archaeologist shall consult with and keep the Indian Affairs Council and the director of the historical society informed as to significant field archaeology, projected or in progress, and as to significant discoveries made. Annually, and also upon leaving office, the state archaeologist shall file with the commissioner a full report of the office's activities including a summary of the activities of licensees, from the date of the last full report of the state archaeologist. Copies of the report must be sent upon completion to the Minnesota Historical Society and the Indian Affairs Council, and made available to other interested parties.

**138.39 RULES.**

The commissioner may adopt rules to carry out sections 138.31 to 138.42. In making such rules the commissioner must consult with other agencies of the state whose activities may be affected by the rules.

**138.40 COOPERATION OF STATE AGENCIES: DEVELOPMENT PLANS.**

*Subdivision 1. Cooperation.*

The Department of Natural Resources, the Department of Transportation, and all other state agencies whose activities may be affected, shall cooperate with the historical society and the state archaeologist to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but sections 138.31 to 138.42 are not meant to burden persons who wish to use state property for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

*Subd. 2. Compliance, enforcement, preservation.*

State and other governmental agencies shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42. Conservation officers and other enforcement officers of the Department of Natural Resources shall enforce the provisions of sections 138.31 to 138.42 and report violations to the director of the society. When archaeological or historic sites are known or, based on scientific investigations are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall use the professional services of archaeologists from the University of Minnesota, Minnesota Historical Society, or other qualified professional



archaeologists, to preserve these sites. In the event that archaeological excavation is required to protect or preserve these sites, state and other governmental agencies may use their funds for such activities.

***Subd. 3. Review of plans.***

When significant archaeological or historic sites are known or, based on scientific investigations, are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall submit construction or development plans to the state archaeologist and the director of the society for review prior to the time bids are advertised. The state archaeologist and the society shall promptly review such plans and within 30 days of receiving the plans shall make recommendations for the preservation of archaeological or historic sites which may be endangered by construction or development activities. When archaeological or historic sites are related to Indian history or religion, the state archaeologist shall submit the plans to the Indian Affairs Council for the council's review and recommend action.

**138.41 PENALTIES.**

***Subdivision 1. Willful violations.***

Whoever willfully violates section 138.33, or willfully defaces, injures, destroys, displaces, or removes any object or data belonging to the state, or willfully interferes with evidence or work on any state site or other site for which a license has been issued, or willfully violates any other provision of sections 138.31 to 138.42, or the rules adopted by the commissioner is guilty of a gross misdemeanor.

***Subd. 2. Other penalties.***

The director of the Minnesota Historical Society may suspend or revoke the license of any licensee, or refuse another license, or initially refuse a license to any person who has violated a provision of sections 138.31 to 138.42, whether the violation is willful or not. Also, the director may refuse to name a school or a scientific institution as the custodian of objects or data under any license or agreement whatever, if that school or scientific institution has failed in its duty to care for and preserve objects or data belonging to the state or has failed to make such objects or data conveniently available to students of archaeology.

**138.42 TITLE.**

Sections 138.31 to 138.42 may be cited as the "Minnesota Field Archaeology Act of 1963."





Phase I Site Improvements:  
 Proposed bridge in light brown  
 Proposed ADA Accessible gravel path in light blue



**EXHIBIT B**

**APE Map**



**Legend**

- 0 175 350 700 Feet
- Proposed site improvements
- Area of potential effect
- Indicates corresponding on-the-ground photo



# COMMERCIAL HISTORIC DISTRICT DESIGN GUIDELINES





# **DULUTH COMMERCIAL HISTORIC DISTRICT DESIGN GUIDELINES**

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# Chapter 1. Introduction to Historic Preservation

## 1.1. Purpose of Design Guidelines

In 2006, a portion of Duluth’s central business district was nominated and listed on the National Register of Historic Places as the Duluth Commercial Historic District. The City of Duluth’s Planning Commission is pursuing a Historic Resources Overlay (HR-O) for the district. The Planning Commission and Heritage Preservation Commission (HPC) currently oversee two HR-Os in the city, the Duluth Civic Center Historic District, and the Duluth State Normal School Historic District. Historic resource overlays are a zoning tool used to “preserve, protect and promote any areas, places, buildings, structures, lands, districts and other objects having a special historical, community or aesthetic interest or value” (Duluth Legislative Code, Section 50-18.3 A). These design guidelines were established to assist property owners and contractors, as well as the HPC, in determining appropriate treatment for historic buildings and landscape elements within the historic district.

The purpose of establishing historic districts and historic resource overlays is to preserve the character of a neighborhood by retaining historic buildings and features while ensuring that new construction and additions are compatible with their historic surroundings. The HPC reviews proposed changes to buildings and structures within the Historic District to determine whether they are compatible with its historic character.

Maintaining a neighborhood’s historic character has social, economic, and environmental benefits beyond achieving and preserving a particular aesthetic appearance. Historic buildings are constructed using workmanship and materials which are often superior to new construction, including old growth lumber and forgotten techniques. They typically have a longer lifespan (100+ years) when compared to new construction (30-40 years on average). Well-preserved historic character can attract visitors and investment to the area, differentiating it from communities filled with new construction, which tend to lack “personality” or individual distinction.

Making use of existing buildings and infrastructure to the greatest extent possible is environmentally sustainable. Waste materials from demolition and construction projects comprise approximately 25% of the waste in our nation’s landfills. Historic buildings contain “embodied energy,” which is the energy associated with extracting, processing, manufacturing, transporting, and assembling building materials. Demolishing a historic building that could otherwise be utilized for a productive purpose wastes a significant



amount of energy, while replacing it with new construction, often utilizing inferior materials, wastes even more. Not only is the demolition of usable structures wasteful, but many historic resources feature unique energy saving features which can contribute to overall sustainability. Inherent energy efficient features in historic buildings can include operable windows, clerestories, skylights, interior courtyards, rooftop ventilators, cupolas, thick masonry walls, and other features that can provide natural light and ventilation and reduce the need for energy consumption using mechanical systems and electric lighting. When necessary, existing historic buildings can also be retrofitted to increase energy efficiency.

Rehabilitation projects provide more local jobs as compared to new construction, as a larger percentage of the project cost is for labor. The same cannot typically be said of new construction due to the widespread and common use of prefabrication, which effectively outsources work from beyond the local economy. Multiple studies have shown consistently that communities with revitalized historic neighborhoods have higher property values which are also stabilized over time. Such neighborhoods improve the local municipal tax base and are indicators of a healthy community which can attract relocating existing businesses and new startups to the area.

The following document contains the procedures, standards, and guidance necessary to ensure proper preservation, restoration, rehabilitation, and reconstruction of historic structures within the Duluth Commercial Historic District, as well as to ensure that new construction and additions are compatible with the historic character of their surroundings. This ensures that changes to individual properties do not negatively impact surrounding properties or the overall character of the neighborhood. These design guidelines serve as the primary resource for property owners conducting any alteration, rehabilitation, or restoration on buildings within the Duluth Commercial Historic District. In addition, they provide a guide for the HPC to use when reviewing alterations to any historic structures or properties.

These guidelines are intended to provide guidance for possible solutions to common issues in preserving historic buildings. They do not dictate a particular outcome, and all HPC decisions are made on a case-by-case basis.

## 1.2. How to Use this Document

The following document provides design criteria for changes to buildings located within the Duluth Commercial Historic District. These design guidelines are meant to provide a reference point for building owners, architects, designers, and other interested parties when planning exterior alterations to properties within the district, and to provide clear examples of what types of changes are appropriate to the district's historic character. These guidelines are based on the guidance outlined by the Secretary of the Interior's Standards for Rehabilitation, a set of overarching guidelines developed by the National Park Service which set forth standards of treatment when rehabilitating or altering historic properties. This document provides guidance on maintaining, repairing, and, when necessary, replacing historic features on properties within the Commercial Historic District.

Background information on the history and character of the historic district is provided in [Chapter 2](#). An architectural style guide, which is helpful in identifying appropriate characteristics for particular building styles, is provided in [Chapter 3](#). An overview of design principles is provided in [Chapter 4](#). The Secretary of the Interior's Standards for Rehabilitation are provided in [Chapter 5](#).

Guidelines for alterations to existing historic buildings are provided in [Chapter 6](#) and guidelines for the design and construction of new buildings within the historic district boundaries, or additions to existing historic buildings, are provided in [Chapter 7](#). Guidelines for signs, including both wall-mounted and free-standing signs are provided in [Chapter 8](#), while guidelines for streetscape elements, including permanent public art installations, can be found in [Chapter 9](#). Guidelines for relocating or otherwise moving historic buildings are provided in [Chapter 10](#), and guidelines for demolishing historic properties, when necessary, can be found in [Chapter 11](#).

New construction and alterations to existing buildings within the historic district, as well as the installation of new signs or streetscape elements, must be approved by the HPC before the project begins. [Chapter 12](#) provides an overview of the historic demolition/construction review and permit process.

Additional resources include a glossary of terms, found in [Appendix A](#), an overview of the use of synthetic and substitute materials in [Appendix B](#), a selected bibliography for further reading found in [Appendix C](#), and the text of Duluth's Historic Resource Zoning Overlay found in [Appendix D](#). An inventory of the Duluth Commercial Historic District is located in [Appendix E](#).



### 1.3. Heritage Preservation Commission

Duluth's Heritage Preservation Commission (HPC) is comprised of residents who have demonstrated an interest in the historical, cultural or architectural development of the City or who own property within a heritage preservation district. The commission includes 5 members appointed by the City; 1 member appointed by the St. Louis County Historical Society; and 1 member appointed by the Duluth Planning Commission. The HPC's responsibilities are outlined in the Duluth Legislative Code (50-36.2). The commission recommends historic preservation sites and districts to the city council; approves or denies applications for historic construction and demolition permits pursuant to Section 50-37.14; recommends historic preservation guidelines specific to a landmark or district; conducts continuing survey of all areas, places, buildings, structures or similar objects in the city that the commission; works for the continuing education of the citizens of the city with respect to the historic and architectural heritage of the city; and recommends to the planning commission and council that certain properties eligible for designation as historic preservation landmarks or districts be acquired by gift, by negotiation, or by other legal means.

The Duluth Commercial Historic District contains 107 buildings (86 contributing and 21 non-contributing), one contributing structure, two non-contributing structures, and ten non-contributing sites.<sup>1</sup> The district encompasses parts of 20 city blocks, most of which measure 400 feet by 140 feet. The Duluth Historic Commercial District was added to the National Register of Historic Places in 2006. The HPC will review proposed changes to the exterior of properties within the historic district to ensure that they will not negatively impact the district's historic character.

An overview of the historic demolition/construction review and permit process can be found in [Chapter 13](#).

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<sup>1</sup> The number of contributing and non-contributing properties within the historic district is derived from the 2006 NRHD Nomination. Due to demolitions and alterations, this breakdown has likely changed between 2006 and 2021.

## Chapter 2. District History and Character

### 2.1. History of the District

*The following historical summary and district description is reproduced and condensed from the 2006 Duluth Commercial Historic District National Register of Historic Places nomination prepared by Michael Koop and Chris Morris (MN SHPO).*

Duluth's commercial district was established downtown near the Lake Superior waterfront in the early 1870s, after the Lake Superior and Mississippi Railroad (reorganized as the St. Paul and Duluth Railroad in 1877 and absorbed into the Northern Pacific system at the turn of the century) reached Duluth in 1870. Duluth's location at the western end of Lake Superior and its proximity to three key natural resources — lumber, wheat, and iron ore — helped establish the city as one of the nation's major timber processing centers from the 1880s to the 1920s, and as a significant grain and ore shipping port from the 1880s and 1890s into the early twentieth century. By that time, Duluth was well known as northern Minnesota's economic, social, political, and cultural hub. The booming town's prosperity was reflected in the bustling commercial district on Superior Street, 1st Street, Michigan Street, and the avenues bisecting these streets.

