



AGENDA
CHASKA HERITAGE PRESERVATION COMMISSION
CHASKA CITY HALL - COUNCIL CHAMBERS
Tuesday, January 04, 2022
7:00 PM

- 1 Call to Order
- 2 Roll Call
- 3 Adopt Agenda
- 4 Visitor Presentation
- 5 Approve Previous Meeting Minutes
 - 5A Approve the November 2, 2021 HPC Meeting Minutes
- 6 Consent Agenda
- 7 Action Items
 - 7A PUBLIC HEARING: Approve the Site Alteration Permit (SAP) for the Conrad Fink House at 322 W 1st St/Lisa & Norm Oberski/HPC #2022-01
- 8 Discussion Items
 - 8A Discuss Ernst Home & Chaska Yards Concept Plan
- 9 Other Business
- 10 Adjourn



Minutes
CHASKA HERITAGE PRESERVATION
COMMISSION
Thursday, Nov. 2, 2021
7:00 PM

1. Call to Order

The meeting was called to order at 7:00 pm.

HPC members present: Gregg Davies, Kristine Kohman, Steve Mueller, James Pleis, Scott Welvaert, and Chairperson Russell St John

HPC members absent: None

Staff present: Elizabeth Hanson – City Planner

2. Roll Call

Roll call was taken.

3. Adopt the Agenda

A motion by Commissioner Mueller, second by Commissioner Welvaert, to adopt the agenda. Motion carried.

4. Visitor Presentation

There was no one under visitor presentation.

5. Approve HPC minutes

A motion by Commissioner Mueller, and second by Commissioner Kohman, to approve the July 6, 2021 HPC minutes. Motion carried.

6. Consent Agenda

No Consent Agenda

6A. Update on Highway 41 and County Road 61 Project
City Planner Hanson presented this project to the Commission

Angie Smith with Bolton and Menk, Andrew Schmidt with Streamline & Assoc, and Jeff Miller with HKGI, all provided updates on cultural review, streetscape design and archaeological resources. All of the information discussed is in the packet and report.

Chairperson St. John asked for clarification on historic fencing and pictures. Miller replied it is old historic fencing but he did not have pictures in the packet.

Chairperson St. John inquired why the archaeological investigation was cancelled. Smith replied Tribal Agencies wanted to stay away from soil investigation and

digging up the land. Smith also stated they have recently submitted 60% of their plans and construction should begin mid- to late-next year moving through 2023.

Chairperson St. John questioned accessibility in this type of street design. Smith pointed out that engineers are always looking at these issues prior to final design. She also stated construction is a year out and likely will be done in stages.

Commissioner Mueller wondered what kind of information the city is looking at with regard to the historical interpretation so work can be done at the historical center. City Planner Hanson replied no further updates as of now but it is their intent to work with the Historical Society to decide on these issues and to keep the HPC apprised as they move forward.

7. Action Items

There were not items to take action on.

8. Other Business

City Planner Hanson presented this to the Commission.

City Planner Hanson discussed the preservation and memory of the old Hammer Saloon building. She stated there will be a dedicated boulder at an overlook site with a plaque at the entrance to the site. Look for work on this site to begin sometime early 2022.

Chairperson St. John questioned if it can be seen from Highway 41. Mueller clarified that it can be seen off Cardinal Street not Highway 41.

Commissioner Mueller inquired about additional homes being put on the historical preservation list. City Planner Hanson stated she would like a working session to discuss this. Commissioner Mueller also inquired if the study for this project is complete. City Planner Hanson reiterated that it has not been finalized and are waiting on possible additional information that may come in.

Chairperson St. John mentioned the project, Beyond New Beginnings, which houses young adults with young families who are trying to get on their feet. He is concerned with the busy street and would like to find alternate fencing to increase safety.

9. Adjourn

Motion by Commissioner Mueller, second by Commissioner Kohman to adjourn the meeting at 7:55 p.m. Motion carried.

REQUEST FOR ACTION

CHASKA HISTORIC PRESERVATION COMMISSION

01/04/2022

Subject: Conrad Fink House - Site Alteration Permit for Exterior Renovations to Front Porch of Historic House at 322 West 1st Street

Applicant: Lisa & Norm Oberski

Location: 322 West 1st Street

Case No.: HPC No. 2022-01

Synopsis: The applicant is proposing to redesign the existing enclosed front porch of the Conrad Fink House. The Conrad Fink House is designated as a local historic site.

Prepared By: Elizabeth Hanson

Staff Recommendation: HPC approval of the Site Alteration Permit

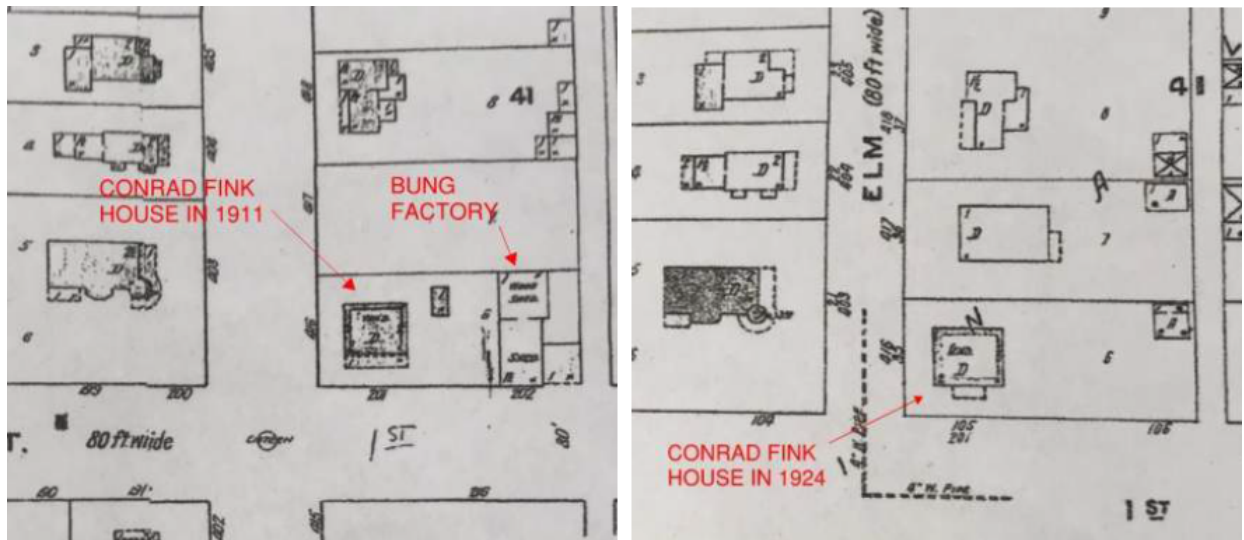
BUILDING'S HISTORIC SIGNIFICANCE

The Conrad Fink House, located at 322 West First Street in Chaska, Minnesota, was built in 1883 by local farmer and businessman Conrad Fink. Mr. Fink operated a farm and a bung factory, which was located on the same plot of land. Conrad and his wife, Wilhelmina, raised eleven children in their modest, two-story Italianate house, built of yellow Chaska brick. The house is considered by the City of Chaska to be worthy of historic designation, citing "The cubic shape and hipped roof of this brick house help define the structure as an example of Italianate style. Also noticeable are the arched corbelled bricks that top the window openings."

There is very little documentation of the physical development of the Conrad Fink property over the years since its construction. The City of Chaska, the Chaska Historical Society, and the Carver County Historical Society all have little to no information on the house itself.

Lisa Oberski, current owner of the home along with her husband Norm, is the great-great-granddaughter of Conrad Fink. She is also current President of the Chaska Historical Society. Lisa has spent a great deal of time compiling an extensive history of the Fink family. Very little of the information she has accumulated is directly relevant to the house itself.

Conrad Fink died in 1908, and his son, Leopold, owned the house beginning in 1909. At some time between the 1911 Sanborn survey and the 1924 Sanborn survey (see Sanborn maps on next page), the footprint of the house changed – the front porch went from spanning the full width of the house to occupying only about half of that width. While there was a fire at the adjacent bung factory in 1913, it is unknown as to whether this impacted the family home itself. No other documented events suggest a compelling reason to replace the original full-width porch with the porch that we see on the house today. It is evident, however, that the existing porch is not original to the house.



What the original porch looked like is unknown, however the applicant's are basing the design justification for this proposed project on the fact that the house itself – exclusive of the current porch - is a rather conservative and simplified interpretation of a classic Italianate structure.

EXISTING PORCH CONDITIONS

The exposed portion of the existing porch foundation is constructed of "cobblestone" faced concrete blocks. The main house foundation is constructed of field stone and river rock. The porch, which is nearly 110 years old, is rapidly deteriorating. It is apparent that the foundation that is supporting the south wall of the porch is sinking or otherwise failing, and essentially pulling the porch off the face of the house. It is expected that the stone foundation with mortar has disintegrated after 100+ of below-ground moisture intrusion, or unreinforced concrete that has simply lived its lifespan and is now failing. This condition creates a situation that is not something that can be addressed through typical routine maintenance. Painting, caulking, re-roofing, etc. will not fix the underlying problem.

The existing porch does not appear to be the original porch of the home. The Sanborn maps indicate that the porch is not original, plus the porch's foundation made of cobblestone faced concrete blocks does not appear appropriate to the construction techniques that would typically be used for this style of home. Even if these concrete blocks were available as early as 1883, it is unlikely that they would have been used to build the original porch structure. The Weekly Valley Herald noted in an article in 1883 that the Fink family were scavenging stones from the Minnesota River to use to build their house's foundation. Any porch foundation would likely have been constructed the same. In addition, the home is designed from Italianate style, while the existing porch is not.

Historic properties are unique as most properties were established well before zoning (i.e. setbacks) existed. Because of that, it is more common to see non-conformities exist on historic properties. The existing porch (and home) does not currently meet zoning setback regulations. 20 foot setbacks are required on the property lines abutting right-of-way (aka road frontages); for this home it would be the west and south property lines. The home is setback approximately 15 feet on the west and south, with the porch encroaching even further into that southerly setback. In that regard, the porch is non-conforming. Non-conforming structures are

allowed to exist, and can be altered to an extent that includes general maintenance. If alterations are done, they should be done in a way that do not enlarge the overall non-conformity. In other words, it should be done to make the non-conformity less, or less impactful. In addition, historic properties need to follow the Heritage Preservation ordinance as it relates to alterations.

PROPOSED PORCH ALTERATIONS

The proposed porch alterations will include the reconstruction of the porch structure within the same profile/height of the existing structure. The style proposed will be of traditional Italianate style to be more appropriate/compatible to the existing home's style, as well as feel 'lighter' in its material applications compared to the existing heavy foundational block. The applicant states "As the existing porch is not original to the house, we feel that our obligation – in the spirit of maintaining historic integrity of the home - is to attempt to provide a solution that is in keeping with what we believe Conrad Fink may have constructed for his porch in 1883: something of a simplified Italianate design."

Materials and colors proposed will be:

1. All wood construction (cedar or mahogany) painted white – more typical of the era
2. Posts on pedestals
 - a. Ornamental posts (simplified from traditional Italianate design)
3. Baluster with cut-outs (simplified from traditional)
4. Eave/cornice details (simplified from traditional)
5. Low-slope roof (Sanborn noted a "shingled" roof on the original porch structure)
 - a. Single-ply used here, as this the best current roofing technology for low-slope roofs, and the roof will generally not be visible
6. Screen panels
 - a. On current porch, but not likely on the original porch
 - b. Painted a darker earth-tone hue, to make less visually prominent
7. Wood steps/stoop and handrail
8. Gutter and downspout

STAFF EVALUATION and RECOMMENDATION

The Heritage Preservation Ordinance (HPO), Section 32(4) requires that the HPC consider certain standards, including the Secretary of the Interior's Standards for Treatment of Historic Properties, when reviewing site alteration plans. Five of these standards are clearly relevant to the applicant's proposal:

- Standard a:** The historic and architectural significance of the resource and its relationship to the historical integrity of the surrounding area.
- Standard b:** The general compatibility of the architectural style, arrangement, texture, color, arrangement of color, and materials used on existing and proposed structures with the character of the historic resource and its site or the historic district.
- Standard d5:** Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- Standard d6:** Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match

the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Standard d9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Regarding Standard a. The primary significance of this house is that it is a local historic resource. The building is of Italianate style and composed of Chaska brick, which is significant in its own right.

Regarding Standard b. The existing front porch is not considered historically significant with its style. It also appears to be non-original according to Sanborn maps. The porch's foundation is currently constructed of concrete blocks, which is not relevant to the Italianate style that the home is designed from. The new front porch design will be of more significance to the Italianate style. The design is derived from other Italianate buildings with front porches, but more simplified. The porch colors proposed will be white and earth tones, which is consistent with the current colors of the home. Providing wood as the main material will also lighten up the structure and give more focus to the original-ness of the home.

Regarding Standard d5. Distinctive materials, features, finishes and construction techniques that characterize this home will be used on the new porch. The applicant has done a good job to research other Italianate homes with front porches, and incorporate a design that is relevant to that. In addition, the size and scale of the proposed porch will be relatively unchanged. This is appropriate for what is known to have existed here for its majority of years. The proposal to stay with the existing profile of the existing porch will also not trigger additional zoning review. The redesign is not enlarging the non-conformity that exists today; it is making it "lighter" than before, and more compatible with the historic, Italianate style.

Regarding Standard d6. The front porch of the home is not considered historically compatible, and also appears to be structurally unsound. The applicant's goal is to design a front porch that is more appropriate of its time and Italianate style. The new porch will bring in more historically compatible materials and ornamental elements. The existing porch abuts the masonry in a way that has left broken brick faces. A new wood porch will be constructed in a way that avoids the brick detailing, and provides a cleaner connection. The wood will also provide a "lighter" design, which provides more emphasis on the historical elements of this home.

Regarding Standard d9, The exterior alterations will not destroy historic materials, features and spatial relationships that characterize the property. Replacing the porch with a more Italianate style would be more compatible with the overall home and its design. It will also help fix a structural issue that the porch currently has. The profile proposed will also not alter what currently exists today, which is both good from a scale standpoint but also a zoning one.

In sum, Staff concludes that the proposed alterations to the front porch are an improvement to what exists today from a structural, design and zoning standpoint. The structure will be improved as it is currently sagging and pulling away from the main home. The design will incorporate a style that is more compatible with the Italianate style of the home. The profile of the front porch will also be maintained and provide a "lighter" appearance so as to lessen the non-conformity that exists.

HISTORIC PRESERVATION COMMISSION ACTION REQUESTED:

Motion to approve the Site Alteration Permit for the exterior renovations to the front porch of the Conrad Fink House at 322 West 1st Street, subject to the following conditions:

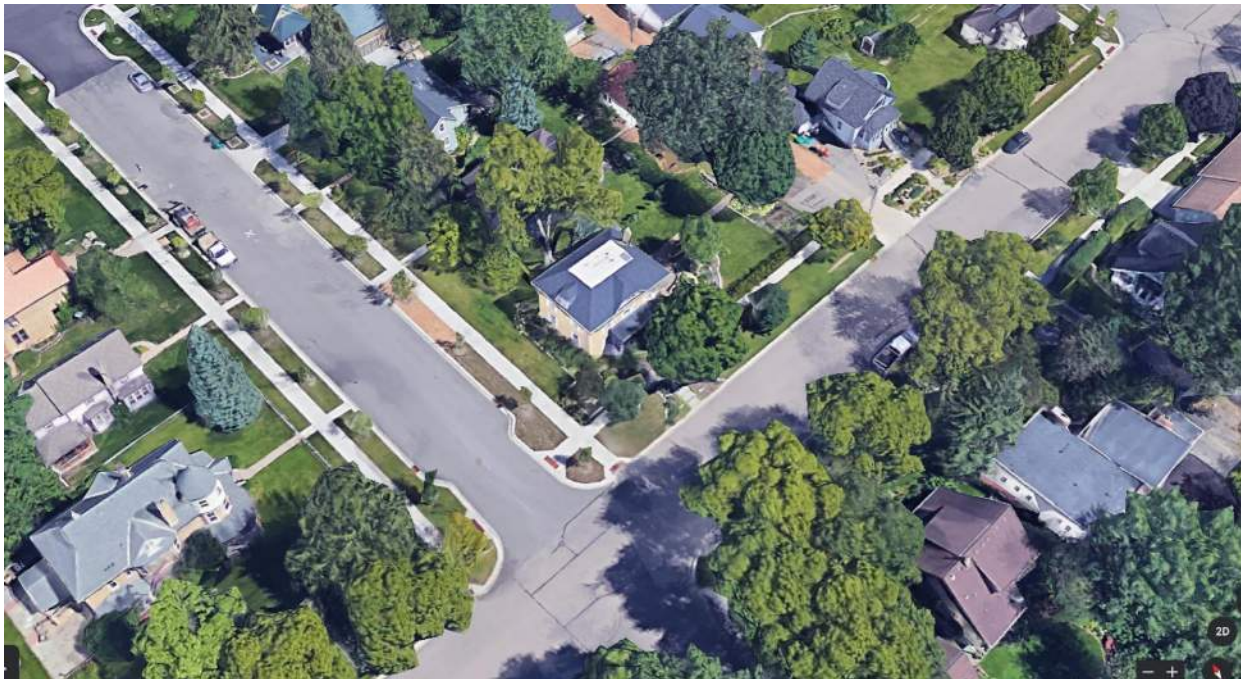
- 1. Approvals shall be based on the following graphic exhibits:**
 - a. Site Alteration Permit Documents (pgs 1-35), submitted by U + B Architecture & Design, Inc., dated December 7, 2021**
- 2. Provision that a building permit is obtained prior to any work being done.**



Conrad Fink House

Lisa & Norm Oberski Residence
322 West First Street, Chaska

SITE ALTERATION PERMIT DOCUMENTS – EXHIBIT 1
PHOTOGRAPHS OF THE EXISTING HOUSE AND PORCH
December 7, 2021



Satellite aerial view of site



Context view from southeast



Context view from southwest



View from west (Elm Street)



View from southwest



View from south (West First Street)