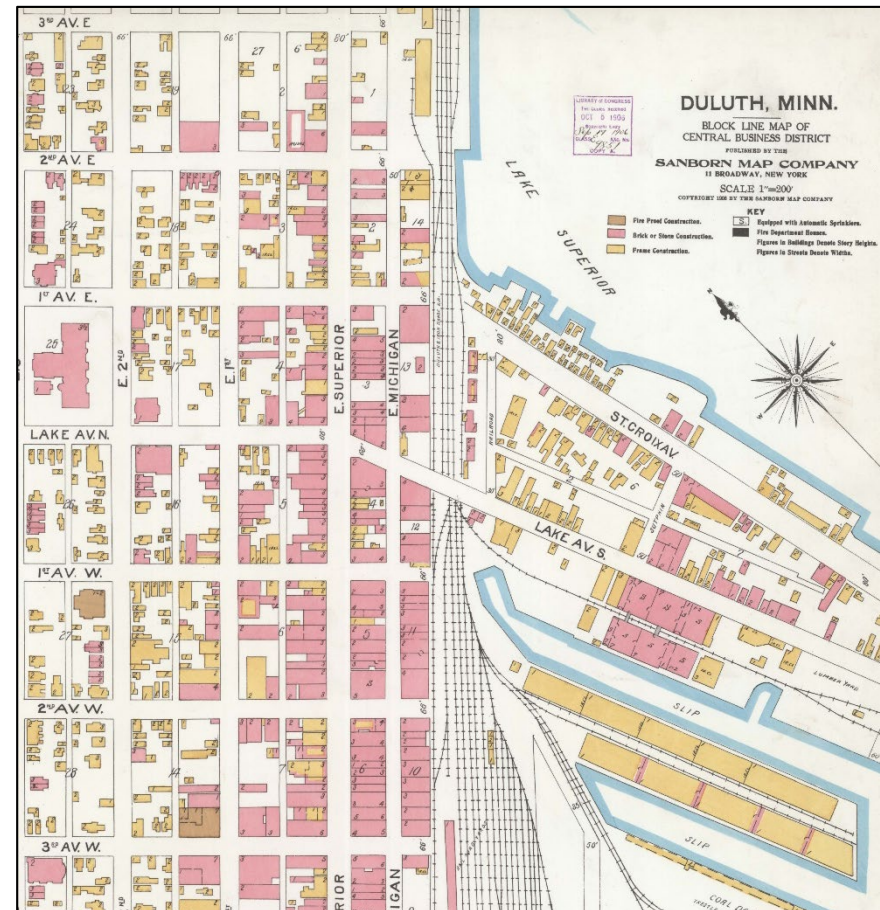
Superior Street has historically been the focal point for commercial activity in downtown Duluth. By 1872 three banks had been built in the vicinity of Superior Street and 1st Avenue West, including the three-story stone Duluth Savings Bank. When the city's permanent street grid was established downtown, the importance of Superior Street was demonstrated by its 80-foot width, compared to the 66-foot width of 1st Street and the bisecting avenues, and the 50-foot width of Michigan Street. In 1883 mule-driven streetcars began carrying passengers along Superior Street between 8th Avenue West and 3rd Avenue East, which was the primary area for residents to shop, conduct business, and live in upper floor dwellings above commercial spaces.

A flurry of construction activity in 1889 by the City of Duluth, civic organizations, and private individuals reinforced the image of Superior Street as being at the heart of the central business district. The city hired noted local architect Oliver Traphagen to design new City Hall and City Jail buildings adjacent to each other at 132 and 126 East Superior, while on the upper side of the block the architects McMillen and Stebbins saw their stone Masonic Temple Opera Block rise eight stories at 201-205 East Superior Street.

Civic leaders responded to this commercial development by committing funds for a variety of municipal improvements located in the downtown area. For example, by 1881 a survey was made for a sewer under Superior Street; grading was begun on Michigan Street; and a plank road with sidewalks and bridges was built on Rice's Point. In addition, a new Chamber of Commerce was organized to replace the one that had gone out of existence in 1873 when the city lost its charter.

The outstanding location of Duluth as the nexus for new railroad and Great Lakes shipping routes made the city's growth as an important economic center inevitable. This conclusion was justified in 1881, the year in which the Duluth Board of Trade was founded. By that time Duluth's harbor had been developed, bringing hundreds of ships to the city each year, and an extensive network of railroads brought grain from the northern plains to the "Zenith City," a term coined in 1868 by journalist and publisher Thomas Foster to describe Duluth's promising future. Decades earlier a modern system of commodities trading was put in place in such cities as Minneapolis, Milwaukee, Chicago, Buffalo, and St. Louis. Although Duluth was much smaller in population than these cities, by the late 19th and early 20th centuries it nevertheless became a key player in the grain trade. By 1885 thirteen lakefront elevators gave Duluth the storage capacity to stockpile nearly nine million bushels of grain from the western prairies.

Concurrent with Duluth's ascendance in the late 19th century as a grain port was its growing prominence as a center for the lumber industry. The arrival of the Lake Superior and Mississippi Railroad at Duluth in 1870 created new demand for lumber, particularly at the rapidly expanding harbor, which required timber for docks, grain



*Detail of a Sanborn Fire Insurance map from 1906 showing the development in the Duluth Commercial Historic District. Image from the Library of Congress.*



elevators, warehouses, and related buildings. In 1894 Duluth employed 3,700 men in the lumber industry and supported 15 lumber mills. Over half of the more than 220,000,000 feet of lumber cut that year in Duluth, valued at nearly \$4.5 million, were logs from the immediate vicinity, with much of the rest coming from no farther inland than Cloquet on the St. Louis River.

The first decade of the twentieth century saw the busiest period of logging on the North Shore of Lake Superior, and the Duluth-Superior harbor became for a brief time the center for the greatest lumber market in the world. The next fifteen years witnessed the decline of the lumber industry on the North Shore, with lumber shipments from the harbor falling off accordingly. In 1925, only one lumber mill remained in operation in Duluth. The cut of standing white pine, estimated in 1895 to be a virtually inexhaustible forty billion feet, had disappeared altogether.

In addition to grain and lumber, a third natural resource, iron ore, played a significant role in the development of Duluth during the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The Mesabi Range, and in particular the Hull-Rust-Mahoning Mine, was the premier natural iron ore producing site in the nation, which contributed substantially to World Wars I and II. It was the immense output of this mine, as the chief producer on the Mesabi Range, that was to revolutionize the American steel industry and make Minnesota the largest producer of iron ore in the nation.

In order to accommodate the thousands of business owners, employees, residents, visitors, and others associated with the grain, lumber and iron ore trades, hundreds of retail stores and businesses were built during the late nineteenth and early twentieth centuries in the downtown area. Organizations associated with commercial and civic development in Duluth also constructed substantial buildings in the central business district during the late nineteenth century to reinforce their commitment to downtown. Perhaps the building that best illustrates significant development in the downtown district is the Hotel Duluth, which was completed in 1925 when Duluth's population peaked at 113,754. Hailed as "the tallest hotel building in the Northwest" at its official opening on March 22, 1925, the thirteen-story, 500-room brick and terra cotta building cost \$2.4 million to construct.

Duluth (and Superior) had emerged by 1920 as the second-ranking urban center in the region (after the Twin Cities), a status that continued through the Great Depression.

## 2.2. Existing Architectural Character

*The following description is reproduced and condensed from the 2006 Duluth Commercial Historic District National Register of Historic Places nomination prepared by Michael Koop and Chris Morris (MN SHPO).*

The Duluth Commercial Historic District contains 107 buildings (86 contributing and 21 non-contributing), one contributing structure, two non-contributing structures, and ten non-contributing sites.<sup>2</sup> The district consists of all Superior Street properties located between Lake Avenue and 3<sup>rd</sup> Avenue East, those located in the 0-100 block on the north side of West Superior Street, and properties in the 300 block on the south side of East Superior Street; all 1st Street properties located between 2nd Avenue West and 2nd Avenue East, and properties in the 200 and 300 blocks on the north side of West 1st Street; and all properties along [Lake Avenue], West 1st, West 2nd, and West 3rd avenues and East 1st, East 2nd, and East 3rd avenues.

The district encompasses parts of 20 city blocks, most of which measure 400 feet by 140 feet. The blocks are bisected by 20-foot-wide asphalt-paved alleys that provide rear service entrances to the buildings. Concrete [and brick] pedestrian sidewalks line the blocks adjacent to the buildings' facades. New streetlights were installed in 1985 throughout much of the district. Bricks laid in 1985 cover Superior Street, 1st Street, and all of the intersecting avenues within the historic district. [Portions of the sidewalk and street along Superior Street were repaved in concrete in 20XX].

Buildings in the district are generally one to three stories in height with flat roofs, although occasionally there are taller buildings of four or five stories (the tallest building is the Hotel Duluth (1925) located at 219-231 East Superior Street). Most buildings have load bearing or curtain wall-style masonry exteriors of brick, cut stone, or cast stone. The majority of the buildings represent commercial adaptations of architectural styles that were popular at the turn of the century, including the Romanesque, Romanesque Revival, Renaissance Revival, Neoclassical, and commercial vernacular modes. Decorative detailing is prevalent, including stamped iron cornices, pressed and corbelled brick, and cast-iron columns. The district also features examples of Period Revival commercial buildings that were common after the turn of the century. Of the 107 buildings, 79 were built during the period between 1900 and 1929. Twenty-six buildings date to the 1880s and 1890s. The majority of buildings have had storefront alterations, but the historic appearance has been maintained on the upper floors. Only 21 buildings are non-contributing elements of the district due to

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<sup>2</sup> The number of contributing and non-contributing properties within the historic district is derived from the 2006 NRHD Nomination. Due to demolitions and alterations, this breakdown has likely changed between 2006 and 2021.

alterations which have compromised the historical integrity of the buildings. Three buildings were built between 1940 and 1950, well after the end of the district's period of historic significance in 1929. Since there are no buildings built in the 1930s and only three during the period between 1940-1950, the district continues to illustrate Duluth's history from an early 20th century perspective. Superior and 1st streets, where the bulk of the buildings are concentrated, represents an extended streetscape of attached construction typical of late 19th and early 20th century commercial districts. The district is also a reflection of the strongest economic period of the city's main industries, lumbering and shipping of grain, iron ore and coal. These industries created a need for, and fostered the development of, a large and diverse downtown commercial district.



*Photograph 1: Typical Streetscape view in the Duluth Downtown Commercial District.*



### 2.3. Historic District Map

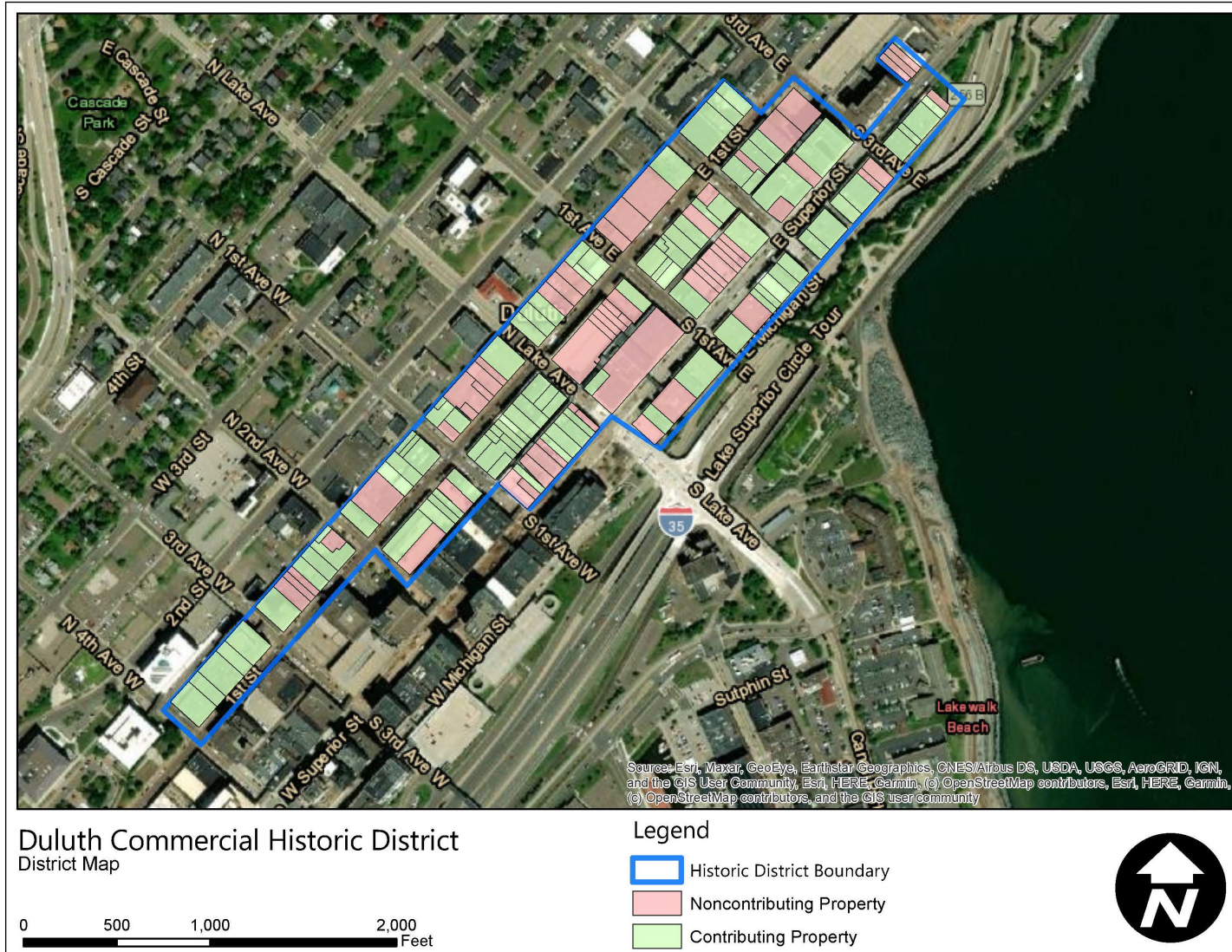


Figure 1: Map of the Duluth Commercial Historic District, 2021.

## Chapter 3. Architectural Style Guide

### 3.1. Introduction

A building's architectural style is characterized by its shape, proportion, materials and ornamental detailing. Few buildings possess all of the characteristics of any one particular style and many buildings exhibit eclectic details from a mix of multiple styles. The following section provides an overview of historic architectural styles that are commonly found in regional commercial buildings constructed between the mid-19th and mid-20th century. Before proceeding to the following section, it will be helpful to understand the following terms as they apply to architectural styles.

- "Building type" describes a structure's function and form. Some building types are associated with one or two architectural styles, while others are used in many architectural styles.
- The term "vernacular" when applied to architecture describes buildings constructed according to traditional methods of construction within a specific locality or for a particular group of people. These local variations in historic architectural styles often occurred when builders or designers combined common building forms, pattern book designs, and their own ideas. Often these buildings are designed and built by individuals who were influenced by the particular needs of their locality – climate, available building methods and materials, and contemporary architectural fashions and styles.
- "High style" refers to buildings designed according to the doctrines of a specific, readily identifiable, national, or regional architectural style. They are designed by professional architects and builders or derived from architectural guidebooks. Designers of high style buildings were often strongly influenced by contemporary trends, fashions, and academic principles. While there are some examples of high-style architecture in the Duluth Commercial Historic District, such as the Romanesque Revival style Duluth Board of Trade building (301 W. 1st Street), most buildings are vernacular. These are functional buildings with details relating to popular architectural stylistic influence from the period in which they were designed and constructed.

### 3.2. Building Forms

The commercial building types and architectural features commonly found in the Duluth Commercial Historic District are described below. The buildings can generally be divided into the following three forms.

#### One-Part Block

This building type is a single story and was typically constructed in urban settings to house retail shops, banks, or restaurants. These buildings tend to be boxy, with a decorated façade featuring large display windows to advertise the goods and/or services provided inside.

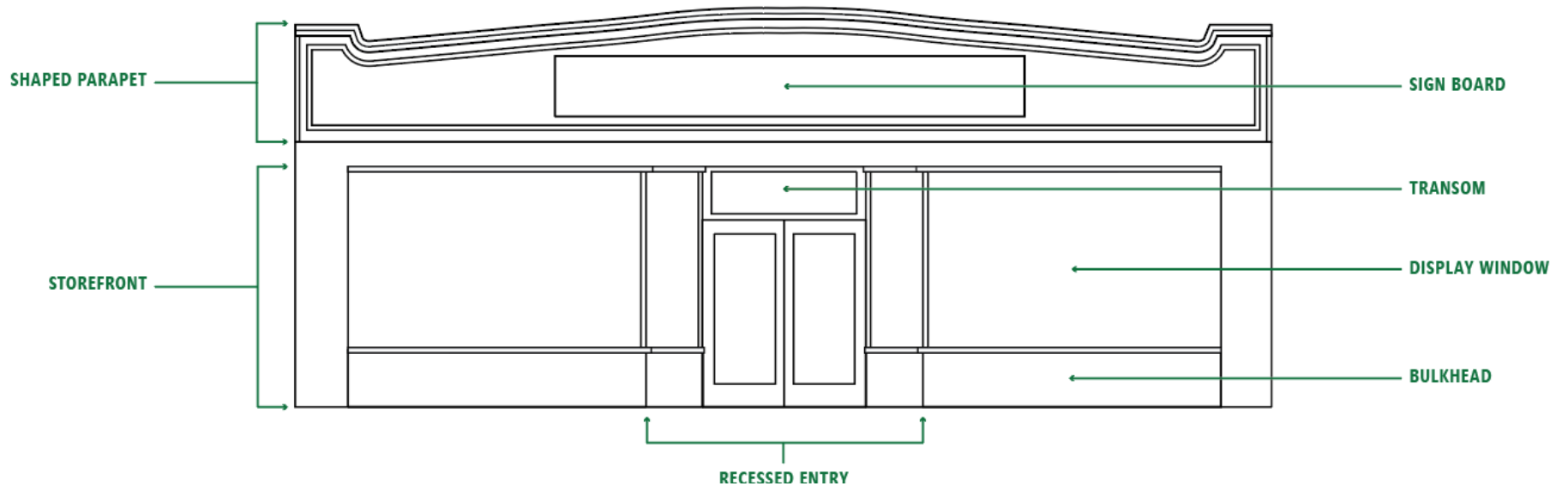


Figure 2: Diagram showing one-part commercial block.



### Two-Part Block

This building type is common throughout the United States. It is two to four stories in height and is divided into two distinct parts based on interior uses, with public spaces such as storefronts or restaurants at ground level and private spaces, such as apartments or offices on the upper stories.

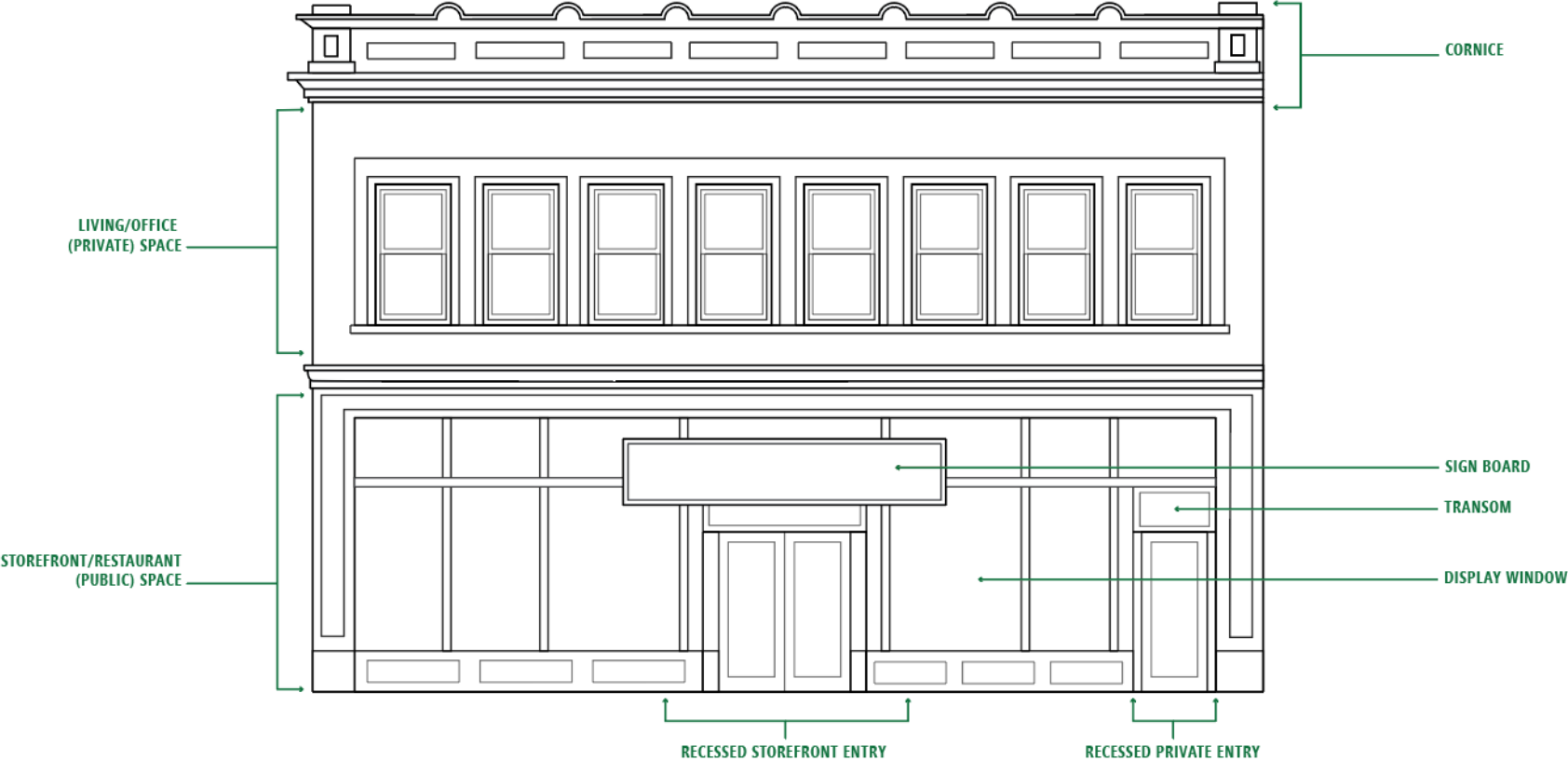


Figure 3: Diagram showing two-part commercial block.

### Three-Part Commercial Block

The three-part commercial block is similar to the two-part but contains a third zone that is architecturally distinct from the lower two zones. Like the two-part commercial block, the lower zone of the building contains the public facing commercial space, while the middle zone holds offices, dwellings, or meeting areas. The third zone generally contains the smallest spaces and may be utilized as an attic or utility space, or additional residential or office units. This form of commercial construction became popular at the end of the nineteenth century and flourished in the 20th century as improvements in iron and later steel frame construction allowed taller commercial buildings in America's downtowns.

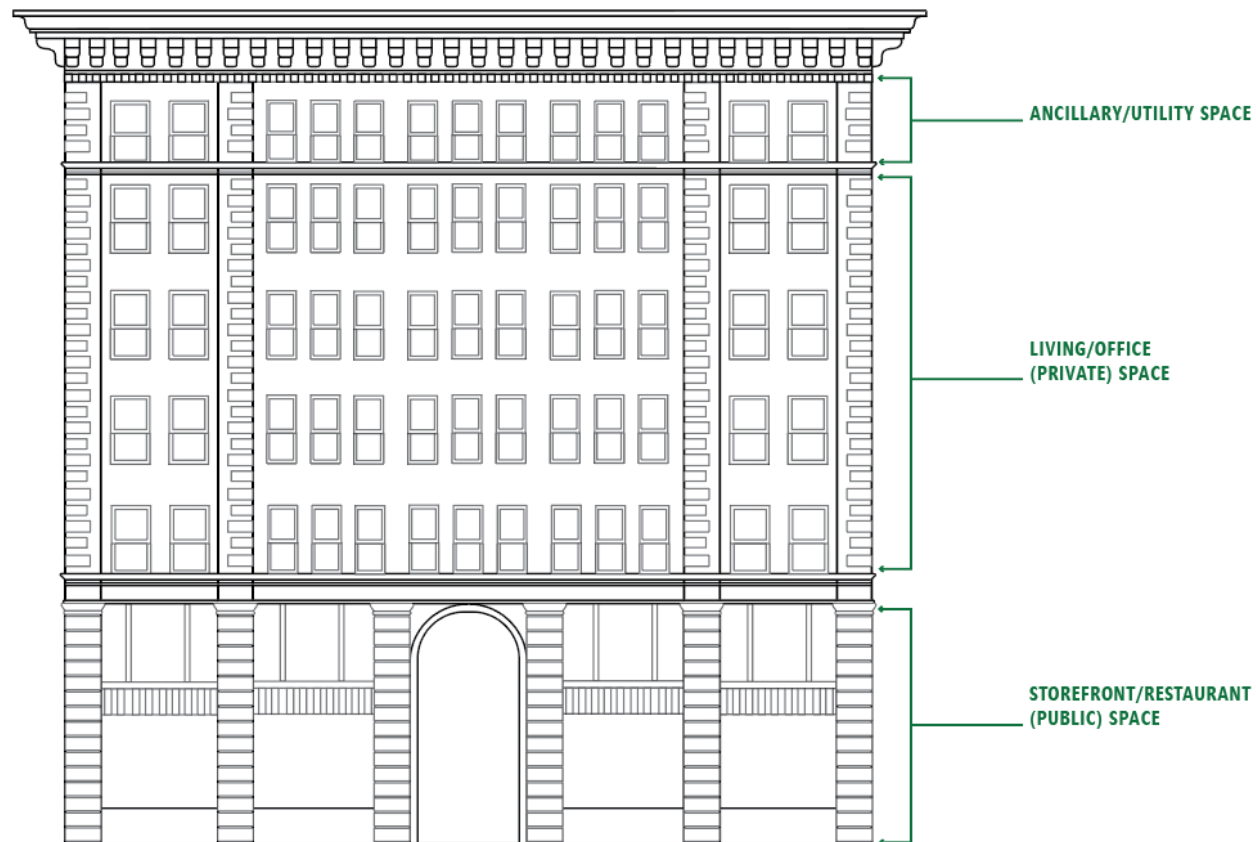


Figure 4: Diagram showing three-part commercial block.

### 3.3. Storefront Features

#### Vernacular Storefront

The vernacular commercial storefront of the late 19th and early 20th centuries is found throughout the Duluth Commercial Historic District. These storefronts commonly appear as the first-floor level of the two-part commercial block. These storefronts typically feature large windows for the display of goods, with a bulkhead or knee wall below the display windows, and a recessed main entrance.