View from southeast



View from east



Porch pulling away from house due to deteriorating foundations



Note lean in porch columns as south foundation pulls away from house



Porch pulling away from house due to deteriorating foundations



Damage to corbelled brick detail due to porch construction



Damage to corbelled brick detail due to porch construction



Damage to brick above entry door



Note sagging floor structure

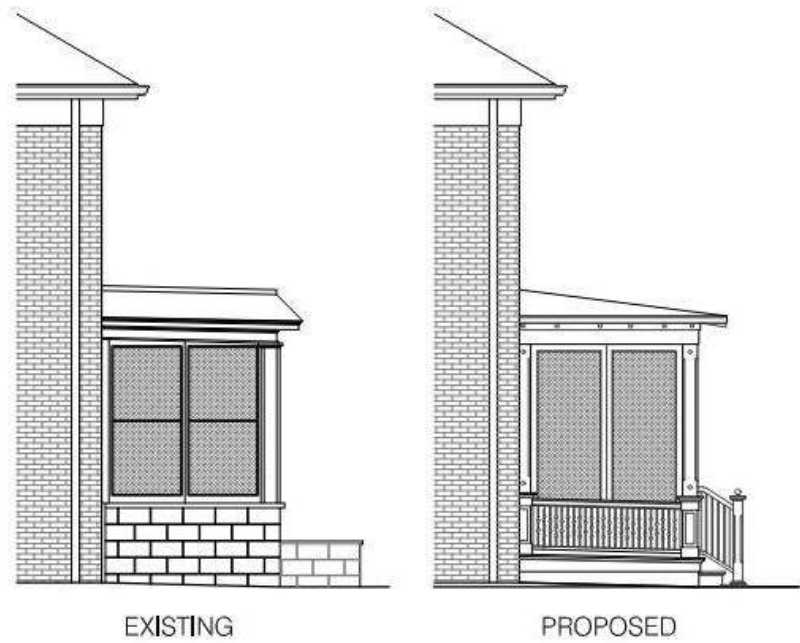
Conrad Fink House

Lisa & Norm Oberski Residence
322 West First Street, Chaska

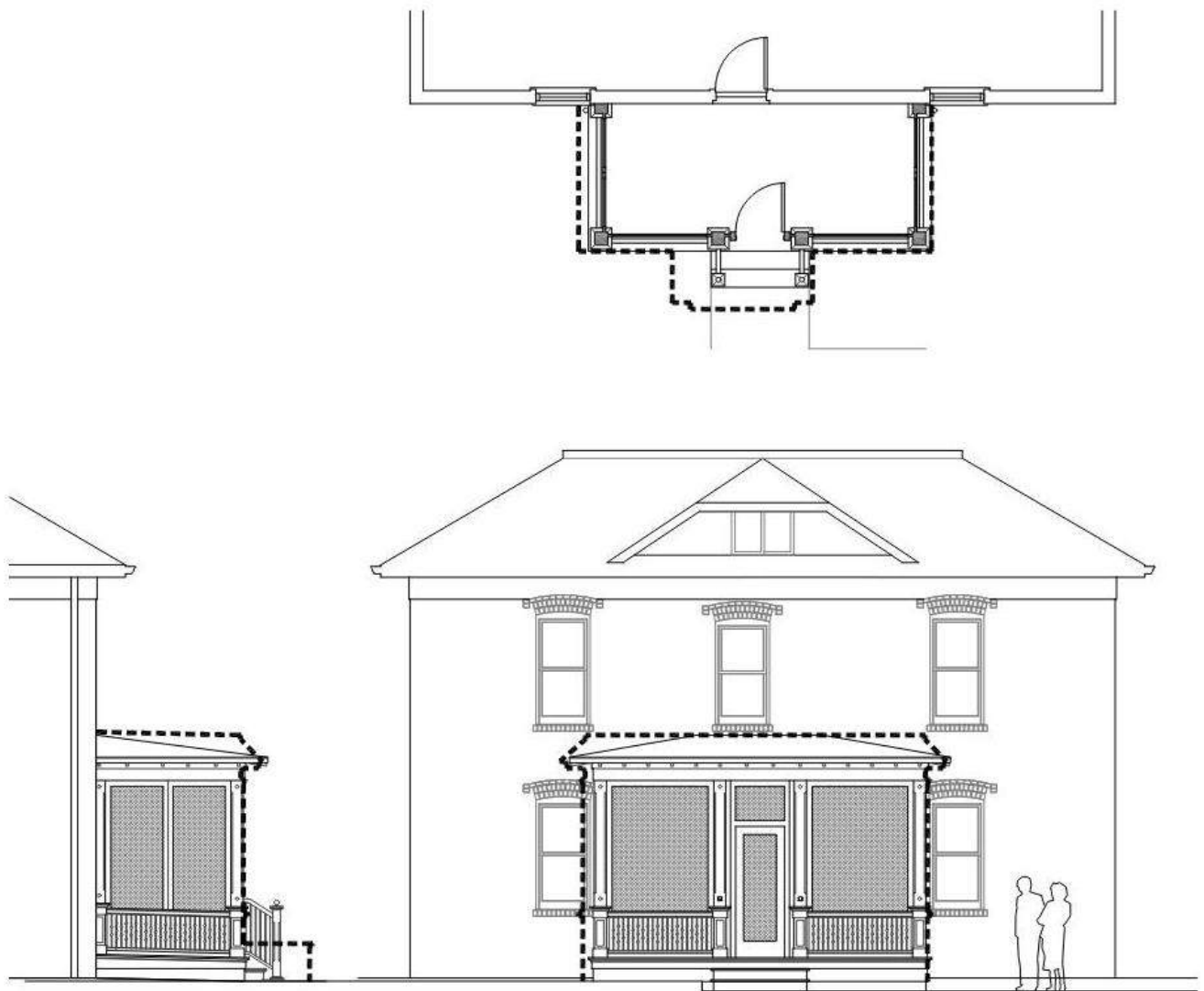
SITE LATERATION PERMIT DOCUMENTS – EXHIBIT 2
EXISTING AND PROPOSED ELEVATIONS
December 7, 2021



SOUTH ELEVATION – NOT TO SCALE



WEST ELEVATION (EAST ELEVATION SIMILAR, REVERSED) – NOT TO SCALE



EXISTING & PROPOSED OVERLAY - EXISTING SHOWN DASHED

OVERLAY OF EXISTING AND PROPOSED - NOT TO SCALE



SOUTH ELEVATION – PORCH MATERIALS AND COLORS

Conrad Fink House

Lisa & Norm Oberski Residence
322 West First Street, Chaska
December 7, 2021

SITE ALTERATION PERMIT DOCUMENTS – EXHIBIT 3 – **[SEE EXHIBIT 8]**
PERSPECTIVE RENDERINGS OF PROPOSED PORCH

SITE ALTERATION PERMIT DOCUMENTS – EXHIBIT 4
PROPOSED BUILDING MATERIALS



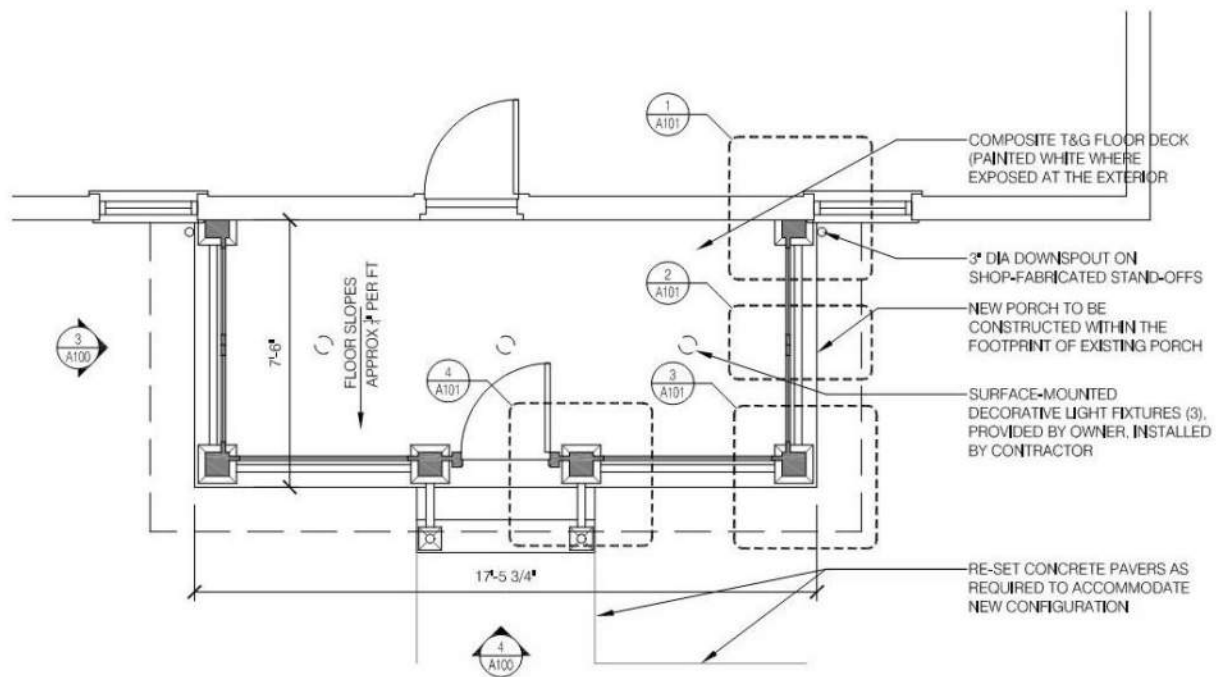
Conrad Fink House

Lisa & Norm Oberski Residence
322 West First Street, Chaska
December 7, 2021

SITE ALTERATION PERMIT DOCUMENTS – EXHIBIT 5 – [SEE EXHIBIT 8]
SITE PLAN

SITE ALTERATION PERMIT DOCUMENTS – EXHIBIT 6 – [SEE EXHIBIT 8]
BOUNDARY SURVEY

SITE ALTERATION PERMIT DOCUMENTS – EXHIBIT 7
FLOOR PLAN



PROPOSED FLOOR PLAN – NOT TO SCALE

Conrad Fink House

Lisa & Norm Oberski Residence
322 West First Street, Chaska
December 7, 2021

SITE ALTERATION PERMIT DOCUMENTS – EXHIBIT 8 PROPOSED ALTERATIONS – DESIGN JUSTIFICATION

INTRODUCTION

The Conrad Fink House, located at 322 West First Street in Chaska, Minnesota, was built in 1883 by local farmer and businessman Conrad Fink. Mr. Fink operated a farm and a bung factory, which was located on the same plot of land. Conrad and his wife, Wilhelmina, raised eleven children in their modest, two-story Italianate house, built of yellow Chaska brick. The house is considered by the City of Chaska to be worthy of historic designation, citing “The cubic shape and hipped roof of this brick house help define the structure as an example of Italianate style. Also noticeable are the arched corbelled bricks that top the window openings.” (from “A Walking Tour of Historic Downtown Chaska”)

There is very little documentation of the physical development of the Conrad Fink property over the years since its construction. The City of Chaska, the Chaska Historical Society, and the Carver County Historical Society all have little to no information on the house itself.

Lisa Oberski, current owner of the home along with her husband Norm, is the great-great-granddaughter of Conrad Fink. She is also current President of the Chaska Historical Society. Lisa has spent a great deal of time compiling an extensive history of the Fink family. Very little of the information she has accumulated is directly relevant to the house itself.

Conrad Fink died in 1908, and his son, Leopold, owned the house beginning in 1909. At some time between the 1911 Sanborn survey and the 1924 Sanborn survey, the footprint of the house changed – the front porch went from spanning the full width of the house to occupying only about half of that width. While there was a fire at the adjacent bung factory in 1913, it is unknown as to whether this impacted the family home itself. No other documented events suggest a compelling reason to replace the original full-width porch with the porch that we see on the house today. It is evident, however, that the existing porch is not original to the house.

What the original porch looked like is unknown, however we are basing the design justification for this proposed project on the fact that the house itself – exclusive of the current porch – is a rather conservative and simplified interpretation of a classic Italianate structure.

PHYSICAL CONDITION OF THE EXISTING PORCH

The existing porch, which is nearly 110 years old, is rapidly deteriorating. It is apparent that the foundation that is supporting the south wall of the porch is sinking or otherwise failing, and essentially pulling the porch off the face of the house. While we did not dig down to investigate the condition of the existing foundation, given the age of the structure, we anticipate finding a stone foundation with mortar that has disintegrated after 100+ of below-ground moisture intrusion, or unreinforced concrete that has simply lived its lifespan and is now failing. This condition creates a situation that is not something that can be addressed through typical routine maintenance. Painting, caulking, re-roofing, etc. will not fix the underlying problem.



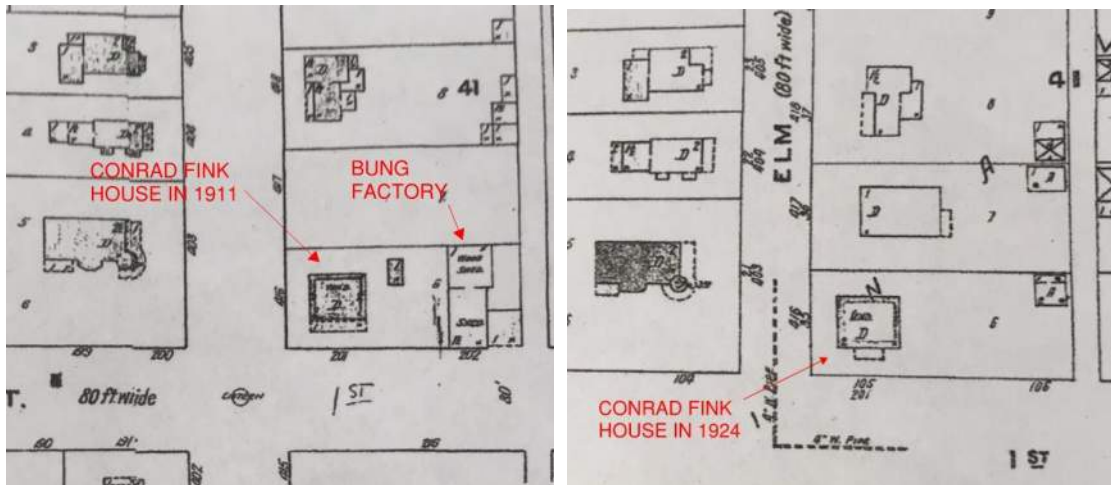
Photo of the west face of the existing porch. Note the "cobblestone" faced concrete blocks.

THE EXISTING PORCH IS NOT THE ORIGINAL PORCH

Should the existing porch be repaired and left as-is in terms of its design? We do not believe this is the prudent course of action. Structurally, the porch needs to be completely re-built... however, the porch as it exists today is clearly not the original porch. In order to respect the status of this home as a contributing building to Chaska's historic environment, we believe the appropriate replacement porch should be more in keeping with the design of porches built in the early 1880's.

There are three reasons as to why we believe the existing porch is not original to the house:

1. As discussed earlier, the Sanborn fire insurance maps show a change in the porch footprint sometime between 1911 and 1924 (see below). Sanborn maps from this era have been demonstrated to be extremely accurate in terms of their representation of building footprints and building materials. According to a number of publications, Sanborn maps are considered to be exceedingly accurate representations of structures, and they are frequently used by historians and other researchers as evidence of specific site conditions at specific moments in time.



Images clipped from Sanborn Maps

2. The exposed portion of the porch foundation is constructed of "cobblestone" faced concrete blocks. The main house foundation is constructed of field stone and river rock. While the cobblestone concrete block product shown in the attached 1915 Sears catalogue page (see below) doesn't appear to be an exact match to the material on the Fink House, it is known that there were several manufacturers of decorative concrete blocks during this period that could have supplied materials to the Finks. We do not have information as to specific dates when cobblestone concrete blocks first came on the market. Even if they were available as early as 1883, it is unlikely that they would have been used to build the original porch structure. The Weekly Valley Herald noted in an article in 1883 that the Fink family was scavenging stones from the Minnesota River to use to build their house's foundation. Any porch foundation would likely have been constructed the same.



Image from 1915 Sears catalog.

3. You can see in the included photographs that the existing porch is attached to the main house between two flanking first-floor windows. These windows have an arched brick header detail that extends beyond each side of the jamb by several inches. Where the porch abuts the masonry, the protruding brick of the header detail has been rather crudely removed, leaving broken brick faces readily visible. Similarly, the header detail at the entry door has been compromised, as have the brick windowsills at the second story above. These conditions would be strongly indicative of a retrofit or remodeling condition where builders were faced with having to modify existing conditions in order to force a new detail to “fit.” Based on the level of brick craftsmanship that is evident throughout the existing house exterior, if this porch were the original porch, either a.) the wood porch structure would have been built to avoid the interference with the brick detailing, or b.) the brick detailing would have been adjusted to allow the wood porch to cleanly attach to the brick wall.



Existing porch is situated tightly between flanking first floor windows



Brick ornament was crudely destroyed to install porch details.

THE EXISTING PORCH IS NON-CONFORMING TO CURRENT ZONING REGULATIONS

Current Chaska Zoning regulations require a 20-foot front yard and corner side yard setback in this R2 Zoning District. The south and west faces of the house are set back about 15 feet from the property line, and the entire body of the existing screen porch lies within the setback – it is entirely non-conforming to current zoning (see below).