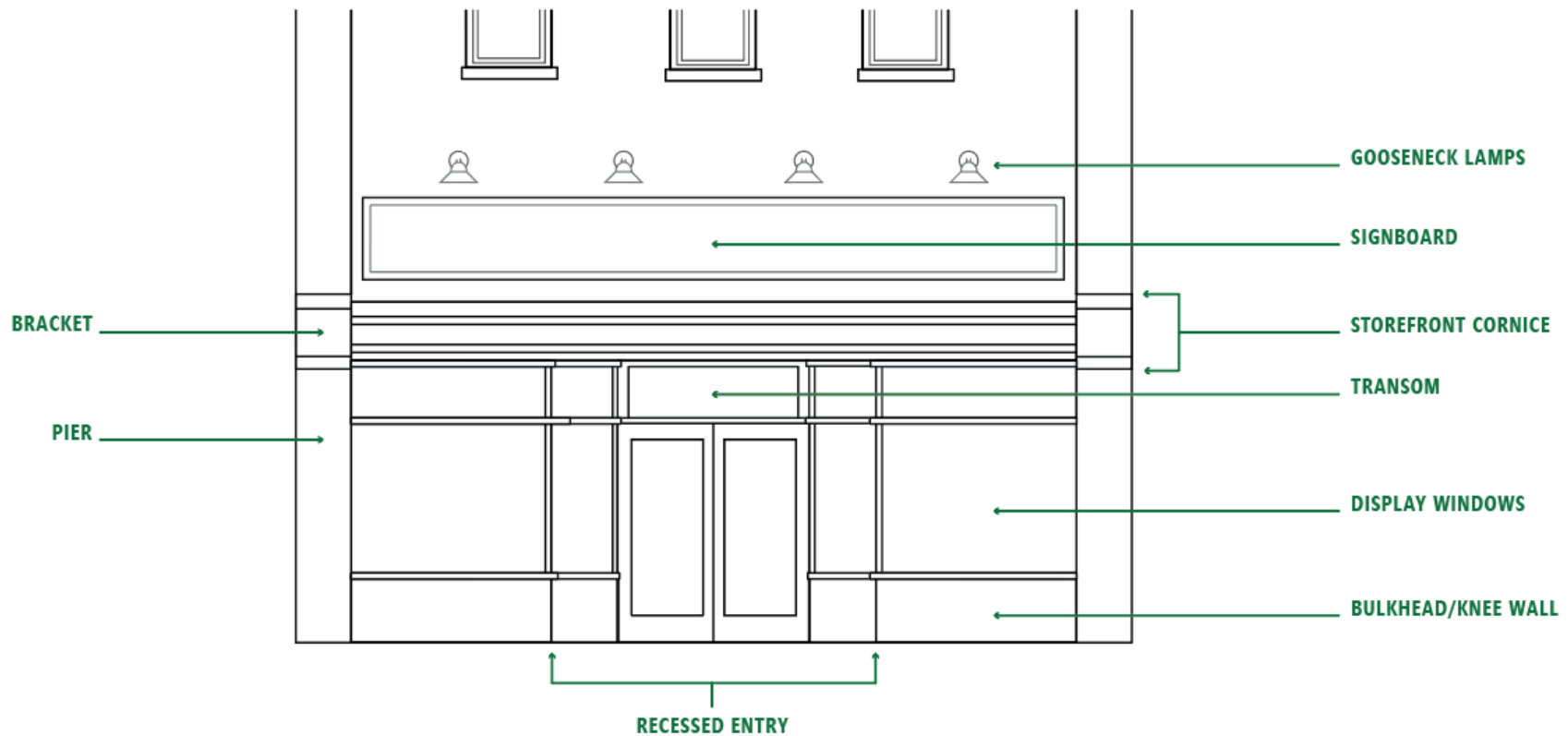


Figure 5: Diagram showing vernacular storefront.



### 3.4. Architectural Style

The architectural styles found throughout the Duluth Commercial Historic District reflect its commercial and industrial heritage. The majority of the buildings in the district are utilitarian commercial buildings. Many of these have ornamental features from Victorian and early 20th century architectural styles. While the word “Victorian” is commonly used to describe an architectural style featuring heavy ornamentation, steeply pitched roofs, and a proliferation of turned woodwork and multicolor finishes, the word actually refers to a period of time. The Victorian Era spanned the 1830s through the early 1900s and during this time, several architectural styles were popular. The Italianate, Gothic Revival, Romanesque Revival, and Stick and Shingle Styles are all “Victorian” styles. Most of the buildings in the Commercial Historic District were constructed during this period, and many were updated in later periods to reflect changing tastes in architectural design.

There are a variety of other styles in addition to the vernacular commercial styles which comprise most of the district. These include the Romanesque Revival Board of Trade building, the Italian Renaissance Revival Hotel Duluth, and the Italianate Bell and Eyster Bank at 3 W. Superior Street. The following section provides an overview of the architectural styles represented in Duluth Commercial Historic District. Please see [Appendix C. Selected Bibliography](#) for additional resources on identifying historic architectural styles.

## Commercial Vernacular (1845-1940)

Generally located along major commercial thoroughfares, these buildings were constructed to display and provide goods directly to consumers. They may be one-, two-, or three-part commercial blocks but always include a storefront at ground level. These storefronts are commonly wood but prefabricated cast-iron and sheet metal storefronts achieved popularity during the late 19th and early 20th centuries. Architectural metal storefronts were available in several architectural styles, and corresponding elements such as cornices were also available. These buildings typically have a flat roof, often with a shaped or otherwise decorated parapet. They are vernacular buildings which may have ornamentation reflecting the architectural fashions of their time.

Facades of Main Street Commercial-style buildings are usually symmetrical with a central entrance flanked by large storefront windows. The entrances are commonly recessed, which provides additional display space to advertise the goods sold inside. The upper stories were commonly used for living or offices spaces. While it was once common for shop owners to reside above their stores, today many of these spaces are rented to tenants.



*Photograph 2: View of the Bridgeman Russell Block on W. 1<sup>st</sup> St. The buildings feature minor Renaissance Revival details on the upper*



*Photograph 3: View of the commercial building at 325 W. 1<sup>st</sup> St.*

## Industrial Vernacular (1845-1940)

Industrial vernacular-style buildings are utilitarian and were typically constructed as factories or warehouses. These buildings are designed for a particular function and form and ornament is secondary to accommodating the industrial uses for which they were built. They are generally large concrete or brick masonry buildings. They are two- to three- stories high with a rectilinear footprint and a flat roof. Stepped parapets are common, although ornamentation is generally minimal. Factories were constructed with large windows for lighting and ventilation. To the same end, skylights and roof monitors are common features that provided ventilation to the factories and warehouses. Earlier examples typically feature wood windows, while steel sash windows are more popular in the 20th century examples.



*Photograph 4: View of two industrial vernacular buildings at 17-23 W. Superior St. The buildings originally held a furniture warehouse and a dry goods warehouse. Note the large window openings and lack of architectural ornament below the cornice level.*



## Classical Revival (1890-1950)

The Classical Revival or Neoclassical style is based on interpretations of classical Greek and Roman architecture. It emphasizes order, symmetry, and detail to create a composition of formal and symmetrical features. The Greek Revival style is a classical revival style popular in the late 18th and early 19th centuries. Common character defining features of the Classical Revival style include overall symmetry, flat roofs with parapets, and entry porches with classical columns and triangular pediments, which sometimes reach two stories. Keystone lintels over windows and doors, moldings and cornices featuring dentils and modillions, dormers, and prominent curved or arched center windows on second stories are also common features.



*Photograph 5: View of the Classical Revival Orpheum Theatre on N. 2<sup>nd</sup> Ave. E. Note the pediment, ionic pilasters, and keystone window lintels at the 3<sup>d</sup> story.*

## Gothic Revival (1835-1930)

The Gothic Revival style emerged during the 1830s and 1840s but continued to be popular style into the 20th century, particularly for religious architecture. The style was popularized in the pattern books of Andrew Jackson Downing, the American landscape architect who championed the Picturesque movement which stressed the naturalism and felt that buildings should blend into their environment. It was the earliest of the Victorian styles to challenge classical norms, abandoning the symmetry and order of Classicism in favor of asymmetry and variety in texture and color. The style is typified by an asymmetrical plan and steeply pitched gables and pointed arches. Character defining features of the Gothic Revival style include an emphasis on verticality in proportions, use of “gingerbread” and scrolled woodwork detailing, and diamond-pane casement windows.



*Photograph 6: View of the Gothic Revival building at 13 W. Superior Street. Note the gabled parapet and pointed arch windows at the third story.*

## Italianate (1840-1890)

The Italianate style was most popular from the 1830s through the 1870s and is a romanticized interpretation of rural Italian villas and Renaissance town palaces. It was used in both rural and urban settings, with villa-like dwellings seen in rural and suburban areas, and Italianate facades seen on urban commercial buildings. Like the Gothic Revival, the style was also featured in the pattern books of Andrew Jackson Downing. It is typified by flat or low-pitched roofs with overhanging eaves, large, bracketed cornices, squared towers or cupolas, and narrow window openings with round or segmental arches, decorative hoods and protruding sills. Most examples are symmetrical, although some may have a corner tower. Windows are typically two-over-two or one-over-one.



*Photograph 7: View of the Italianate building at 120 E. Superior St.*



## Art Deco and Art Moderne (1925-1940)

The Art Deco style emerged in the 1920s and was popular throughout the 1930s. The style reflected a rejection of historic styles and emphasized modernity. It features highly stylized ornament based on geometric forms. Stylized floral motifs and repetitive geometric forms incorporating sharp angles and segments of circles, zigzags, chevrons, and diamond patterns are typical. These elements are often applied as decorative moldings or masonry patterns, sometimes in low-relief, and are concentrated around doors, windows, and parapets. The style emphasizes verticality and Art Deco buildings often feature rounded or angular corner windows and building entrances embellished with geometric motifs. Surface finishes emphasize modernity and smooth concrete, shiny steel, glazed tiles, mirrors, and glass are common.

The Art Moderne style is a later evolution of Art Deco that emerged in the 1930s. The style is also known as “Streamline Modern” and incorporates the machine aesthetic into architecture to emulate motion and efficiency. Common features include asymmetrical facades, a combination of rounded corners and angular shapes, the use of glass block, and the use of “porthole” window openings and metal railings.



*Photograph 8: View of the NorShor Theater with its Art Moderne marquee from a 1941 renovation.*

## Italian Renaissance Revival (1890-1930)

The Italian Renaissance Revival emerged as a popular architectural style at the end of the 19th century. The style utilizes architectural features commonly found in Renaissance period architecture in Italy, including rounded arches, arcades, balustrades, and classical pilasters or columns. Italian Renaissance Buildings are constructed almost exclusively of masonry, and the style became more popular as masonry veneer construction technology advanced in the early 20th century. Many buildings of this style feature rusticated masonry at the first story façade, and smooth ashlar stone or terracotta above. The style is utilized most often on large scale, architect designed buildings.



*Photograph 9: View of the Italian Renaissance Revival Greysolon Plaza (Hotel Duluth) at the corner of E. Superior St. and N. 3rd Ave. E.*

## Tudor Revival (1890-1940)

The Tudor Revival style emerged at the end of the 19th century and became one of the most popular styles of domestic architecture in the early 20th century, although it was also adapted to commercial structures. The style utilizes a variety of design elements from late medieval England to create this eclectic aesthetic. Common architectural features on Tudor Revival Buildings include steeply pitched gables, decorative half-timbering, and leaded glass windows often in a diamond pattern. Buildings of this style are usually clad with decorative brick patterns, stone, or have a stucco finish.



*Photograph 10: View of the Tudor Revival building at the corner of N. 1st Ave W. and W. 1st St. Note the decorative half-timbering at the second story.*



## Chapter 4. Design Principles

### 4.1. Unity

The term “unity” refers to the effect created when all of the buildings in a district or area conform to a particular defined range of overarching building characteristics, including height, alignment, scale, massing, and spacing. This unity can be disrupted by new construction that is not consistent with such conventions.

### 4.2. Scale

The term “scale” refers to the size of a building in relation to the surrounding buildings. Scale can be expressed through the size of a building itself (the height and width, number of stories, etc.) as well as through the size of building elements (the doors, windows, columns, staircases, etc.). Most buildings are described as being “human in scale,” however, many civic buildings are “monumental” in scale. Buildings that are “human in scale” have features, such as windows and doors, sized to comfortably support human use, while buildings that are “monumental” in scale typically have over-sized features designed to impart a symbolic sense of importance.

### 4.3. Massing

The term “massing” refers to the large-scale units that comprise a building. These masses define the overall shape and form of a building. In the Commercial Historic District, most buildings consist of a single mass that may be boxy in form. They may be vertical (tall and narrow) or horizontal (wide and short) in character. A building’s massing is a central part of its architectural design and can be altered through additions or demolition of parts. Alteration of a building’s massing can adversely affect its overall form and diminish its historic integrity.



*Figure 6: Diagram showing the typical unity, scale, and massing within the Duluth Commercial Historic District.*



*Figure 7: Diagram showing the effect of inappropriate infill. The infill in the upper streetscape is inappropriate in height, scale, and style, and disrupts the rhythm and unity of the block.*

#### 4.4. Proportion

The term “proportion” refers to the visual effect of the relationship between architectural elements and the building as a whole. Proportions may be expressed as mathematical ratios drawn from classical architectural theory, which may be used to determine the placement and size of architectural features including windows, doors, columns, etc.

#### 4.5. Rhythm

The term “rhythm” refers to the repetition of architectural forms along a streetscape. Width, height, spacing, setback, and orientation, as well as the placement of architectural features such as cornice lines, windows, and doorways contribute to the rhythm of the street. Demolition of existing historic structures, or the construction of new buildings which are incongruous with height, spacing, or other rhythm-defining elements can disrupt the historic rhythm of the street and alter the overall character of the historic district.