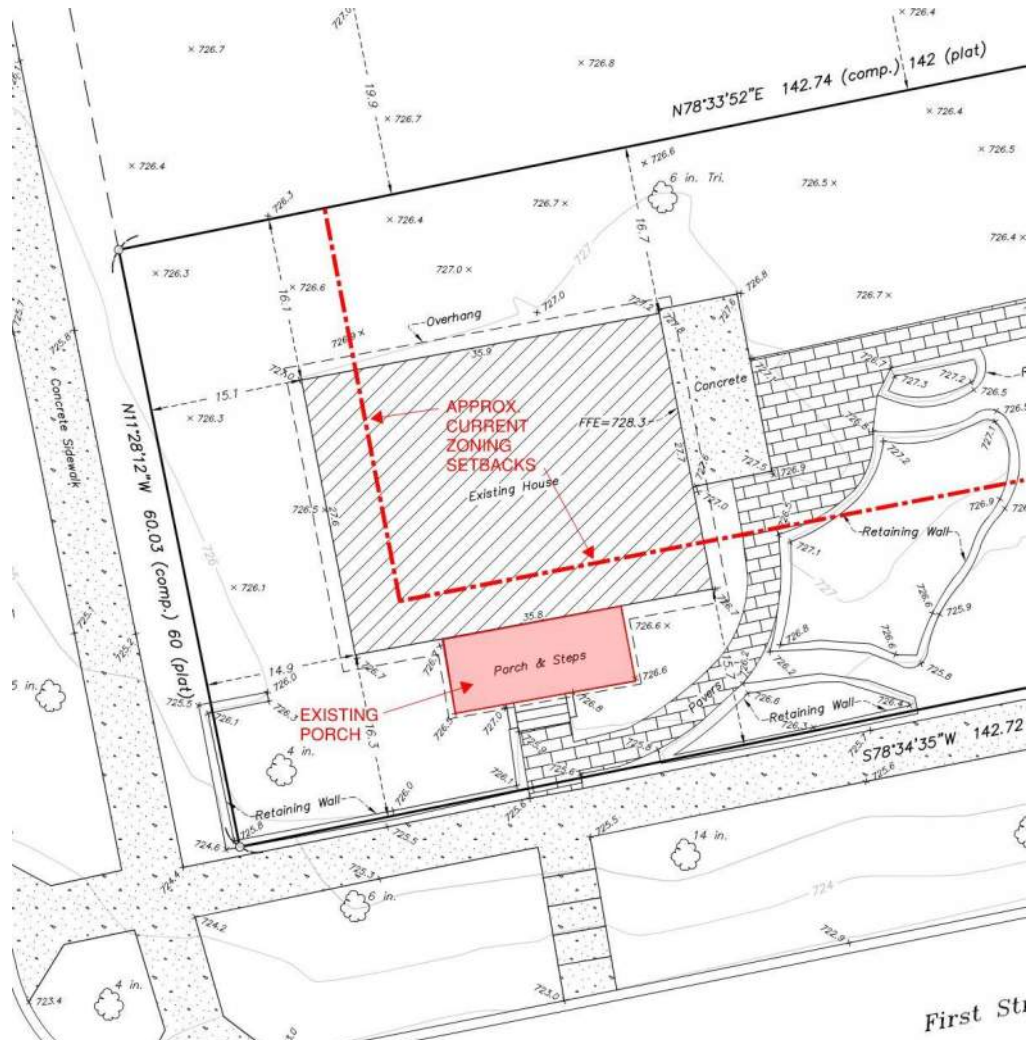


Image clipped from 2019 property survey by Schoberg Land Services, Inc.
(overlay information added in red)

At the time the house was originally built, the concept of zoning was not even in existence in the United States, let alone in Chaska – as can be witnessed on this property alone, with the bung factory originally sitting adjacent to the house on the same property. It is therefore no surprise that the property does not meet current zoning regulations. (Zoning regulations were first instituted in the United States in the early 1900's – and zoning was first enacted in Chaska in 1961.)

PROPOSED PORCH HONORS THE FOOTPRINT AND ENVELOPE OF THE EXISTING PORCH

Due to current, modern-day zoning requirements, the entire existing porch is non-conforming. As such, the design of this project must stay within the footprint of the existing porch in order not to trigger a variance process. [A successful variance process requires proof of “hardship,” and historic integrity does not constitute an argument for hardship.]

NEW PORCH DESIGN JUSTIFICATION

First and foremost, we have chosen not to match the existing porch design and detailing. As noted earlier, the current porch was somewhat crudely shoe-horned between the windows. It is also a rather “style-less” design – it is not something that would be readily identified as “Italianate,” or some other known architectural style of the era, such as any number of the architectural “revival” styles that were common between 1880 and 1940.

As the existing porch is not original to the house, we feel that our obligation – in the spirit of maintaining historic integrity of the home – is to attempt to provide a solution that is in keeping with what we believe Conrad Fink may have constructed for his porch in 1883: something of a simplified Italianate design.

Our approach to this design first included a survey of existing homes in Chaska that would have been in existence at the time that Conrad Fink would have been designing his home – homes that he likely would have been familiar with. As a small-town businessman, Conrad would certainly have been aware of the homes his neighbors were building. These homes would likely have had a significant influence on Fink – more so than an architectural “pattern book,” for example – as the influence of his local business and neighborhood peers would likely matter more to him than an east-coast publication on style, such as that shown below.

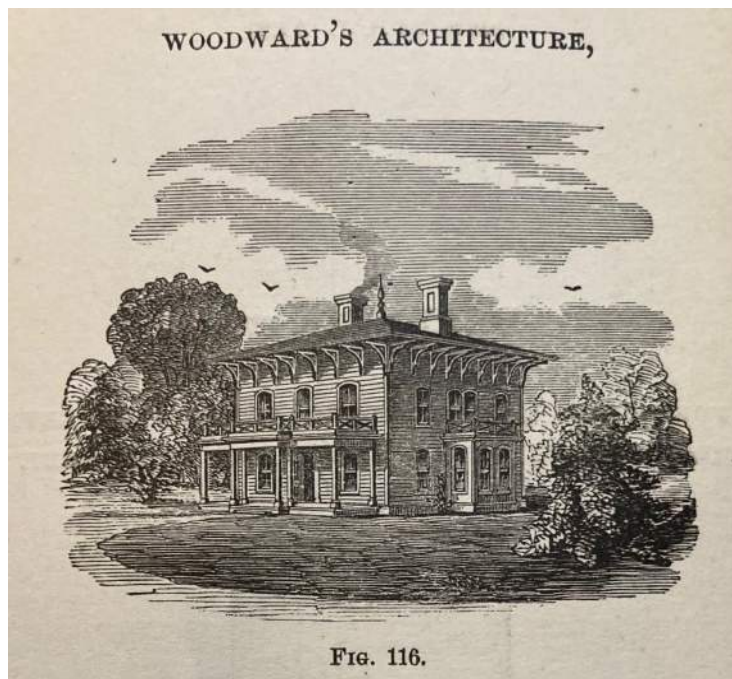


Image from Woodward's Architecture and Rural Art, “Cottages and Farm Houses,” 1867
Design No. 38, “Italian style” noted by Woodward as “probably as cheap a style as can be adopted.”

The Fink family owned and operated a farm, which included a milk and dairy business, as well as the bung factory (which included some millwork capabilities) noted earlier, over the course of their business dealings in the Chaska area from the 1880's into the early 1900's. As a frugal, enterprising family, with the exception of the brickwork, it is understood that the Finks built the home at 322 West First Street themselves. With Conrad Fink's interest and tangential involvement in the lumber and millwork industry, it is highly likely that the original porch would have been an all-wood structure, built by Fink himself, and likely with simple ornamental features, as Fink was clearly an industrious, but not ostentatious man.

Focusing on porches, Chaska homes that were in existence when Fink was designing and building his home include those listed and shown below. Keep in mind that we do not have information that would indicate that the porches on these homes as we see them today are original to the structures. Clearly some have had material repairs and/or replacements. What we see today may or may not look much like what Conrad Fink saw in 1883.

Also included in these porch images are Chaska homes that are post-1883. These are included to show how these homes represent a general approach to design in Chaska that is somewhat more conservative and simplified than a rigorously interpreted design of any specific style. Chaska residents of this era clearly had a more conservative bent, even when demonstrating their sophistication and success. They were, moreover, establishing themselves as good, solid, Midwesterners, building good, solid Midwestern homes.

The proposed design for the new porch for Norm and Lisa Oberski maintains this conservative approach. It is a lovely porch that complements the lovely historic Chaska home, without screaming "look at me!" The modest ornamentation would be something Conrad Fink could likely have supplied from his millwork shop and built with his own hands.

Pre-1883 Chaska home & porch examples:



Noble Sell House, 1858



Taylor House, 1860's



Casper Schmidt House, 1876



Lewis Faber House, 1880



Greiner House, 1883

Post-1883 Chaska home & porch examples:



Riede (Ernst) House, 1884

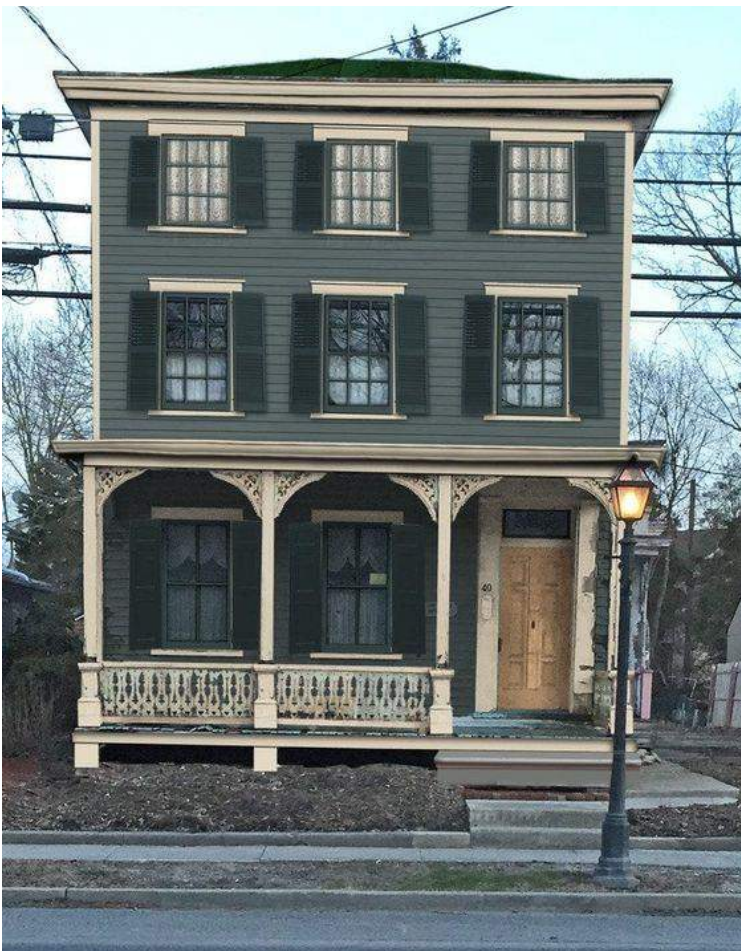


Simons Building, 1888



Stege Klammer House, 1902

Porches from the era that represent classic “Italianate” design (not Chaska homes):



NEW PORCH DESIGN ELEMENTS

Based on the above design justification, the proposed new porch consists of the following elements:

1. All wood construction – more typical of the era
2. Posts on pedestals
 - a. Ornamental posts (simplified from traditional Italianate design)
3. Baluster with cut-outs (simplified from traditional)
4. Eave/cornice details (simplified from traditional)
5. Low-slope roof (Sanborn noted a “shingled” roof on the original porch structure)
 - a. Single-ply used here, as this the best current roofing technology for low-slope roofs, and the roof will generally not be visible
6. Screen panels
 - a. On current porch, but not likely on the original porch
 - b. Painted a darker hue, to make less visually prominent
7. Wood steps/stoop and handrail
8. Gutter and downspout



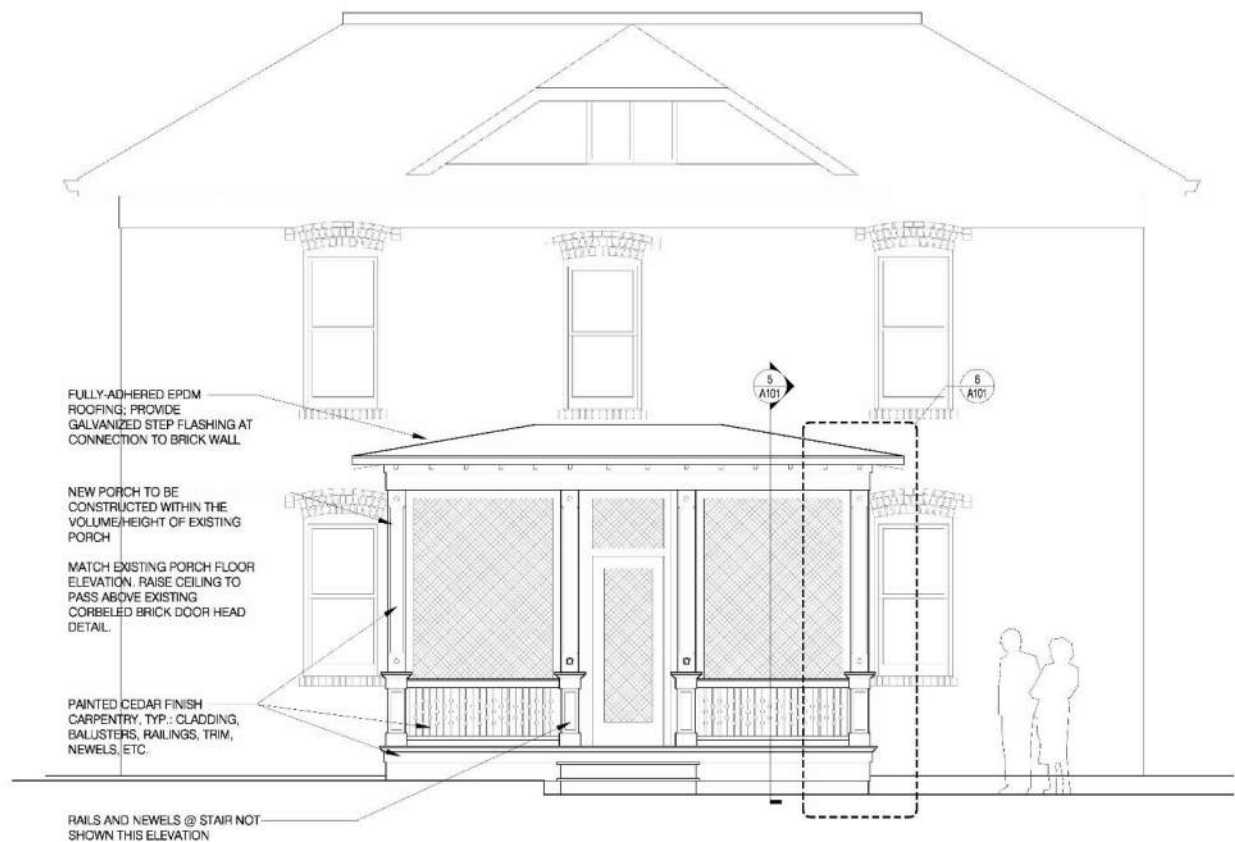
Proposed porch – view from south



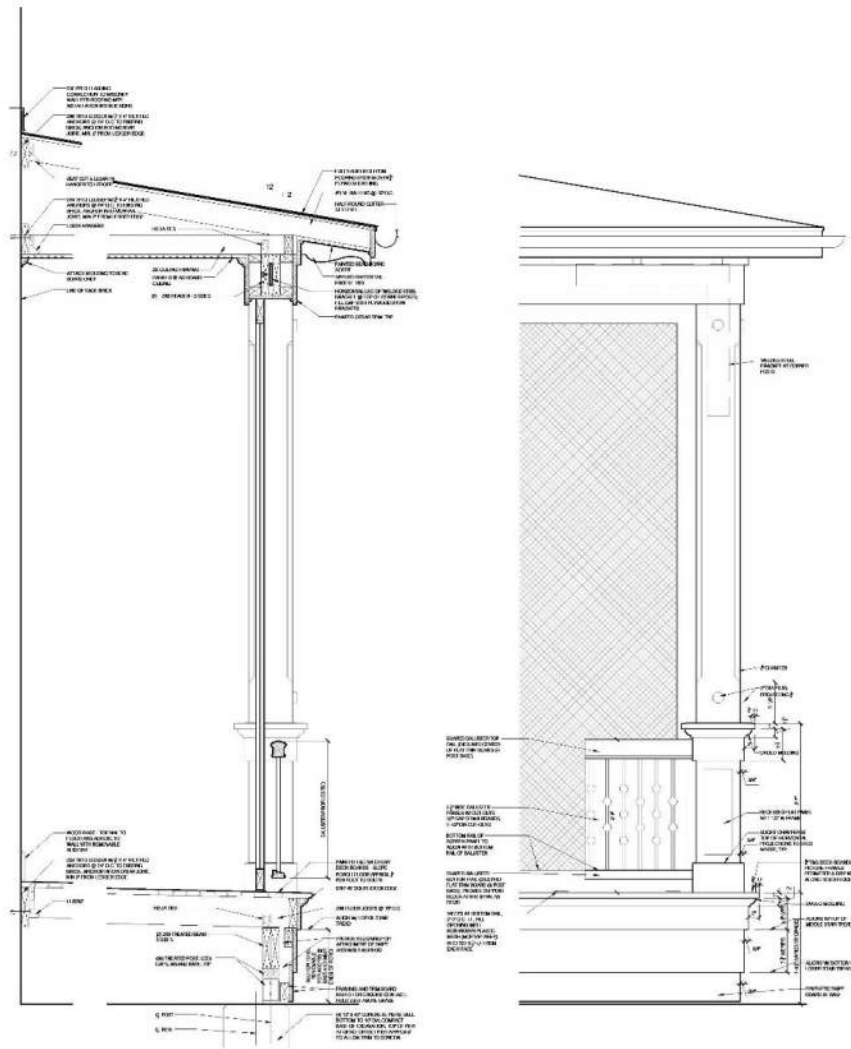
Proposed porch – view from southwest



Proposed porch – view form southeast



Proposed porch – south elevation



Proposed porch – section and enlarged elevation detail

SCHEMATIC DESIGN

The above images of the proposed porch are Schematic Design images and are not considered to be “final.” However, they are representative of the design direction of the project, and it is anticipated that the final design, once submitted, will be in keeping with the design direction being proposed here.



City of Chaska

Memorandum

To: Heritage Preservation Committee
From: Elizabeth Hanson, City Planner
Subject: 1/4/2022 HPC Meeting

Ess Lot & Ernst Home Redevelopment and Restoration (known as Chaska Yards) – Concept Plan

The City has received an application for a Concept Plan to redevelop the Ess lot and restore the Ernst Home located at 217 Walnut Street and 211 Walnut Street in downtown Chaska.

Background

In the middle of 2014, the City approved the relocation of the Riedele House (Ernst House) from the Firemen's Park lot to the empty lot at 211 Walnut Street to help aid in the redevelopment efforts of Firemen's Park. The home has since been relocated and has been sitting vacant on this lot for some time.

In late 2014, a fire caused major damage to the Ess House at 217 Walnut Street, which is on the lot just north of the Ernst House. In 2015, the City stepped in to purchase it, with the goal of saving the building. The City went through two grant cycles (2015 & 2016) with the State Historic Preservation Office (SHPO) in hopes of obtaining significant funds to help save the home. The City was unsuccessful in both of these grant applications and thus had no other option but to demolish the home, which was done in 2017.