#### 4.6. Setback

The term “setback” describes the distance between a building and its property line. For the purposes of this document, it generally refers to the setback from the street-adjacent property boundary. For example, many residential properties are set back approximately 25 feet from the property line, creating an open space between the front of the house and the street, forming a front yard. Many commercial properties, however, have little to no setback. In the Duluth Commercial Historic District, most buildings are constructed to fill the property lines, creating a continuous wall of buildings along the sidewalk.

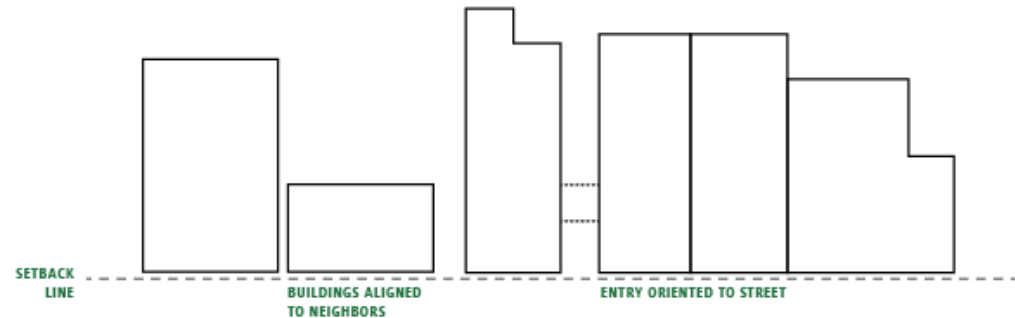
#### 4.7. Orientation

The term “orientation” refers to the direction that a building faces in relation to the street. Most buildings are oriented so that the main entrance on the primary façade faces the street.

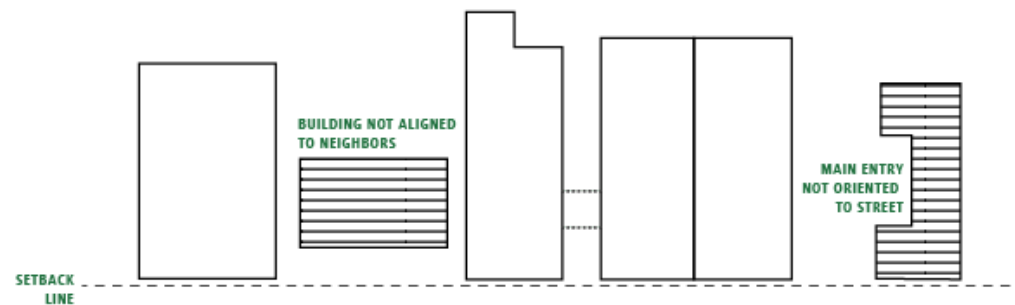
#### 4.8. Alignment

When buildings on the same street are constructed with the same setback distance, they are aligned to one another.

### ORIENTATION AND ALIGNMENT



### INAPPROPRIATE



### APPROPRIATE

Figure 8: Diagram showing examples of inappropriate and appropriate setback, alignment, and orientation.



#### 4.9. Symmetry

The term “symmetry” refers to a façade arrangement in which both sides are equal in proportion and arrangement of architectural features. “Asymmetry” by contrast refers to a façade arrangement in which elements are arranged with emphasis on one side of the façade. The use of symmetry or asymmetry in architectural design can be associated with particular architectural styles. A building’s symmetry or asymmetry should be maintained.

#### 4.10. Height

A building’s height is determined by the number of stories, as well as the shape of the roof and the presence or absence of projecting features such as chimneys or towers. The relationship of the height of buildings to their neighbors along a street contributes to the overall street rhythm. While it may be appropriate in some cases to increase the height of an existing building, the overall rhythm of the streetscape should be considered and respected.

#### 4.11. Style

A building’s architectural style is defined by its overall appearance and common features which refer to particular trends that were in use in the region and time period in which the building was designed and constructed. Each architectural style combines qualities of massing, scale, proportion, rhythm, detail, and ornamentation. See [Chapter 3. Architectural Style Guide](#) for descriptions of architectural styles represented in the Duluth Commercial Historic District.

## Chapter 5. The Secretary of the Interior's Standards for Rehabilitation

These guidelines are based on the overarching guidance provided by the Secretary of the Interior's Standards for Rehabilitation. These guidelines have been expanded and refined since their development in 1979. They are used by the National Park Service to determine if proposed rehabilitation of an historic building will be sensitive to its historic integrity. The standards are broad, as they are designed to apply to the rehabilitation of historic properties throughout the United States. The standards are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



## **Chapter 6. Guidelines for Contributing Buildings**

The following guidelines are intended to provide a clear framework for making sure that changes to the exterior of historic properties within the Commercial Historic District are made appropriately and consistently. The following sections contain universal guidance which pertains to all buildings in the district, as well as guidance which is particular to existing buildings, new construction, additions, signs, and streetscape elements.

- 6.1. ADA Ramps**
- 6.2. Building Materials**
- 6.3. Colors**
- 6.4. Decorative Architectural Features**
- 6.5. Doors and Entrances**
- 6.6. Exterior Lighting**
- 6.7. Fire Escapes and Exterior Stairs**
- 6.8. Gutters and Downspouts**
- 6.9. Paint**
- 6.10. Parapets and Cornices**
- 6.11. Rear and Lateral Additions**
- 6.12. Roofs**
- 6.13. Storefronts**
- 6.14. Utilities**
- 6.15. Walls**
- 6.16. Windows**

## **Chapter 7. General Guidelines for New Construction**

- 7.1. ADA Ramps**
- 7.2. Building Height, Scale, and Massing**
- 7.3. Building Materials**
- 7.4. Building Siting & Relationship to Street**
- 7.5. Colors**
- 7.6. Decorative Architectural Features**
- 7.7. Doors**
- 7.8. Exterior Building Lighting**
- 7.9. Fire Escapes and Exterior Stairs**
- 7.10. Ground-floor and Upper-floor Configuration**
- 7.11. Gutters and Downspouts**
- 7.12. Infill**
- 7.13. Moving Buildings and Demolition**
- 7.14. Parapets and Cornices**
- 7.15. Parking Structures**
- 7.16. Rear and Lateral Additions**
- 7.17. Relation of Size and Scale to Adjacent Buildings**
- 7.18. Roofs**
- 7.19. Skywalks**
- 7.20. Storefronts**
- 7.21. Utilities**
- 7.22. Vacant Lots**
- 7.23. Windows**

## **Chapter 8. Guidelines for Signage**

- 8.1. Awnings and Canopy Signs*
- 8.2. Directory and Tenant Signs*
- 8.3. Historic Signs*
- 8.4. Internally Illuminated Signs*
- 8.5. Menu Boards*
- 8.6. Monument signs*
- 8.7. Projecting Signs*
- 8.8. Wall Signs*



## **Chapter 9. Guidelines for Streetscape Elements**

*9.1. Alleys*

*9.2. Bridges*

*9.3. Lighting*

*9.4. Open Space*

*9.5. Parking*

*9.6. Pedestrian Walks and Curbs*

*9.7. Public Art*

*Guideline 1. Public Murals*

*Guideline 2. Public Sculpture*

*9.8. Public Signs*

*9.9. Street Furniture*

*9.10. Street Paving*

*9.11. Street Trees and Planting*

*9.12. Traffic and Pedestrian Signals*

*9.13. Utilities*

## **Chapter 10. Guidelines for Moving Buildings**

*10.1. Guidelines for Relocation to a New Site*

*10.2. Vertical Relocation*

## **Chapter 11. Guidelines for Demolishing Buildings**

*11.1. Avoid Demolition*

*11.2. Demolition by Neglect*



## **Chapter 12. Heritage Preservation Commission and Review Process**

### **12.1. Heritage Preservation Commission (HPC)**

The City of Duluth's Heritage Preservation Commission consists of seven members, all of whom are citizens of the city. Five of these members are appointed by the mayor and city council, one is a member of the county historical society, and one is appointed by the planning commission. The commission's members have a demonstrated interest in the historical, cultural, or architectural development of the city, or own property within a historic preservation district. At least two of the appointed members are preservation-related professionals.

The HPC has the responsibility of recommending to the City Council the adoption of ordinances designating areas, places, buildings, structures, works of art, or other objects having special historical, cultural or architectural interest for the community as historical preservation landmarks or districts.

The HPC also has the responsibility to review and vote on applications for historic construction/demolition applications that take place within Historic Preservation Districts with a Historic Resources zoning Overlay.

## 12.2. Historic Resources Overlay (HR-O)

The Duluth Commercial Historic District is zoned with a Historic Resource Overlay (HR-O). This overlay is among several special zoning ordinances in Duluth used to guide development in specific areas of the city. The HR-O is a zoning tool used to preserve, protect, and promote any areas, places, buildings, structures, lands, districts, and other objects having a special historical, community or aesthetic interest or value. The HR-O:

1. Safeguards the heritage of the city by preserving properties that reflect elements of the city's cultural, social, economic, political, engineering, visual, or architectural history.
2. Protects and enhances the city's appeal and attraction to residents, visitors, and tourists, while enhancing its economic viability through the protection and promotion of its unique character as related to its history and heritage.
3. Enhances the visual and aesthetic character, diversity, and interest of the city.
4. Fosters civic pride in the beauty and notable accomplishments of the past.
5. Promotes the preservation and continued use of historic properties for the education and general welfare of the people of the city.

The HPC currently administers two additional historic preservation districts with HD-Os; the Duluth Civic Center Historic District and the Duluth State Normal School Historic District.

### 12.3. Overview of the Review Process

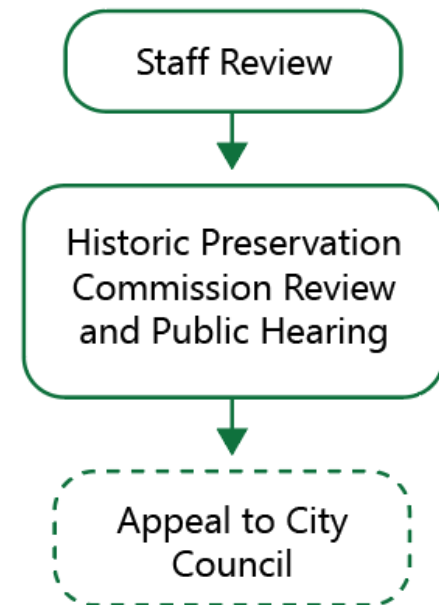
Proposals for alterations, additions, or demolitions within the Duluth Commercial Historic District require approval from the city’s Heritage Preservation Commission (HPC). Applicants must submit a historic construction/demolition permit to the Commission.

The following activities conducted within the Duluth Commercial Historic District require approval from the HPC:

1. Remodel, repair, or alter in any manner that will change the exterior appearance of a building, structure, or site
2. New construction, including parking facilities.
3. Moving a building.
4. Change the nature or appearance of a designated historic preservation landmark or district, including landscape features.
5. Demolition in whole or in part.

Applicants may request a pre-application meeting with City Staff and the HPC. A pre-application meeting is an informal discussion between a potential applicant, interested citizen, city staff, and the HPC regarding a possible project subject to HPC review. The purpose of the pre-application meeting is to assist the applicant by identifying the types of approval needed to complete the project, application material and impact studies required, applicable comprehensive plan provisions, and applicable review criteria. A pre-application meeting may include a site visit at the request of the city. The review process is intended to be as simple as possible, with minimum delay to the start of projects. You can help keep review times as short as possible by providing all required information about your proposal when submitting your application. Materials to be

#### HISTORIC CONSTRUCTION/ DEMOLITION PERMIT REVIEW





submitted may include architectural plans, site plans, landscaping plans, construction methods, proposed signs with appropriate detail as to character, proposed exterior lighting arrangements, elevations of all portions of structure with important relationships to public view (with indications as to visual construction materials, design of doors and windows, colors, and relationships to adjoining structures), and other exhibits and reports as are necessary for its determinations.

Alterations or additions to buildings within the historic district will be reviewed by the HPC for consistency with the historic design features of the existing building as well as for their contribution and compatibility with the Historic District as a whole. The context of a historic building is defined by historic and environmental features that make up the setting and collectively contribute to the district's overall identity and character. More specifically, the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings define a district or neighborhood setting as the area or environment in which a historic property is found. It may be an urban or suburban neighborhood or a natural landscape in which a building has been constructed. Character-defining features within the context of a neighborhood would include the buildings in the district, the relationship of those buildings to one and other, their scale and massing, setbacks, fence patterns, views, driveways and walkways, and street trees and plantings that come together to make up the overall setting. Loss of, or negative impact on, the character-defining features of the neighborhood setting affects the historic integrity of the district as a whole. For this reason, alterations to the front façade of properties within the historic district are the most heavily scrutinized by the HPC as they have the greatest potential to alter the appearance of the district as a whole.

The HPC will consider the proposed project's impact on a property's character-defining features. The term "character-defining features" refers to all of the individual components of a property which make up its historic character. These features include small-scale elements, such as the building's historic windows, doors, trim, and other details, as well as larger-scale features, like the building's overall shape, the arrangement of window and door openings, and its site and setting. These features are integral to a building's historic identity and should be retained and preserved.

The HPC will review the application, and the applicant will have an opportunity to present the project to the Commission at a regularly scheduled public hearing. The commission will determine if the application complies with all applicable provisions and the work to be performed shall not adversely affect the historic preservation district based on these historic preservation guidelines and the Secretary of the Interior's Standards for Rehabilitation. The commission will either adopt (approve), adopt with modifications, or

deny the application. If the applicant takes issue with the HPC ruling, they have the right to appeal. An appeal of the HPC's decision will then be heard by the Duluth City Council.

## Appendix A. Glossary

### A

**Accessory (or Ancillary) Building.** A subordinate building or a portion of a main building, located on the same lot and used for purposes incidental to the dominant use of the main building or premises.

**Adaptive Use.** - The adaptation of an historical or architectural resource to accommodate uses for which the resource was not originally constructed. Alterations to accommodate the new use are undergone in such a way which maintains the general historical and architectural character.

**Addition or Expansion.** An increase in floor area of a building, or a modification to the roof line of a building, such as the construction of a dormer or addition of a new story, that increases the amount of floor space devoted to human use or occupancy.

**Alignment.** Arrangement along a straight line.

**Alley.** A public right-of-way that normally affords a secondary means of access to abutting property.

**Alteration.** Any change in size, shape, character, occupancy, or use of a building or structure.

**American Bond.** Also known as Common Bond. The pattern of laying bricks in which several horizontal rows (usually an odd number - three, five, or seven) of stretchers are placed between every row of headers.

**Alteration.** Any change, modification or addition to a part or all of the exterior of any building or structure.

**Appurtenances.** An object added to a building, including vents, exhausts hoods, air conditioning units, antennas, satellite dishes, etc.

**Applied.** Placed upon, as in "applied ornamentation." For example, a piece of decorative molding applied to a wider plain board.

**Appropriate.** Typical of the historic architectural style represented by a particular building, compatible with the character of the surrounding historic district, and consistent with local preservation criteria and guidelines.



**Architectural Shingles.** Composition asphalt roof shingles that are heavier weight. They may be irregularly sized and are designed to resemble the random textured look of wood or slate shingles.

**Architectural Style.** A category of architecture of buildings distinguished by similar characteristics of construction, design, materials, and other character-defining features. See [Chapter 3. Architectural Style Guide](#) for additional information.

## B

**Baluster.** An upright, often vase-shaped, support for a rail (ex: on a stairway or porch).

**Balustrade.** A series of balusters with a rail.

**Bay Window.** An alcove of a room projecting from an outside wall with its own windows.

**Belt Course.** A molding or course running horizontally along the façade of a building. It may be flat or projecting.

**Beveled Glass.** A glass pane having a taper across one or more edges.

**Bracket.** A right-angled support member attached to and projecting from a wall, to support a projecting element, as in a supporting bracket for a shelf or cornice.

**Brick Bond.** The pattern in which bricks are laid, determined by the relationship of headers and stretchers.

**Broken Pediment.** A triangular element which is interrupted by a recess which "breaks" the top angle.

**Building.** A resource created principally to shelter any form of human activity.

**Building Permit.** An approval statement signed by the Building Permit Office authorizing the construction, alteration, reconstruction, repair, restoration, demolition or razing of all or a part of any building.

**Building Type.** Describes a structure's function and form. Building types, such as "One-Part Block," "Two-Part Block," or "Three-Part Block" buildings are sometimes associated with one or more architectural styles. See [Chapter 3. Architectural Style Guide](#) for additional information.

**Bulkhead.** The section of a storefront that forms the base for the display windows. The bulkhead provides a transition between the ground and storefront glazing area.

## C

**Canopy.** A roof-like structure, or cloth covering positioned horizontally over an entrance.

**Cantilever.** A projection, as of a beam or part of a structure, supported only at one end.

**Capital.** The top decorated member of a column or pilaster crowning the shaft and supporting the entablature.

**Casement.** A hinged window frame that opens horizontally like a door.

**Casing.** Moldings around windows and doors.

**Character.** Attributes, qualities, and features that make up and distinguish a particular place or development and give such a place a sense of definition, purpose, and uniqueness.

**Character-Defining.** Those architectural materials and features of a building that define and are integral to the historic character of that building. Such elements may include the form of the building, exterior cladding, roof materials, door and window design, exterior features, ornamentation, surrounding landscape elements, etc.

**Clapboard.** Wooden siding, also called weatherboard.

**Classical.** Pertaining to the architecture of ancient Rome and Greece.

**Column.** An upright structure generally consisting of a cylindrical shaft, a base, and a capital; usually a supporting or ornamental member in a building.

**Common Bond.** See American Bond.

**Compatibility.** The characteristics of materials, uses, or activities that permit them to be located near each other in harmony and without visual conflict.

**Conservation.** The sustained use and/or appearance of a building, structure, or area, maintained essentially in its existing state.

**Contemporary.** - Existing or happening in the same time period; from the same time period.

**Contemporary Architecture.** A style of architecture that pulls from a combination of modern styles, relying on few classical building ideas.

**Corbel or Corbelling.** In masonry, a projection or one of a series of projections, each stepped out further than the one below it; most often found on brick walls and chimneystacks.

**Corbelled.** Furnished with a bracket or block projecting from the face of a wall to bear weight, generally supporting a cornice, beam, or arch.

**Contributing Properties.** Properties designated on the inventory map of landmarks and contributing properties of Pulaski as adopted by ordinance which generally contribute favorably to the general character of the Commercial Historic District.

**Coping.** The protective uppermost course of a wall or parapet.

**Corinthian Order.** The most ornate of the Greek orders of architecture characterized by its bell-shaped capital enveloped with acanthus designs.

**Cornice.** A continuous projection at the top of a wall. The top course or molding of a wall when it serves as a crowning member.

**Course.** A continuous row or layer of stones, tiles, bricks, shingles, etc. in a wall.



## D

**Demolition.** The dismantling or tearing down of all or part of any building.

**Demolition by Neglect.** The act or process of deferring or neglecting the maintenance and repairs of a building, allowing the building to deteriorate to the point where demolition may be necessary.

**Dentils.** Small rectangular blocks in a series, usually on a molding.

**Detail.** A small piece of the overall character of a building, which contributes to its architectural significance.

**Display Window.** A large area of glass within a storefront opening, designed to showcase goods or products.

**Dormer.** A window set upright in a sloping roof. The term is also used to refer to the roofed projection in which this window is set.

**Door Frame.** The part of a door opening to which a door is hinged, consisting of consists of two vertical members called jambs and a horizontal top member called a lintel or head.

**Door Jamb.** The vertical portion of the door frame onto which the door is attached.

**Doric Order.** A classical order most readily distinguished by its simple, unornamented capitals.

**Double-hung window.** A window with two sashes (the framework in which windowpanes are set), each movable. In historic double-hung windows, the sashes are moved by a means of cords and weights.

## E

**Eaves.** The projecting overhang at the lower edge of a roof.

**Eclectic.** Composed of elements selected or chosen from several sources.

**Elevation.** A flat representation of the vertical view of one side of a building's exterior. The front elevation is often referred to as the façade.

**Engaged Columns.** Columns partly embedded in a wall, often referred to as half-round columns.

**English Bond.** The pattern of laying bricks in which horizontal rows of headers are alternated with horizontal rows of stretchers.

**Entablature.** In classical architecture, the part of a structure between the column capital and the roof or pediment; comprised of the architrave, frieze, and cornice.

**Entry.** A door or passage used to enter a building.

**Elevation.** A mechanically accurate, "head-on" drawing of a face of a building or object, without any allowance for the effect of the laws of perspective. Any measurement on an elevation will be in a fixed proportion, or scale, to the corresponding measurement on the real building.

## F

**Façade.** The front or principal face of a building, any side of a building that faces a street or other open space.

**Fanlight.** A semicircular or semielliptical window above a door.

**Fascia.** The flat band or board around the edge of a roof or a part of the entablature.

**Fenestration.** The arrangement of windows and other exterior openings on a building.

**Finial.** An ornament at the top of a spire, gable, pinnacle, or other vertically projecting member.

**Flashing.** Sheet metal or other flexible material formed to prevent water from entering a building or structure at joints or intersections, such as where a roof intersects a wall or chimney.

**Flemish Bond.** The pattern of laying bricks in which every horizontal row is characterized by alternating headers and stretchers. (See "Brick Bond")

**Fluting.** Decorative vertical grooves; usually found on columns or pilasters.

**Form.** The overall shape of a structure (ex: most structures are rectangular in form).

**Foundation.** A foundation is the supporting portion of a structure below the first-floor construction, or below grade, including the footings.

**French Door.** A door having rectangular glass panes extending throughout its length, often hung in pairs. Also called a casement door.

## G

**Gable.** The triangular wall segment at the end of a ridged roof.

**Gable Roof.** A roof which forms a gable at each end.

**Gallery.** A roofed promenade extending along the wall of a building or a narrow balcony, usually having a railing or balustrade, along the outside of a building.

**Gambrel Roof.** A ridged roof with two slopes on each side, the lower slope having the steeper pitch.

**Glazing.** Fitting glass into windows and doors.



## H

**Half-Story.** A partial story under the roof, usually denoted by the presence of dormer windows or by full windows within gables.

**Half-Timbering.** A wall construction in which the spaces between members of a timber frame are filled with brick, stone, or other material.

**Hardscape.** Portions of the exterior environment that is constructed with masonry or other impermeable materials, including sidewalks, driveways, or patios.

**Head.** The top horizontal member over a door or window opening.

**Height.** The vertical distance from the average grade level to the average level of the roof.

**High Style.** The more ornately detailed version of a particular architectural style; used in contrast to simpler examples. See [Chapter 3. Architectural Style Guide](#) for further information.

**Hipped Roof.** A roof with four uniformly pitched sides.

**Historic.** Important in history; distinguished from “historical,” which conveys the sense of things or events related to the past.

**Historic District.** An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

**Hood Molding.** A large molding over a window, originally designed to direct water away from the wall; also called a drip molding.

## I

**In-Kind Replacement.** To replace a feature of a building with materials of the same characteristics, such as size, proportion, design, material, texture, color etc.

**Infill Construction.** New construction on vacant lots or replacement of blighted or thoroughly deteriorated structures within existing neighborhoods or developments.

**Integrity.** The ability of a property to convey its historic significance through the retention of its historic location, design, setting, materials, workmanship, feeling, and association.

**Ionic Order.** A classical order distinguished by the form of the capital, with a spiral scroll, called a volute, on either side.

## J

**Jerkinhead Roof.** A gable roof where the peak is clipped, forming a slope and resulting in a truncated gable on the wall below. Also known as a clipped gable roof.

**Jalousie.** A type of window comprised of a series of horizontal slats connected to a mechanical device operated by a crank.

## K

**Keystone.** A wedge-shaped stone at the top of a masonry arch.

**Kickplate.** A metal plate (usually brass) attached to the bottom of a door to protect the door from damage.

## L

**Lancet.** A narrow, pointed arch.

**Landscape.** The whole of the exterior environment of a site, district, or region, including landforms, trees, plants, bodies of water, and the built environment.

**Landscape Elements.** Those elements that contribute to the landscape, such as exterior furniture, decks, patios, outdoor lighting, and other elements that may be located in conjunction with a landscape.

**Lattice.** A panel of crisscrossed, diagonal, or perpendicular slats, often of wood.

**Leaded Glass.** Small panes of glass which are held in place with lead strips; the glass may be clear or stained.

**Light.** A section of glass within a window, also called “pane” or “sash light.”

**Lintel.** A beam over an opening in a wall or over two or more pillars.

## M

**Maintenance and Repair.** Any work required to remedy damage or deterioration of a building, building elements, or the surrounding site, that involves no change in materials, dimensions, design, configuration, texture, surface coating, or visual appearance. This includes cleaning, repainting, in-kind repairs, yard maintenance, etc.

**Mansard Roof.** A roof that has two slopes on all four sides.

**Mass or Massing.** The arrangement and proportions of a building’s basic geometric components.



**Masonry.** Construction materials such as stone, brick, concrete block, or tile.

**Material.** Material refers to the physical elements that were combined or deposited in a particular pattern or configuration to form a historic resource.

**Medallion.** An oval or circular design or carving.

**Meeting Rail.** The place in the middle of a single- or double-hung window where the upper and lower sashes meet, where the lock is typically located.

**Modillion.** An ornamental bracket used in series under a cornice.

**Modify/Modification.** To make changes to an existing structure; those changes made to an existing structure.

**Module.** The appearance of a single facade plane, despite being part of a larger building. One large building can incorporate several building modules.

**Molding.** A decorative band or strip of materials with continuous decorative profile or section, generally used in cornices and as trim around window and door openings. A continuous decorative band that is either carved into or applied to a surface.

**Mortar.** The materials, generally composed of sand and lime or cement, used to fill the joints of masonry.

**Mortar Joint.** The space between masonry units, such as brick or stone, which is filled with mortar to transfer the load, provide a bond between the units, and keep out the weather.

**Mortar Mix.** The composition (and proportions of these ingredients) of the mortar used in masonry.

**Muntin.** A member supporting and separating panes of glass in a window or door.

**Mullion.** A vertical member supporting and/or separating windows, doors, or panels set in a series.

## N

**Natural Features.** Features or elements of the exterior environment that are substantially unaltered by human activity such as landforms, trees, plants, and bodies of water.