In December 2018, the HPC reviewed a Concept Plan proposed by Thies & Talle, which included a request to combine the two existing lots (211 & 217 Walnut Street) and incorporate seven residential rental units: two in the renovated Ernst House with private yards, three new construction townhomes with private yards, and two new construction apartments above a new parking garage. In April 2019, the HPC approved the Site Alteration Permit (SAP) for this request. In June 2019 the State Historic Preservation Office (SHPO) provided their review of this project. Their comments are included as an attachment to this letter. Unfortunately, the project did not move forward as financing was not achieved.

Since that time, the City has been marketing the Ess lot and Ernst Home for redevelopment so that the Ess lot can be built on and the Ernst House can be rehabbed. Tonight we have a new developer and development proposed on this site.

Historic Significance of the Sites

211 Walnut Street (Ernst House/Riedele House)

A Minnesota Architecture-History Inventory Form, compiled by a historic preservation consultant for the State Historic Preservation Office (the Minnesota Historical Society) in 2004, describes the architecture of The Riedele House as follows:

"The two-story Riedele House is a T-plan cross wing Chaska brick house with an open porch, segmental arch windows, and a 1910 two-story, Chaska brick, rear addition. The main (south) façade features a one-story open porch with a second floor balcony. The porch's classically tapered columns are surmounted by a simple frieze and turned post

balustrade. The main entry is situated on the side elevation of the gable front. The segmental arch windows have brick sills and headers composed of two rows of Chaska bricks, the most common header configuration found on Chaska brick farmhouses.

In 1910, the two story brick addition with a one-story open porch was constructed. At some unknown date, the one-story open porch was replaced by a smaller enclosed shed porch. The scars of the 1910 porch can be seen on the north façade of the addition. Sometime within the past 20 years, an exterior frame staircase was constructed on the rear (north) side of the house, providing direct, ground-floor access to the second floor of the 1910 addition."

The house was named for Andreas Riedele [pronounced REED-da-lee], who was born in Germany in 1829. He came to the US in the mid-1850s and came to Minnesota in 1855. According to the same SHPO report cited above, he purchased a flour mill in Chaska in 1869 and then entered the brick manufacturing industry in 1881. In 1882, the Riedele and Bierlein brickyard employed 15 workers and manufactured 15,000 brick per day. In 1884, he built a home adjacent to the brickyard and two generations of the Riedele family lived there. When the Klein brothers acquired the Riedele's brick business, they also acquired the house, now known as the Riedele House.

217 Walnut Street (former location of Ess House)

Although there is no home or structure that exists there today, the house that used to exist there was Chaska-brick (although later covered by stucco), a local historic resource and "contributing" building in the Walnut Street National Historic District. The "Existing Condition" of 217 Walnut Street was described in the City of Chaska's Preservation Design Manual as follows:

"When Joseph Ess returned from Civil War service, he started building wagons on the west side of Walnut Street. Then he acquired a blacksmith shop on the east side of the street. In 1886 he added an iron foundry to the north to meet the machinery needs of brick yards. The later diversified foundry business lasted through five generations. The foundry building was replaced in 1989 by an apartment building. In 1886 Joseph built this house for his growing family."

Tonight's Request

The applicant is trying to get initial feedback from the HPC on the direction of their Concept Plan, so that they feel prepared for when they apply for a Site Alteration Permit (SAP) from the HPC.

The applicant, Carver County CDA, is requesting a concept plan to incorporate 4 residential owner-occupied units that will be sold to households at 80% AMI: one in the renovated Ernst House, and three new individual housing units with private yards. One garage stall and one surface parking space would be provided for each unit. Please refer to the attached site plans for clarity on the location of these units.

The new individual homes will be located on the Ess lot, disconnected from the Ernst Home. The new houses are all 2-bedroom units that are organized around a small "commons," which provides space for gathering and meeting with neighbors and friends. The commons also engages the Ernst House, unifying the old with the new. South of the commons is a larger community space that will incorporate sites for private gardens and a small play area, as well as stormwater management and a possible geothermal system. These spaces support community interaction and have historic precedents dating back to pocket neighborhoods of the 1920s. Both the new housing and the Ernst House will also have

private yards, ideally separated from more public spaces and each other by low fences, to clearly define spaces that are for personal use. These yards will have room for small patios and amenities like grilles, tables, and chairs. There is a parking garage proposed in the rear (west) of the property that will house 4 vehicles. Four (4) additional surface parking stalls are incorporated on the westerly portion of the site in front of the garage stalls. The access to all parking stalls will be via the alleyway in the rear.

The applicant has provided front elevations of the proposed buildings. The elevations show the use of lap siding, gabled roofs, and small front porches/patios. Brick is not proposed.

It should be noted that the Ernst Home will be relatively unchanged as it relates to the exterior. Maintenance work will be needed so that the front porch and any structural components are sufficient/stabilized. The only noticeable change is the front access point to the home. The home's front porch currently accesses from the side (north). The new layout proposes to access from the front (east) to directly connect into the shared private sidewalk that ultimately connects into the sidewalk along Walnut Street.

Staff Recommendation/Analysis

Staff is happy to see that there is movement on the Ess lot and Ernst Home once again, as they have been stagnant for some time. A residential user is a beneficial use to this area, will fit in well, and provide additional incomes to the downtown area. The Ernst Home is in need of attention and maintenance to ensure its long-term sustainability. The residential use will be attributable/consistent to the past use of the Ernst Home and Ess lot.

Attached to this packet is the City's Heritage Preservation ordinance which talks about new construction in a historic district/area. There are several standards that need to be met for new construction/rehabilitation, however, since this is merely a concept at this point staff will only point out a few. Those are as follows:

Matter 4b: The general compatibility of the architectural style, arrangement, texture, color, arrangement of color, and materials used on existing and proposed structures with the character of the historic resource and its site or the historic district.

Standard d9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard d10: New additions and adjacent or related new construction will 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.

The proposed spatial relationship of the housing units will give opportunity to the proposed paseo planned in the alleyway adjacent. Allowing the front of one of the buildings to face the proposed paseo will help activate this area more. The new should look different from the old and be compatible with the Ernst Home and Historic District.

Looking at the elevation concepts provided it appears that the new is significantly differentiated from the old, however, it does not appear to be compatible or complementary to the historic context/Ernst Home. The design looks too contemporary still. Staff would recommend to the applicant to further explore historic elements such as larger front porches, gabled front facades, details in the cornice, detailed/decorative window trim,

window shutters, decorative porch railings, etc, that can show attributions to Chaska's historical design. These elements will be of most importance as there is no brick being proposed, which was an intentional decision by the applicant to help save on cost. Chaska-colored full face brick is typically a significant material application to help provide a nod to Chaska context. SHPO has also commented that this is a significant/compatible application for the historic Walnut Street District. With that said, significant attention should be made to other elements/designs on the homes that can provide more compatibility to the historic context.

Staff would also recommend that the rear garage building be designed to fit in with the other buildings in terms of materials, design, and massing. More details of this building will be required during the Site Alteration Permit (SAP) submittal. The aforementioned comments are something that the applicant will have to work on as they submit for preliminary/Site Alteration Permit.

HPC Action Requested

Please note you are NOT making a formal motion tonight, rather just providing feedback to the applicant for when they come back for a formal Site Alteration Permit (SAP) for new construction and restoration of the Ernst Home.

Please provide feedback as it relates to the following items:

- The look and spatial relationship of the new construction adjacent to the Ernst Home and Walnut Street Historic District (ie. materials, massing, overall design, etc)
- What information you would need/want to see when they submit for SAP

December 29, 2021

Elizabeth Hanson, AICP
City Planner
City of Chaska
One City Hall Plaza,
Chaska, MN 55138

RE: Concept Site Plan Submittal – Ernst House Site/Chaska Yards

Thank you for the opportunity to submit this Concept Site Plan for the Ernst House Site in Downtown Chaska. Working with the Elise Durbin at the Carver County CDA our team of MacDonald & Mack Architects, Close Associates, Bob Close Studio, and Damon Farber are excited about this affordable housing development that will transform this site in the local and national historic district to be a vital part of the community. These four units will be brought into the Carver County Community Land Trust and sold to households at 80% AML.

The goal of this project is to build on the unique historic fabric of Downtown Chaska. With its overlapping national and local historic districts, it contains a rich collection of commercial and residential structures that have evolved through 165-years of development. This collection of affordable houses will utilize the existing Ernst House and add 3 more structures on the site. These structures are designed to be compatible and complimentary to the Ernst House and the context of the historic district. By building on and adding to this central site of the City, we will be striving to meet the mission of the City to enhance and maintain the high quality of life while respecting its historic roots.

Carver County will be using State Housing Infrastructure Funds, which will require State Historic Preservation Office review. We have already met with SHPO and during this initial meeting they were receptive to the site plan concept presented as part of this application, although no formal reviews have been completed. Formal submittals will be sent at 30%, 60%, and 90% development for review and comment.

Historic Development

This site was the historic location of the Ess House. Several years ago, the Ernst House was moved to this site and alongside the Ess House with the intention to fill the empty space in the historic district. After the loss of the Ess House to fire, the empty site was prime for a revived life. Our proposal now offers an opportunity to add residential use back to the site. As part of the process, and to best respond to the existing and historic density of the site, we carefully developed a concept that best fits the historic setting. This was done by looking at historic documentation (Sanborn maps and historic images) and overlaying them with the changes that have occurred in time to ensure the development is compatible.

Existing Site Narrative

The site is bordered on the north by the backsides of several commercial structures that front onto East 3rd St. These rear elevations are utilitarian, with few windows, a dumpster behind the westerly structure (Von Hanson's Meats), "volunteer" trees and bushes, and signs of deferred maintenance. The site design will respond to the buildings with screening.

To the east, the site fronts onto N. Walnut Street and has clear views of a large 3+ story apartment building with single family homes to its south. Existing street trees will eventually help mitigate the scale of the apartment building, which seems out of character with surrounding residences.

To the south, the site overlooks a city-owned parking lot and rooftops of commercial buildings fronting onto E. 2nd St. Views of side and rear walls that form the west side of the alley as it descends to 2nd are also part of the viewshed. In addition to these immediate elements, there are distant views of apartment buildings and more distant treetops. The openness to the south allows plentiful sunlight into the site and provides welcome opportunities for community gardening, play areas and gathering spaces.

To the west, the site faces onto the alley and rear elevations of commercial buildings (some with second story uses) and parking lots that serve them. Power lines and poles run along the east side of the alley and feed buildings on both sides. The parking lots are not well organized or maintained and present an unsightly view. The proposed Paseo plan could significantly improve the character of the space, but screening to minimize the impact of the alley and parking lots is still desirable. Planned garages and fencing will help mitigate the alley's impact.

In addition to the overhead power lines along the west edge of the site, there are underground utilities that will need to be further vetted, including an apparent underground gas line (which may need to be relocated; the survey only identifies a small warning sign), an existing 12" storm sewer line (that may be partially abandoned and doesn't interfere with proposed plans), subgrade utility lines to the Ernst House from Walnut, and subgrade utility stubs from Walnut to the site of the former Ess House.

The site drops relatively gently from the northwest corner to the southeast corner, allowing for ample opportunities to intercept surface water and manage it on-site. In addition, the open portion of the south side of the site (west of the Ernst House) could accommodate a well field for geothermal heating, should it be feasible. The relative flatness of the site also provides the opportunity to have new housing units and the Ernst House relate well to each other to create a "sense of community" within the development. An east-west walkway through the site is planned to primarily serve immediate residents and their guests, although the walk could also allow periodic use by non-residents.

Chaska Yards Site Concept

The site development is based on several underlying principles; all have successful precedents that support their efficacy in an historic urban context such as this.

The new houses are organized around a small "commons," which provides space for gathering and meeting with neighbors and friends. The commons also engages the Ernst House, unifying the old with the new. South of the commons is a larger community space that will incorporate sites for private gardens and a small play area, as well as stormwater management and a possible geothermal system. These spaces support community interaction and have historic precedents dating back to pocket neighborhoods of the 1920s. Both the new housing and the Ernst House will also have private yards, ideally separated from more public spaces and each other by low fences, to clearly define spaces that

are for personal use. These yards will have room for small patios and amenities like grilles, tables, and chairs.

The site has a central walkway that connects the proposed Paseo to Walnut Street and provides access to all the units, including the Ernst House. At the east end, an entrance wall, steps, and landscaping will help define the sense of entry to the site and provide a small bank of locked boxes for mail delivery. At the west end, a low gate from the Paseo will reinforce that the interior site is not a public space but may occasionally be traversed by visitors. The walkway provides access to the garages and the garbage/recycling bins for residents.

The concept of defensible space is integral to the site layout, establishing clear transitions between public, semi-public, and private spaces on the site. This "hierarchy" creates a safer environment for residents and reinforces the concept of "eyes on the street," a proven, passive approach to enhancing site security.

The frontage along Walnut borrows from the private houses across Walnut and elsewhere in the community: houses typically are located with a common setback that aligns with neighboring houses, with side yards between houses. On this site, the new house fronting onto Walnut is designed to match the setback of the Ernst House yet show deference to the larger, historic home with simpler massing and details. The central walk intersects with walks that go to both the Ernst House and the new house, establishing a symmetry between the two. Along the public sidewalk, a limestone wall, composed of stone blocks that are available on-site, will further define the site edge and provide an elegant elevation to street.

A primary goal of the project is to provide high quality open spaces for residents. To reduce the footprint of parking we located the second parking stall for each unit in front of the garages. The alternative is to introduce an east-west drive isle and parking lot that prevents the formation of communal open spaces on site. The northwest side of the site also has two spaces for public or visitor use. These spaces were oriented parallel to reduce light trespass from cars and to provide equitable green space to unit 3. We will continue to analyze how these spaces will work with the Paseo, knowing that design is still in early phases of development to ensure these two spaces function as planned. There is also on-street parking along Walnut that could be used by residents and visitors. Walnut is not a commercial street and should not have the same parking demand that other streets have in the district.

The site will be one lot with each owner and Carver County entering into a HOA for the use and maintenance of the site.

Ernst House Concept

The Historic Ernst house that was moved to this site will be restored back to a single-family house. Currently the house has interior modifications that converted it to a commercial office structure and a rental unit on the second floor. These recent modifications will be removed and reconfigured to become a historic 3-bedroom house:

- The brick will be repaired, with appropriate mortar being installed and bricks chosen to match where they need to be replaced.
- Historic images will guide porch repair.
 - Chaska Historical Society provided photos of the historic house; it appears that the current elements are in fact the historic elements on the house.
 - The columns, cornice, dentils, balusters, and railings will be repaired where possible.

- Where elements are missing or too deteriorated for reuse, the historic elements will be used to fabricate replica pieces.
- The back entrance canopy will be reinstalled, but still waiting on additional historic photographs to help guide that design.
- Historic windows will be repaired.
- More recent windows will be replaced with new windows to match the historic configuration.
- Exterior trim will be repaired.
- The interior will be reconfigured with new finishes/fixtures for a family.
- The design will maximize the retention of historic materials/configuration/finishes as part of the project.

New Housing Concept

The new units will have the same floor plans, but their orientations shifted around the Community Green spaces. The general floor plan is a split level to take advantage of the sloped site and use a very efficient structural system. But more importantly, the split level allows for compatibility with the Ernst house, so the height of the new structures does not dominate the site, but rather acts in concert with the historic house. The Secretary of the Interior's Standards and Chaska's Preservation Design Manual for New Construction Considerations emphasize that the design of new buildings in Historic Districts need to respect their older neighbors with similar massing, opening orientation, and materials but also be "of their time". It seemed appropriate for the new houses on this site to be slightly smaller, shorter than the existing/older Ernst House in deference to its size and history. The proposed project development:

- Reflects the current and historic rhythm that was on this site and along the street with openings between buildings and reestablishing the visual continuity of the street.
- Creates a density of structures similar to when the Ess House and outbuildings occupied the site.
- The scale of the new houses is shorter than the Ernst house, again, giving deference to the historic structures in the district.
- Pitched roofs were used to reflect the typical residential forms found in the district.

As we begin to look at the exterior details of the house, we have found several baseline characteristics of the historic district that we used for understanding the direction and detailing the new units:

- The more decorative ornamentation was typically found on the larger houses that fronted City Square. The smaller houses in the broader historic district used much simpler elements.
- In addition, the details found on newer houses or additions to historic houses were typically simpler than the historic structures.
- The predominant siding material used in the district when newer houses or additions were built is horizontal lap siding. This offers a distinct differentiation between the original, historic brick buildings and reflects more recent changes.
- Shutters were infrequently used. Even the historic photos of the Ernst House shows that shutters were never installed on that house. Adding shutters to this site would be inappropriate.
- The porch detailing on the Ernst House is original (as noted above) but is still very simple. Any decorative detailing on the new units must not overpower the limited detailing on the historic house.
- The window and door trim on the Ernst House is original, and very simple.

To reinforcing the new units' respectful role (as an affiliated group of structures around Ernst), we are proposing the exterior details could include:

- Lap siding with simple bands and potentially varying the lap dimensions.
 - We feel that adding brick will create a false sense of history on this site, blurring the perception of historic versus contemporary building.

- Also, putting brick on a framed structure is not true to the historic construction methods of how/where brick was used in the district.
- Designing the siding to also include simple, enlarged trim, including horizontal banding to break up the vertical dimension of the new units.
- Simple, built-up trim for the doors and windows, to create visual interest and shadow lines.
- Balustrades and railings with simple turned and routed shapes to create shadow lines and elements of decoration at the entrances.
- Since we want to keep these units as affordable as possible, and as we refine these details, we will work with our contractor to identify designs that be efficient and inexpensive to build.
 - The goal is to add interest and detail while not trying to replicate or create a false sense of historic detailing for the new units.
 - We also want to avoid adding detail that will create undue expense for the affordable units and potential long-term expense as the future homeowners maintain the property.