**Neoclassical.** A revival or adaptation of a classic style of architecture.

**New Construction.** The act of adding to an existing structure or erecting a new principal or accessory structure or appurtenances to a structure, including but not limited to buildings, extensions, outbuildings, fire escapes, and retaining walls.

**Non-Contributing Building/Structure/Site.** A building, object, site, or structure that neither adds to nor detracts from a district's sense of time and place and historical development. Usually non-historic, or historic but outside the relevant historic period of contributing structures within the district.

## O

**Object.** A material thing of functional, artistic, cultural, historical, or scientific value that may be by nature or design, movable, yet related to a specific setting or environment (ex: a sculpture, fountain, or statue).

**Order.** Any of several specific styles of classical and Renaissance architecture characterized by the type of column used (e.g., Doric, Ionic, Corinthian, Composite, Tuscan).

**Oriel Window.** A bay window projecting from an upper story, usually supported by a corbel or bracket.

**Orientation.** The relationship of a building to the street. The entrance to the building plays a large role in the orientation of a building. A building with a main entrance facing the street is oriented toward that street.

**Ornamentation.** Any decorative objects or series of objects, which are added to a form to enhance its visual appearance.

## P

**Palladian Window.** A three-part window opening with a large arched central light and flanking rectangular side lights.

**Panel.** A sunken or raised portion of a door set into a frame which forms a border.

**Parapet.** An upward extension of a building wall above the roofline. Often shaped or ornamented, they were often used to create greater perception of height or a better sense of proportion.

**Pediment.** A wide, low-pitched triangular section framed by a horizontal molding on its base and two sloping moldings on each of its side, surmounting the facade of a building in a classical style. Also used as a crowning member of doors, windows, and mantels.

**Period of Significance.** Span of time in which a property significant associated.

**Pier.** An upright support for a structure, such as for a porch column.

**Pilaster.** A shallow column attached to a wall.

**Pillar.** A vertical supporting member in a building, may be ornamental.

**Pitch.** The angle of slope.

**Portico.** A porch having a roof, often with a pediment supported by columns or pillars.

**Post.** A piece of wood, metal, etc. usually long and square or cylindrical, set upright to support a building, sign, gate, etc.

**Preservation.** The act or process of applying measures to sustain the existing form, integrity, materials, and overall historic character of a building, structure, object, or site. It may include initial stabilization work as well as ongoing maintenance of the historic building materials.

**Pressed Metal.** Thin sheets of metal molded into decorative designs and generally used to cover interior walls and ceilings.



**Proportion.** The dimensional relationship between one part of and another. Façade proportions involve relationships such as height to width, the percent of the façade given to window and door openings, the size of these openings, and floor-to-ceiling heights. Often described as a ratio, proportions may be vertical (taller than wide), horizontal (wider than tall), or non-directional (equally tall and wide).

## Q

**Quoin.** The corner of a masonry structure constructed using masonry blocks laid in a specific, decorative manner. Any of the stones used in forming the corner can also be called quoins. They are often large and dressed or arranged so as to form a decorative contrast with the adjoining walls.

## R

**Rafter.** Any of the parallel beams that support a roof.

**Rafter Tail.** Exposed rafter end, visible from the exterior supporting the eave.

**Ramp.** A sloped surface that makes a transition between two different levels; typically used to provide access to a building or raised surface for those persons with disabilities.

**Recessed Entry.** An entry set back from the building façade. For example, many historic storefronts step in towards the interior of the building at the entry point.

**Reconstruction.** Any or all work needed to remake or rebuild all or a part of any building to a sound condition, but not necessarily of original materials.

**Rehabilitation.** The act or process of returning a property to a state of utility through repair or alteration which makes contemporary possible use while preserving the features of the property which are significant to its historical, architectural and cultural value.

**Renovation.** The act or process of repairing and/or changing an existing building for new use or to make it functional; this may involve replacement of minor parts.

**Repair.** Any or all work involving the replacement of existing work with equivalent material for the purpose of maintenance, but not including any addition, change, or modification in construction.

**Replacement.** To interchange a deteriorated element of a building, structure, or object with a new one that matches the original element.

**Replicate.** To copy or reproduce an historic building or building element.

**Repointing.** Repairing existing masonry joints by removing defective mortar and installing new, compatible mortar. The new mortar should match the historic mortar as closely as possible in terms of materials and proportions of materials to ensure compatible hardness and compressive strength.

**Restoration.** The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

**Reveal.** The vertical side of a door or window opening between the frame and the wall surface.

**Rhythm.** The repetitive use of a group of visual elements, to establish a recognizable pattern.

**Ridge.** The horizontal line where the upper slopes of a roof meet.

**Rustication.** Masonry cut in massive blocks separated from each other by deep joints.

## S

**Sash.** A frame in which the panes of a window are set. The sash may consist of one large pane of glass or may be subdivided into smaller panes by thin member called muntins or glazing bars.

**Screening.** Construction (such as a fence) or vegetation of which the essential function is to separate, protect, conceal, or shield from view but not support.

**Scale.** A building's size in relation to other buildings.

**Setback.** A distance from a curb, property line, or structure within which building is prohibited, as defined in the municipal zoning ordinance. Also, an architectural device in which the upper stories of a tall building are stepped back from the lower stories.

**Setting.** The surrounding buildings, structures, monuments, or landscape that provides visual aesthetics or auditory quality to historic or architectural resources.

**Shaft.** The main part of a column between the base and the capital.

**Shed Roof.** A roof with a single slope, resembling a lean-to. Shed roofs are often used for extensions of gable roofs or for additions or porches.

**Shutter.** A solid panel of wood or metal made to close over a window.

**Sidelight.** A fixed sash located beside a door or window, usually found in flanking pairs.

**Sill.** The lowest horizontal member in a frame or opening for a window or door. Also, the lowest horizontal member in a framed wall or partition.

**Site.** The land upon which a significant event, activity, building, structure, archaeological resource, or another feature is located.

**Soffit.** The undersurface of any overhead component of a building, such as an arch, balcony, beam, cornice, or roof overhang.



**Spandrel.** The triangular space between adjacent arches and the horizontal molding, cornice or framework above them. Also, the horizontal panels below and above windows between the continuous vertical piers in skeleton frame construction.

**Stile.** A vertical piece in a panel or frame, as of a door or window.

**Stabilization.** The fact or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property.

**Storefront.** The street level facade of a commercial building, usually having display windows. See [Chapter 6. Guidelines for Existing Buildings, Subsection 6.2. Storefronts](#) for additional information.

**Storefront Column.** Vertical elements within the storefront opening that help support the lintel.

**Story.** The space between two floors of a structure or between a floor and roof.

**Streetscape.** The collective elements of a street which determine its overall character. Buildings, their setbacks, vegetation, sidewalks, and other elements contribute to the streetscape.

**Street Wall.** A wall of building facades that define the edge of a street.

**Stretcher.** The long end of a brick when laid towards the face of a wall.

**String Course.** A narrow horizontal band projecting from the exterior walls of a building, also known as a "stringcourse." It is often located between the stories of a building, defining the interior floor levels.

**Stucco.** A masonry material applied as exterior wall covering.

**Surround.** The term applied to the outside of a window or door opening. It is also called "casing."

**Synthetic Materials.** Building materials that are manufactured with man-made or artificial components as opposed to traditional materials derived from natural sources, such as plants, trees, or earth (e.g. vinyl, aluminum, fiber cement, plastic resin). Such materials are often engineered or otherwise designed to mimic the texture and appearance of traditional materials.

## T

**Terracotta.** A fine-grained, brown-red fired clay used for roof tiles and decoration. May or may not be decorated or covered with colored or clear glazes.

**Texture.** The feel, appearance, or consistency of a surface or substance.

**Tracery.** The cured mullions or bars of a stone-framed window. Also, ornamental work of pierced patterns in or on a screen or window.

**Transom.** A small window or series of panes above a door, or another type of window such as a casement, double hung, or fixed window.

**Trellis.** An open grating or latticework of either wood or metal placed vertically on a site and typically supported by wood columns; often used as a screen and usually supporting climbing vines.

**Turret.** A small, slender tower usually at the corner of a building.

## U

**Upper Façade.** The portion of the facade above the storefront display window. May be a plain surface on a one-story building or may contain rows of windows defining the number and location of floors in a multi-story building and may include decorative bands or patterns.

## V

**Vergeboard.** An ornately curved board attached to the projecting edges of a gable roof.

**Vernacular.** A building that does not have details associated with a specific architectural style, a simple building with modest detailing and form. See [Chapter 3. Architectural Style Guide](#) for additional information.

**Viewshed.** The portion of the surrounding environment that is visible from one or more viewing points.

**Visibility from A Public Way.** The ability to be seen from any public right-of-way, or other place, whether privately or publicly owned, upon which the public is regularly allowed or invited to be.

**Visual Continuity.** A sense of unity or belonging together that elements of the built environment exhibit because of similarities among them.

## W

**Weatherboard.** Clapboard; wooden siding.

**Workmanship.** The physical evidence of the crafts of a particular culture, people, or artisan.

## Y

**Yard.** An open space at grade, other than a court or plaza, between a structure and the adjacent lot lines.



## Z

**Zoning Overlay.** A planning tool used to regulate land use, building form, design, and compatibility of development.

## Appendix B. Substitute Materials

### 12.4. B.1. Appropriateness

Substitute materials are new materials or technology which are designed to simulate the appearance of a historic material. While the preferred method for treatment of historic properties emphasizes repairing original features to the greatest extent possible, and to replace historic features with like materials where repair is not possible, there are several instances in which utilizing substitute materials may be permissible. Situations in which the use of substitute materials may be appropriate include:

- When the historic material is unavailable (for instance, a particular type of stone, or old growth lumber)
- Where historic craft techniques or skilled artisans are not available
- When the historic feature has already been lost and little is known about its original appearance
- Where the historic material does not meet existing code requirements

Problems associated with using substitute materials include a lack of repairability and a lack of durability and/or a shorter lifespan as compared to traditional materials. Some substitute materials are physically incompatible with existing historic building fabric and can trap moisture or cause damage to remaining historic fabric due to incompatible thermal expansion and contraction. Substitute materials, including metal or vinyl and other substitute materials, should not be used to cover existing historic materials or features.

Substitute materials should not be used to replace sound historic materials for the sake of convenience. While synthetic materials such as vinyl siding may offer the allure of being “maintenance-free.” In reality, “maintenance-free” tends to translate to “not repairable.” A lack of repairability often drastically shortens the lifespan of such products in comparison to traditional materials.

Substitute materials should only be used if they will not damage existing historic features and if they will not negatively alter the appearance of the historic resource. The new material should mimic the original in form, profile, color, and perceived texture. Features that may seem like minor details, such as crisp edges on originals, can negatively impact the overall character of the building if they

are lacking on the replacements. The HPC will consider allowing the use of a substitute material in place of historic materials on a case-by-case basis and may approve or deny such materials based on each particular situation.

Factors that the Commission may consider when evaluating applications for the use of substitute materials include:

- Is the existing material historic?
- How durable is the new product vs. the old in the same environment?
- How similar is the new product in size, proportion, detail, profile, texture, and finish?
- Will the new product be physically compatible with the remaining materials?
- How much of the new material will be used?
- Where will the material be used?
- Will the new materials cover or replace existing historic fabric?



## **B.2. Common Applications for Substitute Materials**

The following outlines substitute materials commonly used in historic districts which may be appropriate for your proposed project. All projects located within the Commercial Historic District which involve the replacement of exterior elements require a COA. For additional information on using substitute materials in historic buildings, see the National Park Service's Preservation Brief 16: The Use of Substitute Materials on Historic Building Exteriors (see [Appendix C. Selected Bibliography](#) for links to this and additional resources).

### **Architectural Details and Trim**

Although retaining and maintaining historic wood trim and architectural details is the preferred approach for buildings within the Commercial Historic District, some situations may warrant replacement. High-quality synthetic products may be appropriate in some situations. Applications for the use of substitute materials will be considered on a case-by-case basis.

Cellular PVC board, often referred to by the proprietary name AZEK (although available from other manufacturers) is used to produce trim, moldings, and other decorative architectural elements. These products are durable, and most can be painted. In situations where the profile, size, and dimension of the element can be accurately reproduced, these products may be appropriate substitutes for original wood or plaster elements.

### **Doors**

Properly maintaining and preserving historic doors is the ideal approach. This is particularly so for the main entrance of a property. When a historic door needs to be replaced, it is typically due to deterioration, for increased security, or for code compliance. Replacement doors are manufactured in a wide variety of materials including wood, aluminum, steel, vinyl, fiberglass, and composites.

Metal doors may be appropriate for later architectural styles or non-visible elevations, and vinyl doors may be appropriate for non-visible elevations. For visible elevations, particularly, the main entry door, the replacement door should match as closely as possible the size, proportions, and configuration of the historic door that it is replacing. Consider retrofitting existing historic doors to make them code-compliant or more secure where possible.

## Porch and Deck Materials

Most buildings in the Commercial Historic District lack porches or decks. Where present, most original porch materials are wood, however, brick, stone, and concrete were also historically used. Porch elements typically made of wood include columns, railings, balusters, floors, and decorative elements. While repairing and maintaining historic wood porches is the preferred approach, when it is necessary to replace a floor, column, or railing, some alternative material options exist.

### *Decking and Stair Treads*

Composite flooring is a popular substitute material which is made from a mix of plastic and wood fibers and is manufactured for use both as porch and deck floorboards and stair treads. These materials are formed into planks to imitate wood decking and are installed in a manner similar to traditional wood planks. The product is sometimes available in a paintable finish. Use of composite materials is appropriate for rear decks and staircases. It may be appropriate on front porches if the material closely matches the original in profile, dimension, finish, and overall appearance.

It is generally not appropriate to replace concrete or brick masonry stairs or porches with wood or composite materials. Such features should typically be replaced in-kind. Alternative proposals will be evaluated on a case-by-case basis.

### *Columns and Railings*

Fiberglass columns are available in a variety of shapes and sizes. Round and square profiles are available, as are columns that mimic the classical orders (Doric, Ionic, Corinthian, etc.), and they may even be found in designs mimicking the square, tapered columns found on Craftsman style bungalows. Similarly, fiberglass railings are available in a range of styles and profiles. Fiberglass columns and railings are typically more expensive than their wood counterparts but may be a good alternative in some situations. A fiberglass replacement column or railing may be appropriate if it closely matches the design and proportion of the original columns.

Vinyl columns and railings are also widely available in a variety of designs and configurations. They are most commonly used for new construction and are most appropriate for buildings constructed in the mid-20th century or later. Like vinyl windows, vinyl porch columns and railings are susceptible to fading and warping as a result of UV exposure and have a relatively short lifespan. The dimensions of vinyl columns typically do not match historic proportions and their use on contributing buildings is discouraged and is not likely to be approved.

Likewise, it is not typically appropriate to replace brick or masonry columns with wood or synthetic materials. Such elements should generally be replaced in-kind, although alternative proposals may be evaluated on a case-by-case basis.

## Roofing

Exterior roofing materials are among the most frequently substituted. Architectural shingles, also known as laminated or dimensional shingles, are a heavy-duty asphalt product made with a fiberglass backing and a facing made from ceramic-coated mineral grains suspended in an asphalt coating. Architectural shingles are designed to mimic the naturalistic appearance of slate or wood shake roofs. As compared to a typical asphalt tab shingle, they are more dimensional and provide a more irregular, random, pattern owing to the trapezoidal shape of the shingles. In some cases, architectural shingles are an appropriate replacement for severely deteriorated slate or timber shingle roofs. They are also the preferred replacement for existing tab-style asphalt shingles.

## Siding

Maintaining and preserving existing historic wood siding, where present, is the general recommendation for buildings in the Commercial Historic District. In many cases when wood siding is in poor condition, spot replacements using in-kind materials to replace boards that are deteriorated beyond repair is the best approach. Mixing siding materials, either within a wall or on some walls of a building is never appropriate. Only when the entirety of the siding on a building needs to be replaced should substitute materials be considered.

Vinyl siding is not an appropriate replacement material for wood siding, but may be appropriate for replacing existing vinyl, asbestos, or aluminum siding on non-visible elevations. Cement fiberboard (commonly referred to by the proprietary name HardiPlank, but available from multiple manufacturers) with a smooth finish to mimic planed and painted wood is also an appropriate replacement for existing vinyl, asbestos, or aluminum siding. Cement fiberboard may be approved for use as a replacement for historic wood siding or on newly constructed buildings within the Commercial Historic District, however, the HPC will evaluate each application on a case-by-case basis. In all cases, the replacement siding should match the historic siding in terms of width, texture, profile, and overall appearance.

## Windows

The replacement of original windows with new windows is among the most common alterations to historic properties. While the best option is always to properly maintain and preserve your existing historic wood windows, when replacement is necessary there are several options available.

### *Wood*

Replacement of an existing historic wood window with a new wood window matching the dimensions and configuration of the original is considered a replacement in-kind. Keep in mind, however, that most historic wood building elements were made from old-growth lumber. Most wood building products that are commercially available now are made from faster-growing trees and are inferior in quality to historic lumber products. For this reason, new wood windows are not nearly as durable as historic windows. If wood windows are desired, consider repairing historic windows and reglazing if at all possible. In many cases, composite materials may be preferable to lower grade wood products and can generally replicate the profiles and appearance of historic wood windows.

### *Aluminum Clad*

Aluminum clad windows are wood or composite windows with an aluminum facing on the trim, sashes, and muntins. Aluminum clad windows may be approved for replacement of historic windows in cases where the historic windows are deteriorated beyond repair and where the replacements match the original in size, proportion, and configuration. Aluminum clad windows typically have an anodized or baked enamel finish and are not paintable, which can be a drawback when building paint schemes are changed.

### *Composite/Fiberglass and Fiberglass-Clad*

Composite windows are made of a mix of materials, typically fiberglass and wood fibers. Fiberglass windows have a matte finish as compared to vinyl windows and are available in proportions that mimic historic windows. Many composite windows are paintable and are a good lower-cost option for residences in historic districts. Fiberglass-Clad windows are typically wood windows clad in a fiberglass or fiberglass facing and are generally appropriate wherever composite/fiberglass windows are appropriate.

### *Vinyl-Clad*

Vinyl clad windows are similar to aluminum- and fiberglass-clad windows, in that they are wood or composite windows with a vinyl facing. Vinyl clad windows may be appropriate for use in properties constructed in the mid-20th century, on nonvisible elevations, and on non-contributing properties in the Commercial Historic District. Like aluminum clad windows, vinyl clad windows are not paintable.

### *Vinyl*

Vinyl windows are made of PVC (polyvinyl chloride) and are commonly marketed as replacement windows. Vinyl windows are problematic for use in historic districts, however, as they are not typically available in proportions or finishes that are compatible with historic buildings. Because of the way the product is made, vinyl windows have narrow stiles and rails on the sashes which do not



match the thicker proportions found on historic window configurations. Vinyl windows are not paintable and are the least durable of the window types listed here. They tend to fade and warp with UV exposure and have a typical lifespan of only ten to fifteen years.

Like vinyl clad windows, vinyl windows may be appropriate for use in properties constructed in the mid-20th century, on non-visible elevations, and on non-contributing properties.

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Rypkema, Donovan. *The Economics of Historic Preservation: A Community Leader's Guide*. Washington, DC. The National Trust for Historic Preservation: 1994.

*The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. Washington, DC. US Department of the Interior National Park Service Heritage Preservation Services: 1995.

Thomason and Associates, Preservation Planners. *Alternative Materials and Their Use in Historic Districts*. Columbus: Ohio. City of Columbus, Ohio Planning Division: 2013.

## Resources for Property Owners:

The National Park Service has developed guidance for stewards of historic buildings called "Preservation Briefs." According to NPS:

Preservation Briefs provide information on preserving, rehabilitating, and restoring historic buildings. These NPS Publications help historic building owners recognize and resolve common problems prior to work. The briefs are especially useful to Historic Preservation Tax Incentives Program applicants because they recommend methods and approaches for rehabilitating historic buildings that are consistent with their historic character.

All of the below listed technical publications may be accessed at: <https://www.nps.gov/tps/how-topreserve/briefs.htm>.

[\*Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings\*](#)

[\*Repointing Mortar Joints in Historic Masonry Buildings\*](#)

[\*Improving Energy Efficiency in Historic Buildings\*](#)

[\*Roofing for Historic Buildings\*](#)

[\*Dangers of Abrasive Cleaning to Historic Buildings\*](#)

[\*The Preservation of Historic Glazed Architectural Terra-Cotta\*](#)

[\*Aluminum and Vinyl Siding on Historic Buildings\*](#)

[\*The Repair of Historic Wooden Windows\*](#)

[\*Exterior Paint Problems on Historic Woodwork\*](#)

[\*Rehabilitating Historic Storefronts\*](#)

[\*The Preservation of Historic Pigmented Structural Glass \(Vitrolite and Carrara Glass\)\*](#)

[\*The Repair and Thermal Upgrading of Historic Steel Windows\*](#)

[\*New Exterior Additions to Historic Buildings: Preservation Concerns\*](#)



*Preservation of Historic Concrete*

*The Use of Substitute Materials on Historic Building Exteriors*

*Architectural Character—Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character*

*Rehabilitating Interiors in Historic Buildings: Identifying and Preserving Character-Defining Elements*

*The Repair and Replacement of Historic Wooden Shingle Roofs*

*Repairing Historic Flat Plaster Walls and Ceilings*

*The Preservation and Repair of Historic Stucco*

*Preserving Historic Ornamental Plaster*

*Heating, Ventilating, and Cooling Historic Buildings—Problems and Recommended Approaches*

*The Preservation of Historic Signs*

*The Maintenance and Repair of Architectural Cast Iron*

*Painting Historic Interiors*

*The Repair, Replacement and Maintenance of Historic Slate Roofs*

*The Preservation and Repair of Historic Clay Tile Roofs*

*Mothballing Historic Buildings*

*Making Historic Properties Accessible*

*The Preservation and Repair of Historic Stained and Leaded Glass*

*Applied Decoration for Historic Interiors Preserving Composition Ornament*

*Understanding Old Buildings: The Process of Architectural Investigation*

*Appropriate Methods for Reducing Lead-Paint Hazards in Historic Housing*

*Removing Graffiti from Historic Masonry*

*Holding the Line: Controlling Unwanted Moisture in Historic Buildings*

*Preserving Historic Ceramic Tile Floors*

*The Maintenance, Repair and Replacement of Historic Cast Stone*

*The Preparation and Use of Historic Structure Reports*

*The Use of Awnings on Historic Buildings, Repair, Replacement and New Design*

*Preserving Historic Wood Porches*

*Maintaining the Exterior of Small and Medium Size Historic Buildings*

*Historic Decorative Metal Ceilings and Walls: Use, Repair, and Replacement*

## Appendix D. Ordinance

The following is excerpted from the City of Duluth's Legislative Code and consists of Section 50-18.3 Historic Resources Overlay (HR-O), in its entirety.

### 50-18.3 Historic Resources Overlay (HR-O).

#### *A. Purpose.*

The purpose of this Section 50-18.3 is to preserve, protect and promote any areas, places, buildings, structures, lands, districts and other objects having a special historical, community or aesthetic interest or value. The Historic Resources Overlay:

1. Safeguards the heritage of the city by preserving properties that reflect elements of the city's cultural, social, economic, political, engineering, visual or architectural history;
2. Protects and enhances the city's appeal and attraction to residents, visitors and tourists, while enhancing its economic viability through the protection and promotion of its unique character as related to its history and heritage;
3. Enhances the visual and aesthetic character, diversity and interest of the city;
4. Fosters civic pride in the beauty and notable accomplishments of the past;
5. Promotes the preservation and continued use of historic properties for the education and general welfare of the people of the city;

#### *B. Designation of historic resources.*

1. Through the process for designating historic resources in Section 50-37.8, or its predecessor ordinance previously codified as Chapter 28A of the City Code, the heritage preservation commission has designated:
  - (a) Two historic preservation districts: the Duluth Civic Center Historic District, and the Duluth State Normal School Historic District, whose boundaries are shown on Exhibits 50-18.3-1 and 50-18.3-2; and

- (b) Those designated historic preservation landmarks on file with the secretary of the planning commission;
- 2. The heritage preservation commission and planning commission may from time to time recommend, and the council may approve, additional historic preservation districts or landmarks pursuant to Section 50-37.8;

*C. Review of construction/demolition activities.*

Within those designated historic preservation districts shown on Exhibit 50-18.3-1 and those historic preservation landmarks on file with the secretary of the planning commission:

- 1. Construction and demolition activities, including all street and utility activities, shall be approved pursuant to Section 50-37.14;
- 2. The issuance of city permits to do any of the following shall be approved pursuant to Section 50-37.14:
  - (a) Remodel, repair or alter in any manner that will change the exterior appearance;
  - (b) New construction, including parking facilities;
  - (c) Move a building;
  - (d) Change the nature or appearance of a designated historic preservation landmark or district, including landscape features;
  - (e) Demolition in whole or in part;

*D. Emergency repair.*

In emergency situations where immediate repair is needed to protect the safety of the structure and its inhabitants, the building official may approve the repair of only those items needed to ensure safety. Such repairs shall be limited to those necessary to correct the safety emergency. In the case of a permit issued pursuant to this subsection D, the building official shall require that the repairs be made in conformance with the U.S. secretary of interior's recommended standards for heritage preservation projects and adopted historic preservation guidelines for the landmark or district to the extent possible. In addition, the building official shall immediately



notify the historic preservation commission of the action and specify the facts or conditions constituting the emergency situation;  
UDC, Article 2, Page 83

*E. Building code enforcement.*

This Section 50-18.3 is also intended to encourage the sensitive rehabilitation, restoration, stabilization and preservation of historic buildings throughout the city. These rehabilitation and preservation efforts should provide for the upgrading and maintenance of the safety features of the building or structure to provide a practical level of safety to the public and surrounding properties. While ensuring this increased level of public safety, the enforcement authorities are encouraged to be open to acceptable alternative solutions and alternative compliance concepts, where practical, that will permit the continued use of existing buildings and structures without creating overly restrictive financial burdens on owners or occupants. Nothing in this Section shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure.

(Ord. No. 10041, 8-16-2010, § 4; Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 14; Ord. No. 10225, 5-28-2013, § 3.)

## **Appendix E. Historic District Visual Inventory**