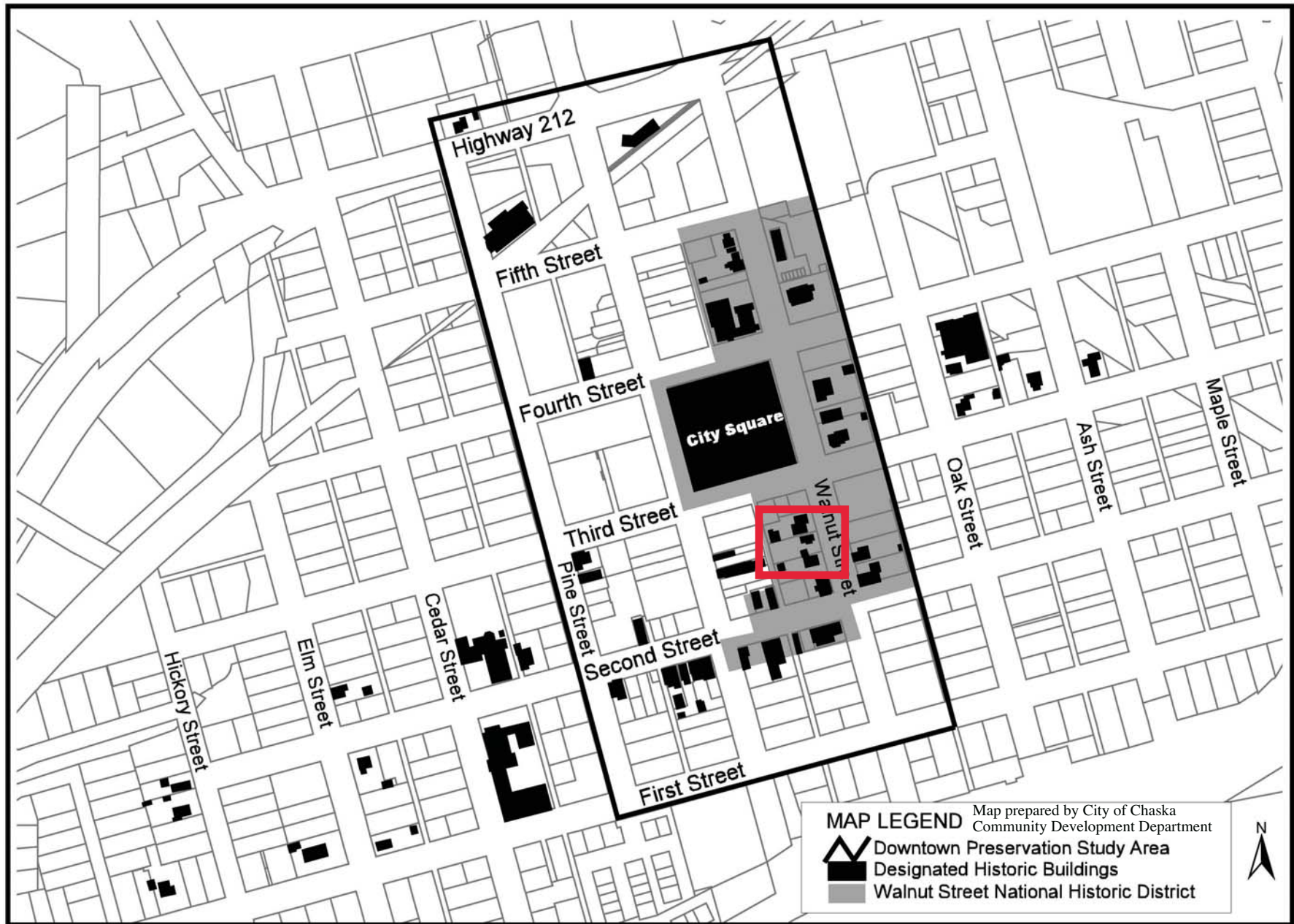
The floor plans will include:

- Two bedrooms, a shared bathroom, laundry, storage, and mechanical on the lower level.
- A mid-level entrance out to the commons.
- A master bedroom/bathroom, kitchen, dining, living, guest powder room, and exterior door on the upper level.
- The upper level will have vaulted ceilings over the stairs, kitchen, living, and dining areas.
- A multitude of storage spaces at the entries, in the living areas, bedrooms, and above the master bedroom under the pitched roof.

One focus of the development is to incorporate sustainable practices into all design efforts. As the design progresses, we will endeavor to include:

- A highly insulated envelope, possibly including structural insulated panels (SIPs) as part of the construction.
- Geothermal heating and cooling.
- Solar panels on the flat roof of the garage.
- Storm water management and reuse on-site.
- Material durability analysis for changing climates.
- Sustainable materials, finishes, and construction practices.

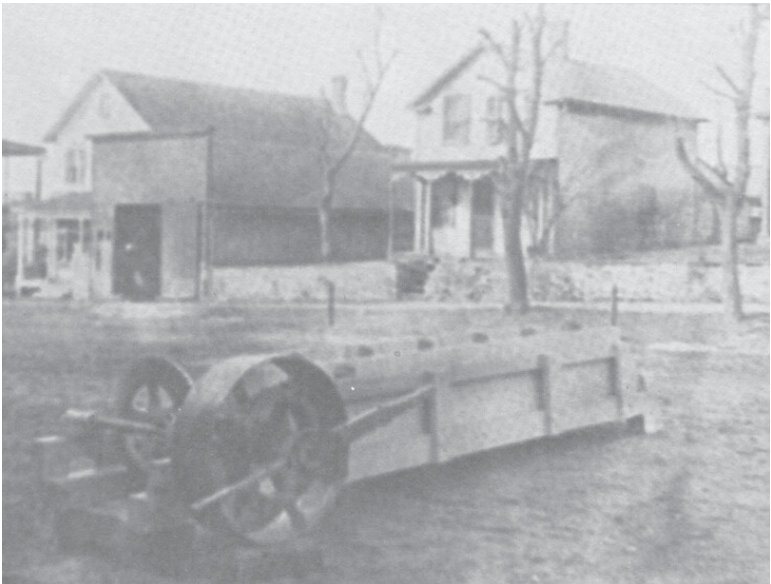
HISTORIC DOWNTOWN CHASKA



Chaska Historic District Site - Sanborn Study



Chaska Historic District Site - Sanborn Study and Historic Context



Ess Bros. Foundry



Chaska Historic District Site - Historic Ernst House

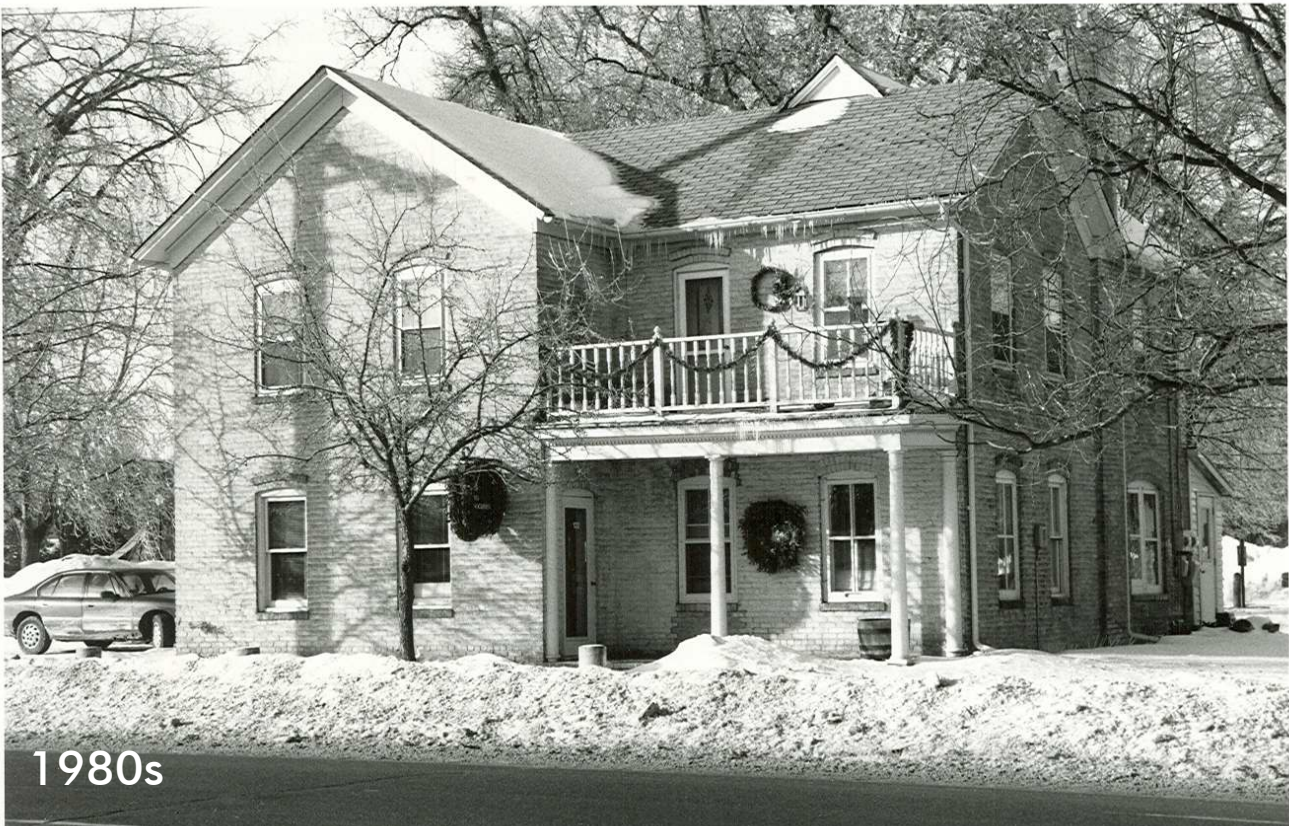


1943

8A Discuss Ernst Home & Chaska Yards...

Page 13 of 48

Packet Page 57 of 92



1980s



1998

22/98

Chaska Historic District Site - Recent Context

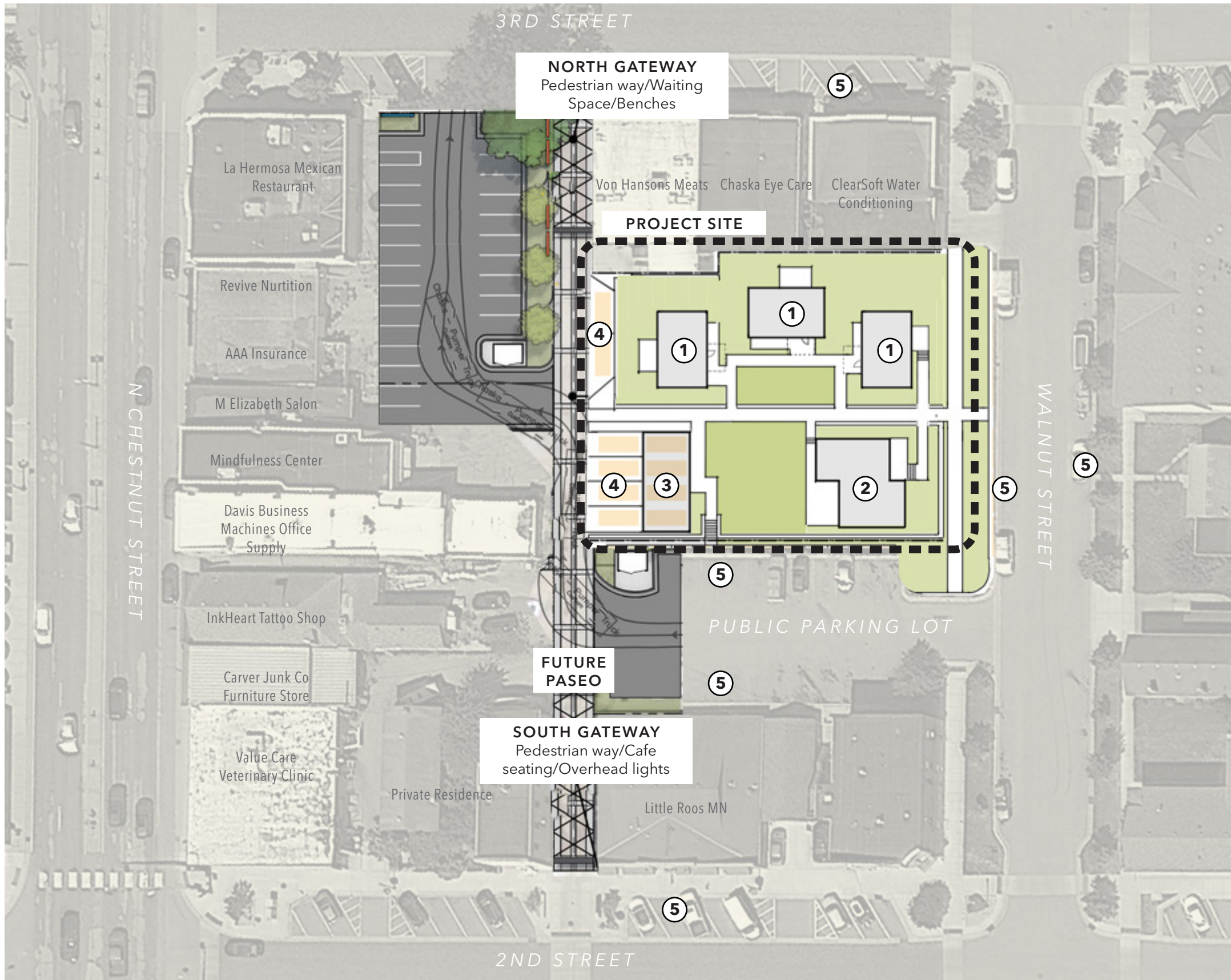


Chaska Historic District Site - Current Context



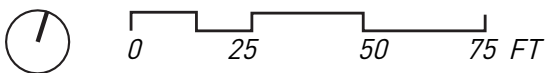
Chaska Historic District Site - Current Context



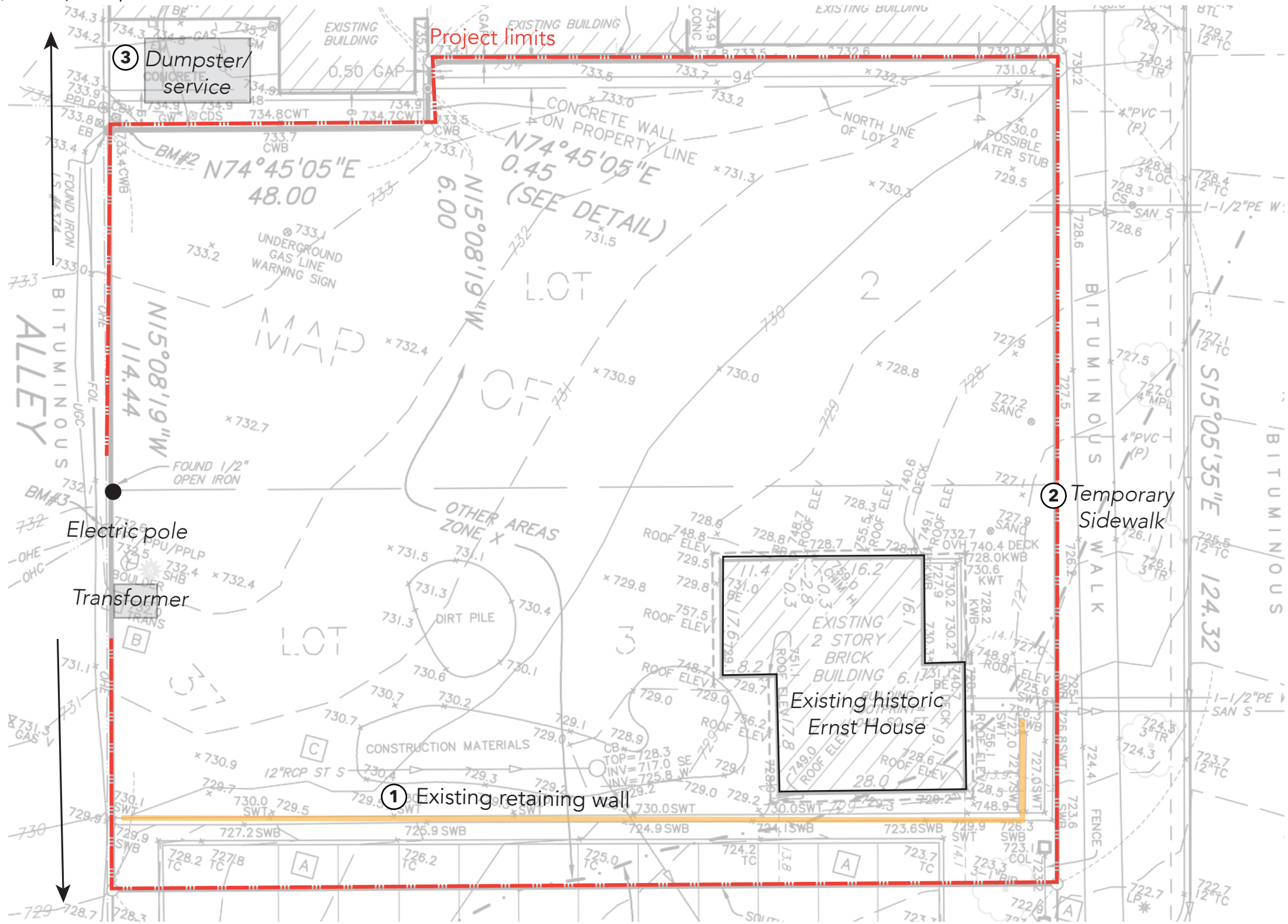


CHASKA YARDS context plan

- ① PROPOSED HOUSING UNITS
 - ② HISTORIC ERNST HOUSE (RENOVATED)
 - ③ GARAGE
 - ④ ON SITE PARKING
 - ⑤ EXISTING PUBLIC PARKING
- Public parking removed off Chesnut St with hwy 41 reconstruction



1/2 block to
park/open space



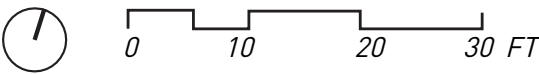
CHASKA YARDS

existing conditions plan

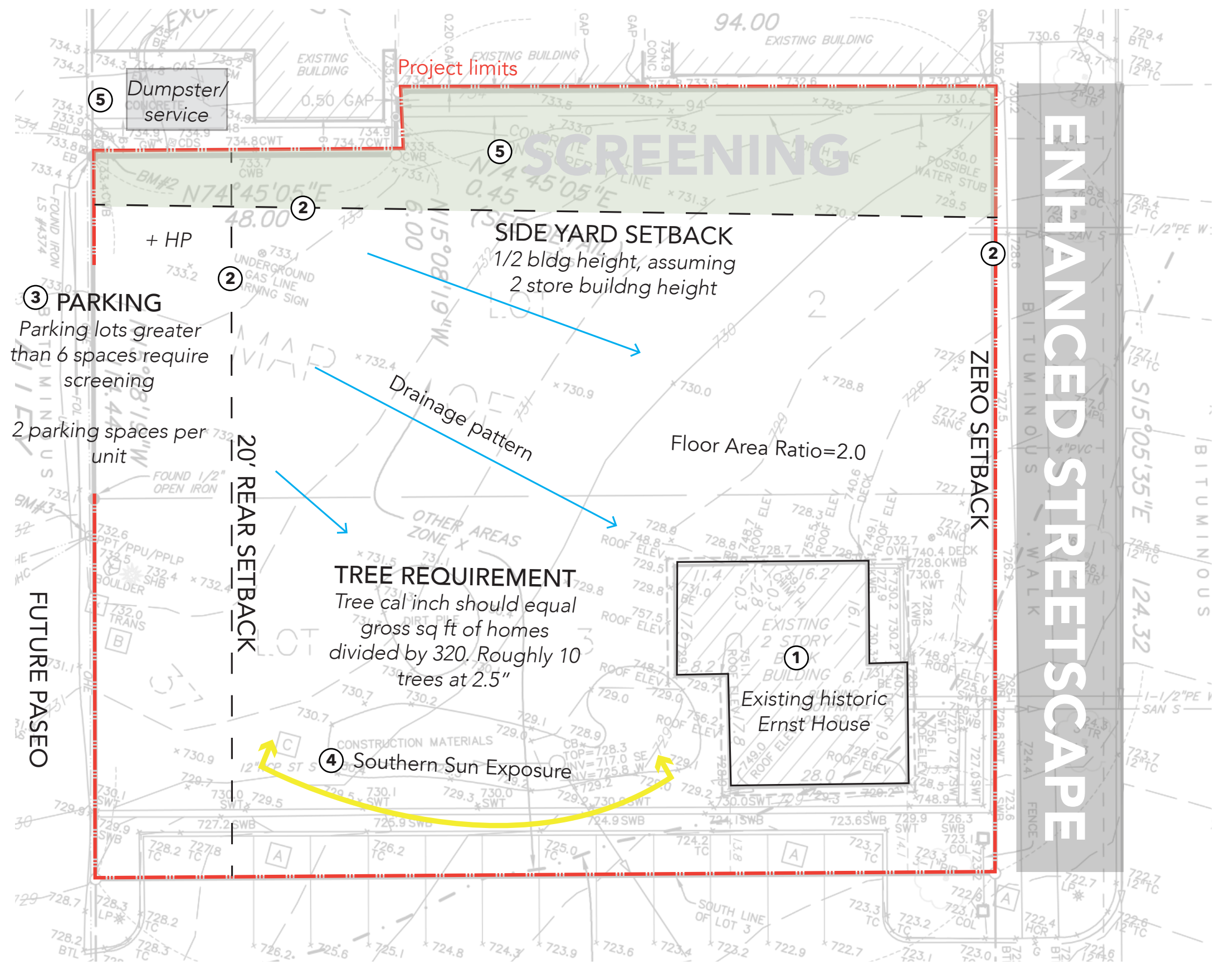


1/2 block to
commercial street

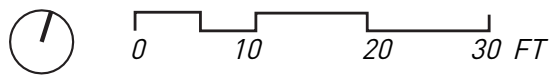
Public parking lot

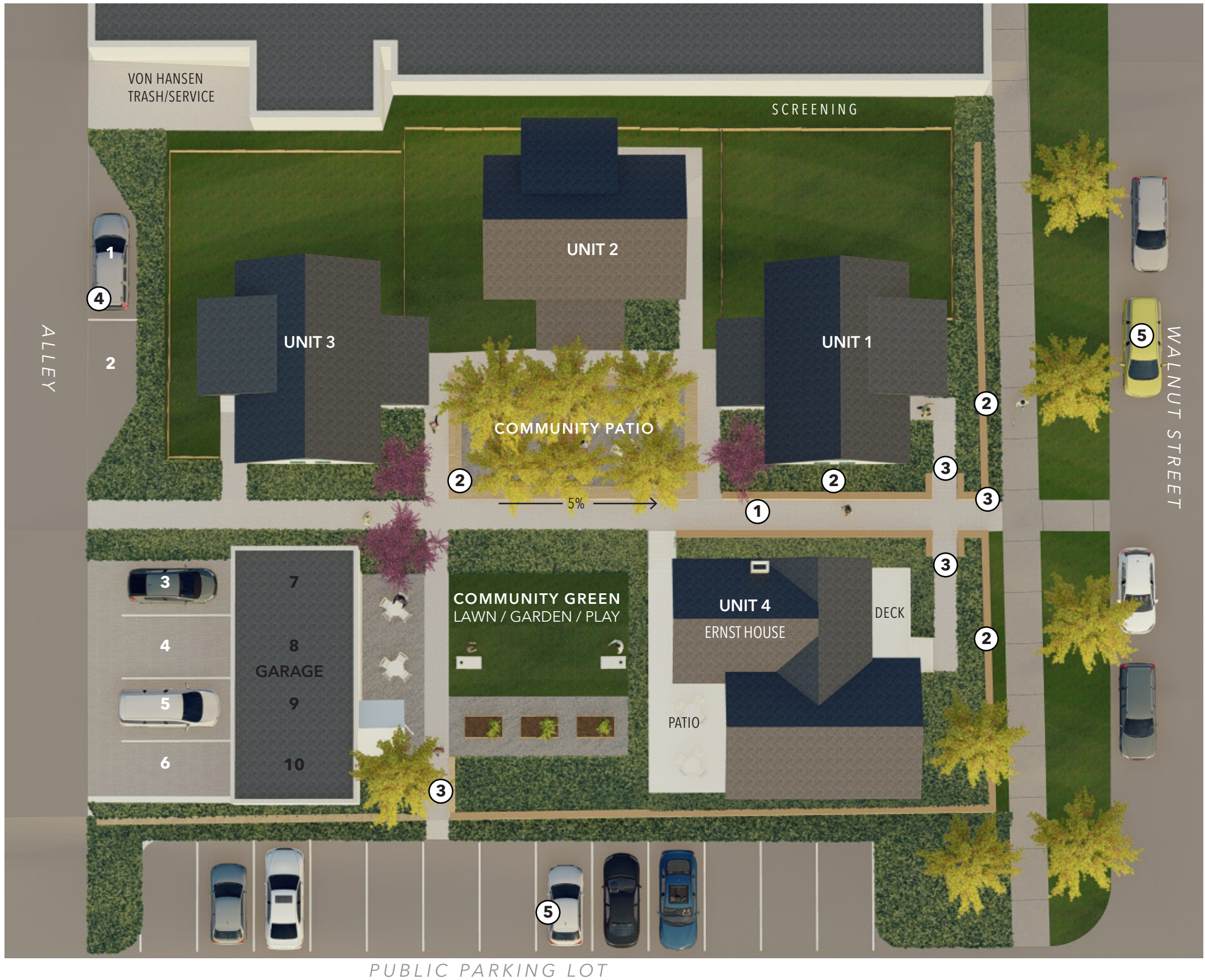


CHASKA YARDS
site forces plan



- ① HISTORIC ERNST HOUSE
- ② SETBACK REQUIREMENTS
- ③ PARKING REQUIREMENTS (8 STALLS)
- ④ SOUTHERN EXPOSURE UTILIZED FOR COMMONS
- ⑤ SCREEN ADJACENT STRUCTURES

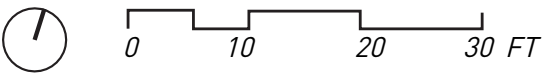




CHASKA YARDS

site plan

- ① CENTRAL WALKWAY
- ② LIMESTONE RETAINING WALL
- ③ STAIRS
- ④ PARALLEL PARKING (PUBLIC)
- ⑤ EXISTING PUBLIC PARKING



CHASKA YARDS
southwest birdseye view



CHASKA YARDS
southeast birdseye view



CHASKA YARDS
northeast birdseye view



CHASKA YARDS
northwest birdseye view



CHASKA YARDS
walnut street birdseye view



CHASKA YARDS
walnut street view



CHASKA YARDS
walnut street frontage



CHASKA YARDS
commons birdseye view

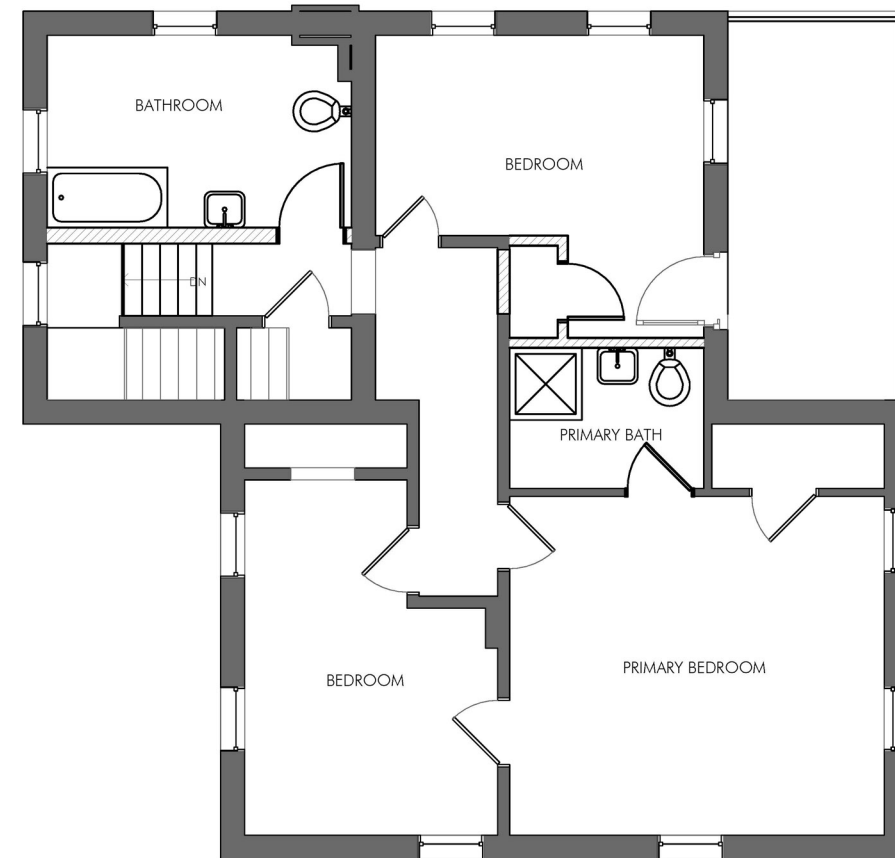


CHASKA YARDS
commons eye level view

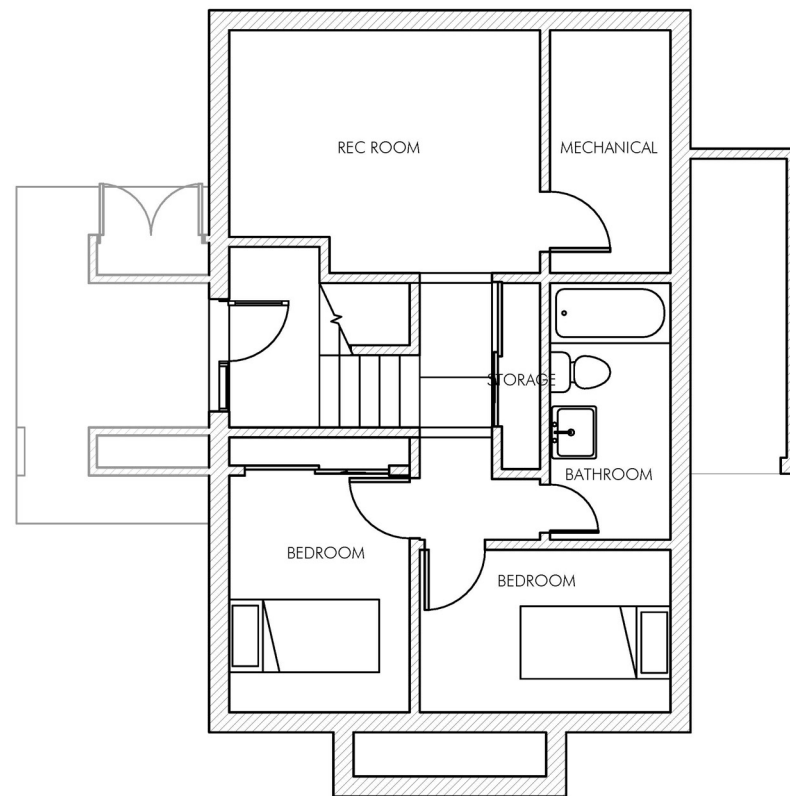




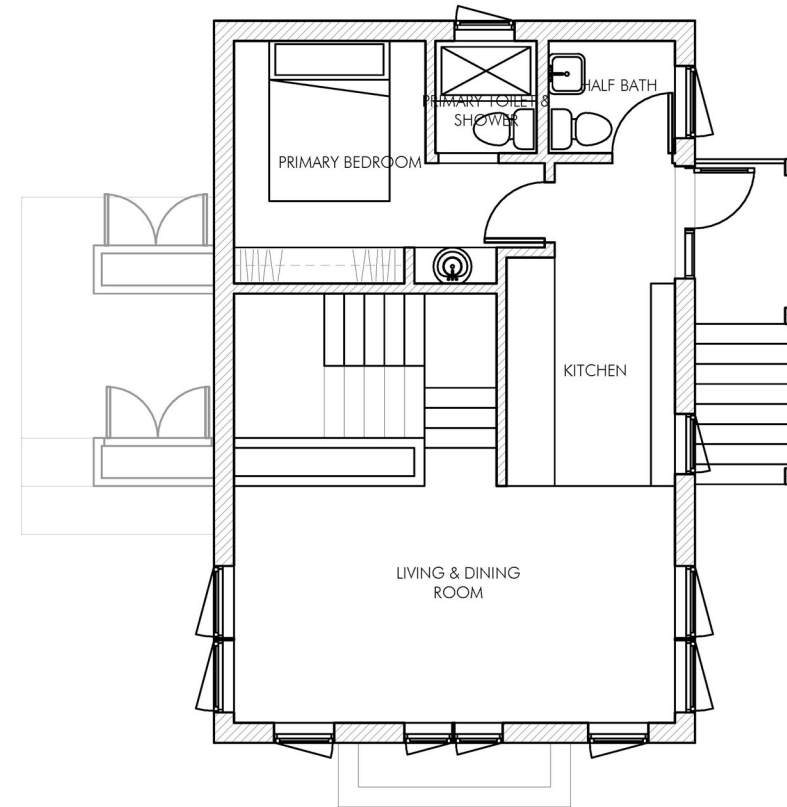
1 | A01 - FIRST FLOOR
1/4" = 1'-0"



1 | ERNST HOUSE - 02 SECOND FLOOR
1/4" = 1'-0"



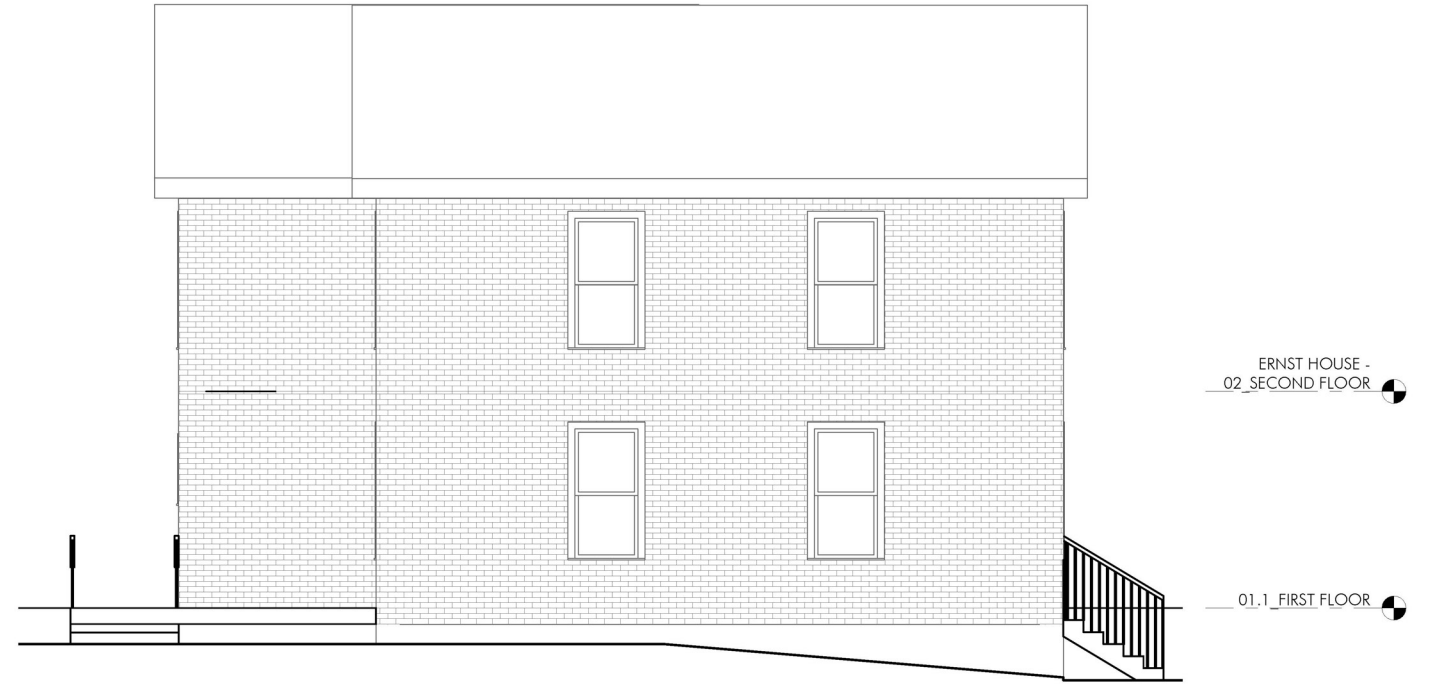
1 | 00 SPLIT - Lower level
1/4" = 1'-0"



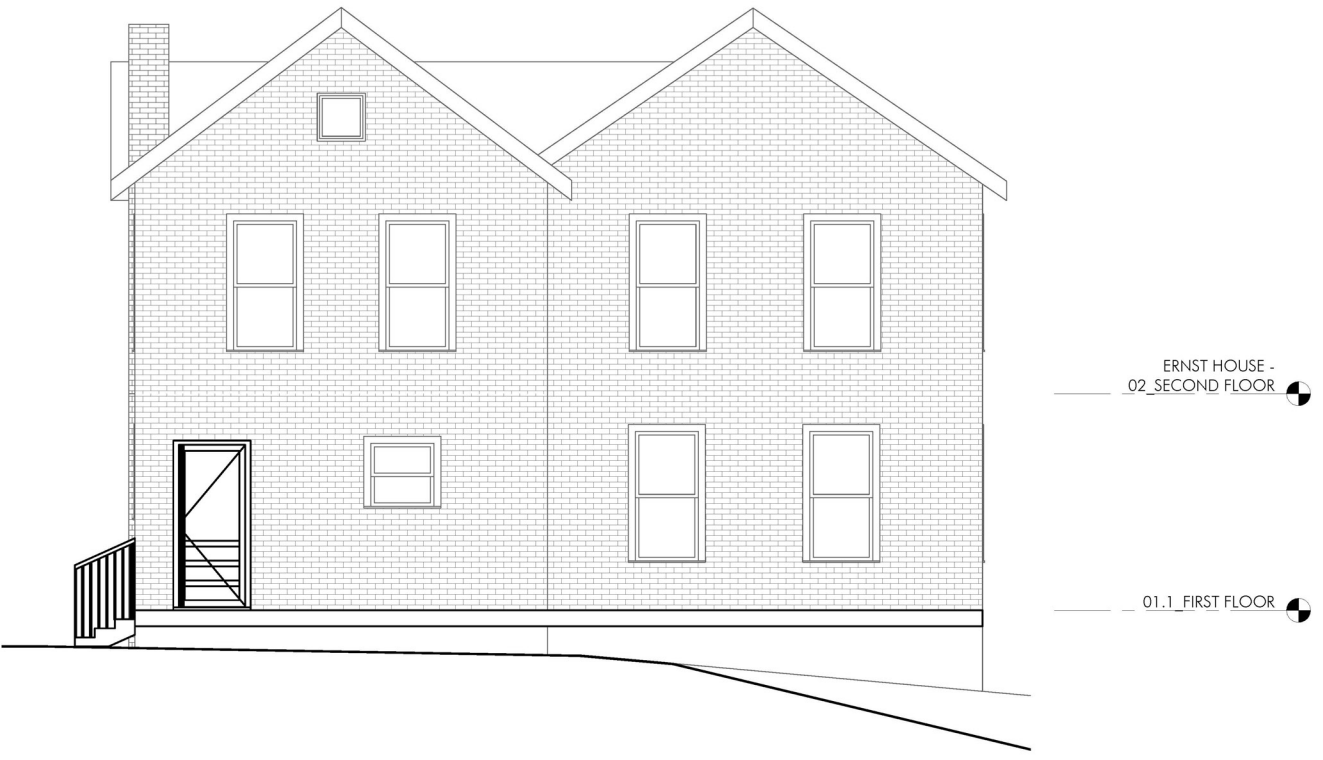
1 | 01 SPLIT - FIRST FLOOR
1/4" = 1'-0"



1 | ERNST HOUSE - EAST ELEVATION
1/4" = 1'-0"



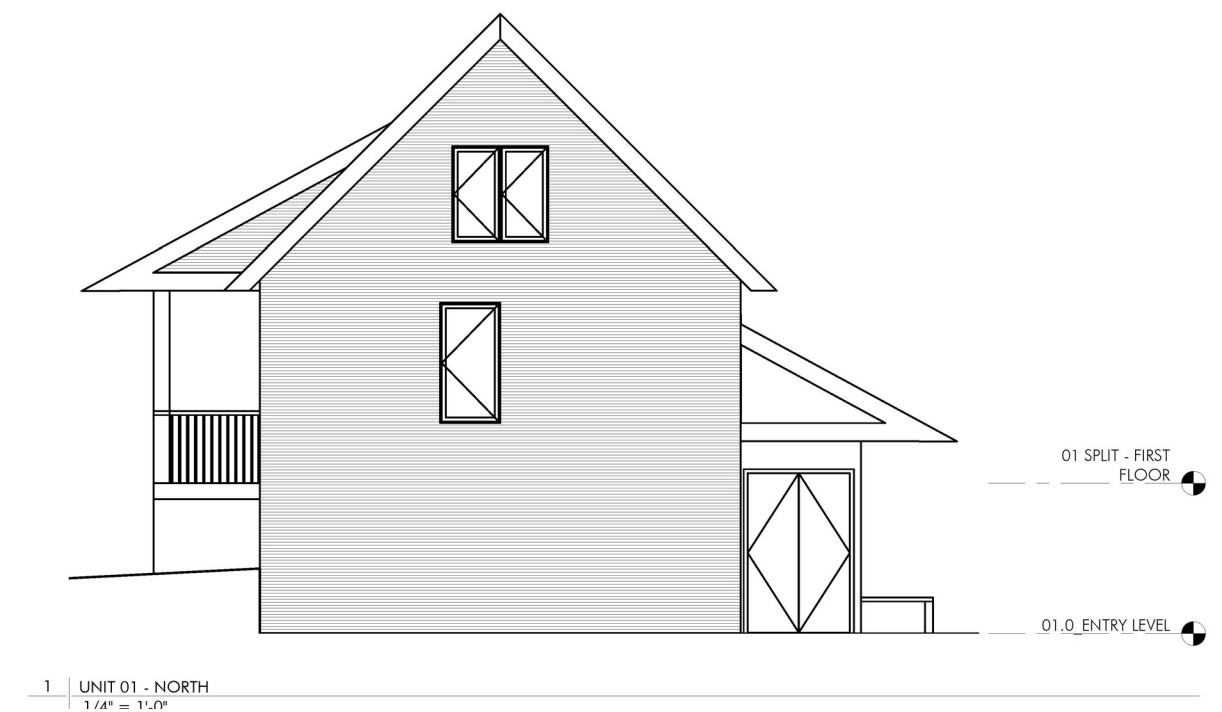
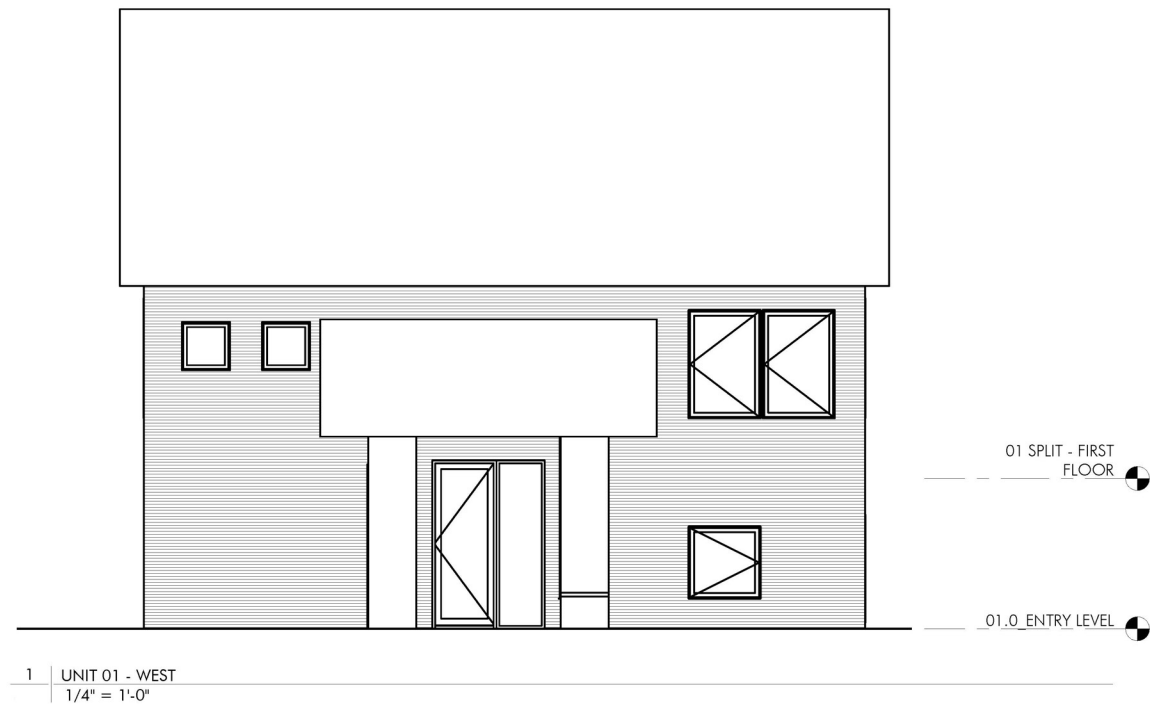
1 | ERNST HOUSE - SOUTH ELEVATION
1/4" = 1'-0"



1 | ERNST HOUSE - WEST ELEVATION
1/4" = 1'-0"



1 | ERNST HOUSE - NORTH ELEVATION
1/4" = 1'-0"



June 28, 2019

Elizabeth Hanson
City of Chaska
1 City Hall Plaza
Chaska MN 55318

RE: Rehabilitation of the Riedele (Ernst) House, 211 Walnut Street North
Construction of new townhomes/carriage houses at 217 Walnut Street North
Chaska, Carver County
SHPO Number: 2019-1730

Dear Ms. Hanson,

Thank you for consulting with our office regarding the above referenced project. Information received in our office on May 29, 2019 has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act. Our comments are provided below.

As you are aware, we previously commented on the Environmental Assessment Worksheet (EAW) that was prepared for the demolition of the Joseph Ess House, which was formerly located at 217 Walnut Street North. The Joseph Ess House was a contributing property within the Walnut Street Historic District, which is listed in the National Register of Historic Places (NRHP). In our letter dated January 12, 2017, we recommended that any new infill construction at this location should be designed in accordance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* (Standards), specifically Standards 9 and 10.

You have now submitted a project submittal titled "Ess Lot and Ernst Home Redevelopment." As we understand it, the adjacent Riedele (Ernst House) was moved to its current site at 211 Walnut Street North and will be rehabilitated as part of this project. The currently vacant lot at 217 Walnut Street North will be redeveloped to include townhomes with associated carriage houses/garages. We have reviewed the following materials included with your May 22, 2019 submittal:

- Memo dated May 7, 2019 from Laura Russ of Talle & Associates to Nate Kabat, Kevin Ringwald and Liz Hanson, City of Chaska, titled *Preliminary Plan Submission for Ernst House Parcel*; and
- Excerpt (pgs 74 & 75) from the Preservation Design Manual, Chaska, MN (December 23, 2003): (Philip) Riedele House "Existing Conditions" and "Renovation Potential"; and
- Preliminary Site Plans (dated 5/7/19) for the "Ernst House Redevelopment."

Our comments as they pertain to the proposed project and its adherence to the Standards are provided below.

Riedele House Rehabilitation

- Please provide a scaled elevation drawing which illustrates the historic house adjacent to the proposed infill at all elevations.
- Any masonry cleaning must be achieved using the gentlest methods possible. These parameters will need to be clearly indicated in all construction documents. Abrasive cleaning measures, especially sandblasting, strong acids (particularly fluoride-based acids), or high-pressure water cleaning and/or metal bristle brushes are not recommended.

- Repointing shall only occur where necessary. In order to meet Standards, repointing mortar must match the historic mortar in color, texture, strength, joint width and joint profile. Repointing work must be accomplished with minimal damage to surrounding materials and in accordance with the guidance provided in **Preservation Brief 2, Repointing Mortar Joints in Historic Masonry Buildings** - <https://www.nps.gov/tps/how-to-preserve/briefs/2-repoint-mortar-joints.htm>. This guidance should also be incorporated into the specification development and construction documents for this project.
- Historic windows and doors should be retained, repaired, and reused whenever possible. If the historic doors and windows are beyond repair, please submit visual documentation and a written assessment of their condition or deficiencies. Has the project considered introducing a storm window to improve historic window performance?
- Wood clad windows are an acceptable replacement window when necessary. Please provide details at the sill, head, jamb, and meeting rails of the historic window and the proposed replacement window.
- Historic openings and windows should not be infilled. Please provide more information regarding any proposed infill.
- Cabinets, walls, and new systems should be held back a minimum of 5 feet from all glazing and should not intersect with any windows.
- Staff has concerns about the proposed design of the front porch. We understand that the photos from the design manual shows a porch floor at-grade and that you are achieving an ADA accessible entrance by placing the first floor porch at-grade. However, historically this porch would most likely have been lifted off the ground either with a footing or with a wood structure sitting on grade. Please submit a historic photograph to support the porch at-grade or reconsider your design to take into consideration a more standard historic porch feature and design detail. Salvaged historic porch materials should be reused whenever possible.

New Townhomes/Carriage Houses

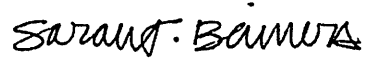
- It appears that historically the outbuildings for this house were also brick. As such, the total impact of the mass, scale, and quantity of lap-siding proposed on the carriage houses/garages overwhelms the disproportionately small amount of brick retained and used on this site.
- The proposed mass of the carriage houses/garages is overwhelming to the site. The units should be broken up, preferably to be more in line with the proposed walkway between the historic house and the new townhomes. Also, the overall height and mass of the carriage house/garage directly behind the Reidele house should be reduced.
- Additionally, the north elevation of the townhomes must have more articulation. There is a large expanse of lap siding with no fenestration, design articulation, or detail.

Please take our above comments into consideration and submit the requested information and revised drawings for our review.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36CFR800, Procedures of the Advisory Council on Historic Preservation for the protection of historic properties. If this project is considered for federal assistance, or requires a federal permit or license, it should be submitted to our office by the assisting federal agency.

Please contact me at (651) 201-3290 or sarah.beimers@state.mn.us if you have any questions regarding our review or would like to discuss next steps, including whether or not the City would welcome the opportunity to discuss comments and recommendations provided in this letter with myself and SHPO Design Reviewer for the proposed project.

Sincerely,

A handwritten signature in black ink that reads "Sarah J. Beimers". The signature is written in a cursive, slightly slanted style.

Sarah J. Beimers
Environmental Review Program Manager

cc: Michael Koop, Minnesota State Historic Preservation Office

Chapter 10.5

HERITAGE PRESERVATION

ARTICLE I. IN GENERAL, Sections 01 through 25 are hereby reserved.

ARTICLE II. HERITAGE PRESERVATION.

Section 26. Declaration of public policy and purpose.

The Chaska City Council hereby declares as a matter of public policy that the preservation, protection, perpetuation and use of areas, places, buildings, structures and other objects having a special historical interest and value is in the public interest and is required in the interest of the health, prosperity, safety and welfare of the community. To this end, the Heritage Preservation Commission is created and charged with the stewardship of Chaska's heritage.

The purposes of this ordinance are to:

- 1) Safeguard the heritage of the City of Chaska by preserving historic properties and districts that reflect elements of its cultural, social, economic, political and architectural history;
- 2) Protect and enhance the City of Chaska's appeal and attraction to residents, visitors and tourists;
- 3) Enhance the visual and aesthetic character, diversity and interest of the City of Chaska;
- 4) Foster civic pride in the beauty and notable accomplishments of the past;
- 5) To strengthen the local economy;
- 6) To stabilize and improve property values in historic districts;
- 7) To promote the preservation and continued use of historic properties for the education and general welfare of the people of the City of Chaska; and
- 8) To encourage new buildings and development which will be harmonious with the existing historic buildings and neighborhoods but will not necessarily be of the same architectural style, the purpose being to develop the Historic District as a vital living area in which each succeeding generation may build with the quality and sensitivity of past generations.

Section 27. Definitions.

- 1) "Alteration" means work that changes the detail of a resource but does not change its basic size or shape.
- 2) "Commission" means a Heritage Preservation Commission created by the City Council.
- 3) "Demolition" means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect. Destruction by fire when arson by the

owner or the owner's agent is proven shall be considered demolition.

- 4) "Denial" means the written rejection of a permit application for work that is inappropriate or that adversely affects a resource.
- 5) "Designation Study" means a study and report prepared to determine whether a property is worthy of designation as a historic district or historic resource.
- 6) "Historic District" means an area, or group of areas not necessarily having contiguous boundaries, that contain one resource or a group of resources that are related by history, architecture, archeology, engineering or culture.
- 7) "Historic preservation" means the identification, evaluation, designation, and protection of resources significant in history, architecture, archeology, engineering, or culture.
- 8) "Historic resource" means a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archeology, engineering, or culture of Chaska, the State of Minnesota, or of the United States; and is locally or nationally designated as historic.
- 9) "Resource" means one or more publicly or privately owned historic or non-historic buildings, structures, sites, objects, features or open spaces located within a historic district.
- 10) "Site alteration permit" means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

Section 28. Historic District.

- 1) The Chaska Historic District is hereby established and is bounded and described as follows:
Lots 1 and 10, Block 44; Lot 5, Block 37, except the westerly 50 feet thereof; the east one-half of Block 37; the west one-half of Blocks 20, 29 and 36; the east one-half of Block 21; and all of Block 28 (City Square), according to the map or plat thereof on file in the Office of the County Recorder, Carver County, Minnesota.
- 2) The City Council may at any time establish by ordinance additional historic districts, modify boundaries of an existing historic district, or may eliminate an existing historic district.

Section 29. Heritage Preservation Commission.

- 1) *Creation and Composition.* The Heritage Preservation Commission is hereby established (hereinafter referred to as the "Commission"), which shall consist of seven (7) voting members to be appointed by the City Council. Any member appointed to serve on the Heritage Preservation Commission shall be a resident of Chaska and shall have a demonstrated interest in historic preservation. The composition of the Commission shall

include, if available, at least two (2) preservation-related professionals, including the professions of history, architecture, architectural history, archaeology, planning, real estate, design, building trades, landscape architecture, or law. Whenever possible, at least two (2) members should own or reside in a historic property or should own or reside in property in an historic district. In addition, one member must be a designated representative of the Carver County Historical society, if available.

- 2) The members of the **Heritage Preservation Commission** shall be appointed for three (3) year terms, and each member shall be eligible to serve for three (3) consecutive terms. Said terms shall be staggered. Additional terms may be served by a Commissioner if sufficient applications are not received by interested residents. Vacancies shall be filled by the City Council within sixty (60) days of the vacancy occurring. The term of a Commissioner may be terminated and a new member appointed in the event the Commissioner fails to attend any three (3) consecutive meetings or in the event of failure to attend any four (4) meetings in any twelve (12) month period. (Ord. No. 846, 12-20-10)
- 3) *Pay.* Members of the Commission shall serve without pay.
- 4) *Organization.* The City Council shall elect from the Commission's membership a Chair and Vice-Chair who shall serve for the terms of one (1) year. Each will be eligible for re-election. The Chair shall preside over the Commission. The Vice-Chair shall, in the absence or disability of the Chair, perform the duties of the Chair.
- 5) *Quorum.* Four (4) members of the Commission shall constitute a quorum for the transaction of business.
- 6) *Voting.* Each member of the Commission shall be entitled to one (1) vote. The concurring affirmative vote of a majority of members present at the meeting of the Commission shall constitute approval of plans before it for review, or for the adoption of any resolution, motion or other action of the Commission. A majority of the members present may reject approval of plans before it for review.
- 7) *Rules and Regulations.* The Commission shall make by-laws, not inconsistent with local or state law, as it deems advisable and necessary for the conduct of its affairs and for the purpose of carrying out the intent of this Ordinance. Such rules shall provide for the time and place of regular meetings and for the calling of special meetings.
- 8) *Meetings.* The Commission shall hold regular meetings, but no less than four (4) per year. In addition, the Commission shall meet at its earliest convenience, when called by the Chair, to review such building permits or applications as are referred to it by the City Building Official or Director of Planning. All meetings of the Commission shall be open to the public; and a public record shall be kept of the Commission's resolutions, proceedings and actions.
- 9) *Staff Assistance.* To accomplish the intent and purpose of this ordinance, the City of Chaska shall provide the Commission with adequate staff support and supplies.

Section 30. Powers and Duties of Commission.

- 1) The Commission shall issue a site alteration permit(s) or denial for all new construction, reconstruction, or exterior restoration, alteration, color change, or any other exterior work on any historic resource or any resource located within an historic district.
- 2) The Commission shall issue a site alteration permit, notice to proceed or denial for the moving or demolition of any historic resource or any resource located within an historic district.
- 3) The Commission shall conduct a survey and maintain a roster of historic resources located within historic districts which shall include a description of the characteristics of the resources which justified its designation, and a description of the particular features that should be preserved, and shall include the location and boundaries of the resource.
- 4) The Commission shall recommend to City Council the designation of additional historic resources or historic districts from resources chosen according to the criteria listed in section 31(3) which, when designated, shall be subject to all the provisions of this Ordinance.
- 5) The Commission shall review and comment to City Council on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of city, county or state governments, as they relate to historic resources in the City of Chaska.
- 6) The Commission shall work for the continuing education of the citizens of the City of Chaska with respect to the civic and architectural heritage of the City. It shall keep current and public a register of designated and proposed Heritage Preservation sites and areas, along with the plans and programs that pertain to them.
- 7) The Commission may survey all areas to determine needed and desirable improvements of older buildings throughout the city, acting in a resource and advisory capacity to owners of historic resources regarding their preservation, restoration, and rehabilitation.
- 8) The Commission may make recommendations to City Council on the acceptance of grants and gifts given for heritage preservation purposes.
- 9) The Commission may review and make recommendations to City Council on proposed amendments to the Zoning Ordinance as it relates to historic resources or historic districts.
- 10) The Commission shall make recommendations to City Council on proposed amendments to this Ordinance.
- 11) The Commission shall prepare an annual report by October 30th for the submission to City Council and the Minnesota State Historic Preservation Office concerning the work of the Commission during the preceding year.
- 12) The Commission shall be informed about and provide information to the public and City staff on the use of various federal, state, local and private funding sources available to promote historic resource preservation and other incentives for preservation of historic resources,

including legislation, regulations and codes which encourage the use and adaptive re-use of historic properties.

- 13) The Commission may make recommendations to City Council that designated properties or historic resources be acquired by purchase, gift or by eminent domain.
- 14) The Commission may take such actions as are reasonable and necessary for the administration and enforcement of this Ordinance.
- 15) Variances – Due to peculiar conditions of design and construction in historic neighborhoods it may be in the public interest to retain a neighborhood's historic appearance by making variances to normal requirements of the Zoning Ordinance. Where it is deemed that such variances will not adversely affect neighboring properties, the Commission shall recommend to the Planning Commission that such variance to standard requirements be made.
- 16) Exceptions to Uniform Building Code – Due to peculiar conditions of design and construction of historic buildings it may be in the public interest to retain the economic viability of a historic building by making exceptions to normal requirements. Where it is deemed that such exceptions will be no more hazardous based on life safety, fire safety and sanitation than the existing building, the Commission shall recommend to the Director of Planning that such exceptions to standard requirements be made.

Section 31. Designation Criteria and Procedures.

- 1) *Purpose.* This section is established to promote the preservation of historic resources by providing the Commission with authority to recommend the designation of historic resources and historic districts to the City Council and to adopt design guidelines for designated properties. Once designated by the City Council, such historic resources and districts shall be subject to all provisions of this Ordinance.
- 2) *Designation procedures.* The City Council, on recommendation of the Commission, may, after notice and public hearing as described in section 35, designate resources, other landmarks and historic districts.
- 3) *Criteria.* The following criteria shall be considered in determining whether a property is worthy of designation as a landmark or historic district because of its historical, cultural architectural, archaeological, or engineering significance:
 - a) has significant character, interest, or value as part of the development, heritage or cultural characteristics of the city, state or county; or
 - b) is the site of a significant historic event; or
 - c) is associated with the life of a person or persons who significantly contributed to the city's culture and development; or
 - d) embodies those distinguishing characteristics of an engineering specimen or an

architectural style, period, form or treatment; or

- e) contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
 - f) portrays the environment in an era of history characterized by a distinctive architectural style; or
 - g) is the work of an architect or master builder whose individual work has influenced the city's development; or
 - h) owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of a neighborhood or city.
- 4) *Nomination of Property.* Nomination of a resource to be considered for designation for preservation shall be submitted to the Director of Planning. For the purpose of this Ordinance, any person may nominate any building, structure, object, site, or district for preservation. The Director of Planning shall forward complete applications to the Commission.
- 5) *Commission decision on nomination.* The Commission shall review all complete nomination applications to determine whether the nominated resource is worthy of preservation. All applications shall include property boundaries and a program for the preservation of the resource, which shall follow the Secretary of the Interior's Standards for Treatment of Historic Properties. If the Commission determines that a nominated property appears to meet at least one of the criteria for designation contained in section 31(3), the Commission may direct the planning director to commence a designation study of the resource.
- 6) *State Historic Preservation Office review.* All proposed designations that the Commission deems worthy of preservation shall be submitted to the State Historic Preservation Office (SHPO) for a sixty (60) day review period. SHPO's comments on the proposed designation shall be sent to the City Council for consideration.
- 7) *Planning Commission review.* All proposed designations that the Commission deems worthy of preservation shall be submitted to the Planning Commission for a sixty (60) day review period. Comments from the Planning Commission shall include, but not limited to, the relationship of the proposed designated resource to the Comprehensive Plan and Zoning Ordinance, the effect of the proposed designation upon the surrounding neighborhood and any other planning considerations which may be relevant to the proposed designation.
- 8) *Commission review.* Following completion of the designation study the Commission shall hold a public hearing as described in section 35 to consider the proposed designation. In making its recommendation to City Council, the Commission shall consider the designation criteria contained in section 31(3), the information contained in the designation study, the State Historic Preservation Officer's comments, the Planning Commission's comments, and all testimony received at the public hearing relating to the designation.

- 9) *City Council designation.* The Commission shall forward its recommendations, together with its findings of significance and eligibility, and with the comments of the Planning Commission and of the State Historic Preservation Office, to the City Council. The City Council, upon the request of the Commission, may, by ordinance, designate a heritage preservation site. Such an ordinance shall require a two-thirds vote of all City Council members to be effective.
- 10) *Recording of Preservation Sites.* The City Clerk shall record with the Carver County recorder the legal description of all buildings, lands, or areas designated as Heritage Preservation Sites by the Council, and shall send a copy to the Building Official.
- 11) *Design Guidelines.* The Commission shall adopt design guidelines for historic resources and historic districts. Prior to adoption, the Director of Planning shall submit all proposed design guidelines to the State Historic Preservation Officer for review and comment within sixty (60) days.

Section 32. Regulation of Construction and Alteration.

- 1) *Permit.* A Site Alteration Permit shall be obtained before new construction, alterations or repair, including color and signage change, or any other work that will effect the exterior appearance of a historic resource or a resource located in a historic district.
- 2) *Application.* An owner of a historic resource or a resource located in an historic district shall apply to the Director of Planning for a Site Alteration Permit, including all information that the Director of Planning and the Commission determine is necessary for a complete application, including, but not limited to, photographs of the existing structure, plans and written description fully describing the proposed work. Following receipt of a complete application and all supporting documentation, the Director of Planning shall refer the application and all required supporting material to the Commission.
- 3) *Commission Review.* The Commission shall hold a public hearing on each complete application for a Site Alteration Permit as provided in section 35. The Commission may approve, approve with conditions, or deny such plans. All findings and decisions of the Commission shall be final, subject to appeal to the City Council as specified in section 34.
- 4) *Matters considered.* In reviewing new construction and site alteration plans, the Commission shall give consideration to:
 - a) The historic and architectural significance of the resource and its relationship to the historical integrity of the surrounding area.
 - b) The general compatibility of the architectural style, arrangement, texture, color, arrangement of color, and materials used on existing and proposed structures with the character of the historic resource and its site or the historic district.
 - c) Any applicable design guidelines adopted by the Commission.

d) Secretary of the Interior's Standards for Treatment of Historic Properties. These standards are as follows:

- 1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- 2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- 3) Each property will 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 elements from other historic properties, will not be undertaken.
- 4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- 5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- 7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- 8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- 9) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- 10) New additions and adjacent or related new construction will 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.

5) *Findings.* Before approving any Site Alteration Permit, the Commission shall make findings that the alteration will not materially impair the integrity of the historic resource or historic district and is consistent with the applicable design guidelines adopted by the Commission, or if design guidelines have not been adopted, is consistent with the recommendations contained in the Secretary of the Interior's Standards for Treatment of Historic Properties. (Amended 02-03-03)

6) *Action by Commission.* If the Commission approves plan(s), it shall direct the Building Official to make a notation on the building permit and process the application. If the Commission denies plan(s), it shall immediately inform the Building Official in writing. The Commission shall furnish the permit applicant with a copy of the decision together with

recommendations for changes necessary before the Commission will reconsider the permit application.

- 7) *Minor Classes of Work.* Applications and plans for minor classes of work shall be approved by the Planning Director, as delegated by the Commission, when the work is in conformance with the approved guidelines and is on the list of minor classes of work prepared by the Heritage Preservation Commission. Review of minor classes of work is beneficial in expediting the permitting process where appropriate.
- 8) *Limitations.* If within 60 days from the filing of a Site Alteration Permit application the Commission has neither approved or denied the Site Alteration Permit application, the plans and permit application shall be deemed to have been approved by the Commission, and if all other requirements of the City have been met, the Building Official shall authorize a permit for the proposed work. By vote of the Commission and notification of the Building Official, the 60-day period may be extended by 15 days in cases where professional study or recommendation is required and the 60-day period is not sufficient to do the work.

Section 33. Regulation of Demolition and Relocation.

- 1) *Purpose.* The demolition or relocation of individual resources or resources within an historic district shall be discouraged. The Commission may, however, after careful consideration of the effect of the move on the resource in question and on the entire historic district, issue a Site Alteration Permit for moving or demolition of a resource.
- 2) *Action by Commission.* Upon receiving an application concerning the demolition or relocation of a historic resource or resource located in an historic district, the Commission within sixty (60) days after receipt of the application shall either approve or deny such application, or find that the preservation and protection of historic places and the public interest will best be served by postponing the demolition or alteration for a designated period, which shall not exceed one hundred eighty (180) days from the receipt of the application, and notify the applicant of such postponement.
- 3) *Public hearing.* In all applications involving the demolition or relocation of a resource or historic resource, provision shall be made for a public hearing as set forth in this article.
- 4) *Engineer study.* In any case involving the demolition or relocation of a resource or historic resource, before granting approval or requiring a postponement, the Commission may call on the City Engineer to provide them with a report on the state of repair and structural stability of the structure under consideration.
- 5) *Alternative undertakings.* Within the period of postponement of such demolition of any building, the Commission shall take steps to ascertain what the City Council can or may do to preserve such building, including consultation with private civic groups and interested private citizens and including investigation of the potential use of the power of eminent domain when the preservation of a given building is clearly in the interest of the general welfare of the community and of certain historic and architectural significance. The Commission may also require a reuse study be completed, at the owner's expense, to determine potential reuses of the building proposed to be demolished.

- 6) *Primary matters considered.* The Commission shall use the following primary criteria for review of a Site Alteration Permit for relocating or demolition. At least one of the following requirements must be met in order for the Commission to approve relocating or demolition of a historic resource.
- a) Retention of the resource constitutes a hazard to public safety that cannot be eliminated by economic means available to the owner, including the sale of the structure on its present site to any purchaser willing to preserve the structure.
 - b) Preservation of the resource is a deterrent to a major improvement program that will be of substantial benefit to the community.
 - c) Retaining the resource will cause an undue and unreasonable financial hardship to the owner, taking into account the financial resources available to the owner including the sale of the structure to any purchaser willing to preserve the building.
 - d) Retaining the resource is not in the interest of the majority of the community.
- 7) *Secondary matters considered.* If the primary criteria have been met for a historic resource or if the Commission is reviewing the relocation or demolition of a resource, then the Commission may consider any or all of the following secondary criteria in deciding whether to approve or deny the application:
- a) The merit of the structure to be demolished.
 - b) The effect of the demolition on the surrounding buildings.
 - c) The effect of the demolition on the historic district as a whole.
 - d) The value or usefulness of the proposed replacement structure to the community, and the appropriateness of its design to the historic district.
 - e) If the lot is to be left open, the impact of open space in that location and on the district as a whole.
 - f) The effect of the demolition on the local economy.
 - g) Whether the demolition will foster civic beauty.
 - h) Whether the demolition will stabilize and improve property values in the district.
 - i) The effect of the demolition on safeguarding the heritage of the City, State, or Nation.
 - j) The effect of the demolition on promotion of the district for the education, pleasure, and welfare of the citizens of the City.

- 8) *Findings.* Before approving any demolition, partial demolition, or relocation, the Commission shall make findings that the request is necessary to correct an unsafe or dangerous condition on the property, is necessary for a major redevelopment that is of substantial benefit to the community, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the Commission shall consider, but not be limited to, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses.
- 9) *Action by Commission.* If the Commission approves the demolition or relocation, it shall direct the Building Official to process the application ten (10) days after Commission approval in order to provide a period of time within which a party may appeal the Commission's decision to the City Council. The Commission may require that the exterior and interior of the historic resource be recorded, at the owner's expense, according to the documentation standards of the Historic American Buildings Survey (HABS).

In case of disapproval, the Commission shall state the reasons therefore in a written statement to the applicant and make recommendations in regard to appropriateness of design, arrangement, texture, material, color and the like of the property involved.

Section 34. Appeals to the City Council.

All decisions of the Heritage Preservation Commission ~~except designations and historic variances~~ (amended by Ordinance No. 792 in October of 2006) shall be final subject to appeal to the City Council. Any affected party may initiate appeals by filing the appeal with the Director of Planning. All appeals shall be filed within ten (10) working days of the date of the Commission's order and decision. A copy of the notice of appeal and statement setting forth the grounds for the appeal shall be transmitted to City Council and a copy sent to the Commission. City Council may overturn the Commission's order and decision by a majority vote of all members of the City Council. The Commission, in any written order denying a permit application, shall advise the applicant of the applicant's right to appeal to the City Council and shall include this section in all such orders.

Section 35. Public Hearings.

Public hearings shall be published in the City's official newspaper at least ten (10) days prior to the date of the hearing, and notice of the hearing shall be mailed at least ten (10) days before the day of the hearing to all owners of record of the property or properties in question and to all owners of property situated wholly or partly within 350 feet of the Heritage Preservation Site.

Section 36. Annual Report.

The Commission shall submit to City Council an annual report summarizing the work of the Commission during the previous calendar year. This report shall be submitted by October 30 of each year.

The annual report should list conferences or workshops attended by the Commission and staff, summarize applications heard by the Commission and their disposition, report any educational programs undertaken in the past year, note in detail any significant precedents set during the past year, and state the Commission's plans for the coming year.

Copies of the annual report shall also be submitted to the Director of Planning, Building Official, and the State Historic Preservation Officer.

The Planning Director shall submit a summary of all Site Alteration Permits, if any, to the Commission on an annual basis.

Section 37. Emergency Repair.

In emergency situations where immediate repair is needed to protect the safety of a building or structure and its inhabitants, the Director of Planning and Building Official may approve the repair without prior Commission action. In the case of an emergency repair permit issued pursuant to this Section, the Director of Planning shall notify the Commission of the action and specify the facts or conditions constituting the emergency situation.

Section 38. Enforcement.

In case any building or structure subject to the regulation of this ordinance is to be constructed, altered, repaired, converted, moved, or subjected to demolition in violation of this Ordinance, the Director of Planning, in addition to any other remedies, may:

- 1) Institute civil action for injunctive relief to stop, prevent, or abate a violation of this ordinance.
- 2) Issue a stop work order to prevent a continuing violation of this Ordinance.

A person, individual, partnership, firm, corporation, organization, institution or agency of government that violates this Ordinance shall be guilty of a misdemeanor and may be punished under Section 08 of Chapter 1 of the Code of Ordinances.

A person, individual, partnership, firm, corporation, organization, institution or agency of government that violates this Ordinance may be ordered by the court to pay the cost to restore or replicate a resource unlawfully constructed, altered, repaired, converted, moved, or subjected to demolition.

Section 39. Severability.

- 1) *Severability of text.* If any portion of this chapter is determined to be invalid or unconstitutional by a court of competent jurisdiction, that portion shall be deemed severed from the regulations, and such determination shall not affect the validity of the remainder of the chapter.

- 2) *Severability of application.* If the application of any provision of this chapter to a particular property is determined to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the application of said provision to any other property.

Section 40. Effective Date.

This Ordinance shall be in full force and effect from and after its passage, adoption and publication according to law.

Passed and adopted by the City Council of the City of Chaska, Minnesota, this 15th day of July, 2002.