



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Meeting Agenda

Heritage Preservation Commission.

Monday, October 11, 2021

12:00 PM

Council Chamber, Third Floor, City Hall, 411
West First Street

To view the meeting, visit <http://www.duluthmn.gov/live-meeting>

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

1 Call to Order/Determination of Quorum

2 Public Hearings (None at This Time)

3 Consideration of Minutes

July 12, 2021, Regular HPC Meeting

July 19, 2021, Special HPC Meeting

July 26, 2021, Special HPC Meeting

August 9, 2021, Regular HPC Meeting

September 13, 2021, Regular HPC Meeting

4 Communications

Presentation, Duluth Citizens' Climate Action Plan

Letter, SHPO DECC Seawall Replacement, 9/3/21

5 Report of Final Disposition on Matters Previously Before the Commission

6 Reports of Officers, Staff and Committees

7 Consideration of Matters Regarding Commission Action

[HP2](#)

PL 21-161 Downtown Commercial Historic Design Guidelines

Attachments:

[PL 21-161 Sep 21 HPC Memo with Draft Doc](#)

8 Other Business

Annual Meeting, November 2021, Election of Officers

9 Adjournment

Heritage Preservation Commission
July 12, 2021 Meeting Minutes
Web-Ex Meeting Format

Due to the COVID-19 emergency, the HPC members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency.

1. Call to Order and Roll Call

President Jessica Fortney called to order the meeting of the Heritage Preservation Commission (HPC) at 12:03 p.m. on Monday, July 12, 2021.

Attendance: (Via WebEx video conferencing – all votes conducted via roll call)

Attending: Ken Buehler, Stacey DeRoche, Jessica Fortney, Mike Poupore, Brandon Hartung, Jess McCullough, Sarah Wisdorf (joined at 12:10)

Absent: None.

Staff Present: Steven Robertson

2. Public Hearings (None at This Time)

3. Consideration of Minutes

May 10, 2021

MOTION/Second: Buehler/Poupore approved the minutes

VOTE: (6-0)

4. Communications (None)

5. Report of Final Disposition of Matters Previously Before the Commission

None at this time.

6. Reports of Officers, Staff and Committees

Planning Commission (PC) - Commissioner Sarah Wisdorf was absent and there was no updated (Commissioner Wisdorf joined the meeting immediately after this item was discussed).

7. Consideration of Matters Regarding Commission Action –

-Resolution of Support, Legacy Grant (Window Replacement), Former St. Louis County Jail City Staffer Thresa Bajda discussed the proposed project, and was joined by Meghan Elliot. It was noted that the HPC reviewed the St. Louis County Jail project at an earlier meeting this year. The HPC being asked to pass a resolution of support related to a legacy grant application to replace the windows at the former St. Louis County Jail. The pre-application for the grant is shortly, with the grant due in early September.

Commissioner Buehler asked questions related to the amount of the grant being asked, and the timing. Bajda responded that we are asking for \$235,000, which is considered a large grant. President Fortney asked questions on the application process and tax credit process.

MOTION/Second: Fortney/Poupore to support the resolution.

VOTE: (7-0)

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

City Staffer Mollie Hinderaker presented on the proposed site improvements at Chester Bowl, including a gravel path and a pedestrian bridge. David Schaeffer, Director of Chester Bowl, provided some project background information, including consequences of the 2012 flood. The **HPC's comments were sought.**

Commissioner Poupore asked about the two dam structures that are on the site, and note that this is a designated trout stream. Commissioner Buehler asked about tribal review. Hinderaker noted that they sent information to 15 tribes in the area, with only 1 tribe responding, and they are still working on this element. Hinderaker noted that they received some CBDG funding for this project, and Schaeffer noted that the total cost of the project will be around \$100,000. Hinderaker concluded by stating that they do not need a formal resolution or vote from the HPC, but they wanted to share this information and get any comments back. She thank the HPC for their time today.

President Fortney stated that she believed that this project would create no adverse impacts. She added that Chester Bowl is really important to the community and our shared history, and could possibly see this being nominated for a local historic nomination in the future.

-First Draft Commercial Historic District Design Guidelines

The first draft design guidelines were forwarded to the HPC for review. Caitlin Hernstadt, Senior Architectural Historian, reviewed the first draft of the Commercial Historic District Design Guidelines. She reviewed the first portion of the draft document, discussing architectural styles, design principles, **and Secretary of Interior's Design Standrds.**

Two special meetings will be scheduled later in July to spend more time reviewing the document and seeking public input.

8. Other Business

- Civic Center/Priley Drive Public Art Bricks

Robertson discussed **the city's proposal for the bricks in Priley Drive.** Some of the bricks at the Civic Center/Priley Drive (between the fountain and the statue) are becoming loose/damage/deteriorated and will need to be removed.

9. Adjournment

Adjournment at 1:07 p.m.

Respectfully,

Adam Fulton – Deputy Director
Department of Planning and Economic Development

Heritage Preservation Commission
July 19, 2021 Special Workshop Meeting Minutes
Web-Ex Meeting Format

Due to the COVID-19 emergency, the HPC members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency.

1. Call to Order and Roll Call

Attendance:

Attending: Sarah Wisdorf and Jess Mccullough

Absent: Brandon Hartung, Ken Buehler, Stacey DeRoche, Jessica Fortney, and Mike Poupore

Staff Present: Steven Robertson

A quorum was not obtained; no official business conducted.

Respectfully,

Adam Fulton – Deputy Director
Department of Planning and Economic Development

Heritage Preservation Commission
July 26, 2021 Special Workshop Meeting Minutes
Web-Ex Meeting Format

Due to the COVID-19 emergency, the HPC members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency.

1. Call to Order and Roll Call

Attendance:

Attending: Jessica Fortney and Sarah Wisdorf

Absent: Brandon Hartung, Ken Buehler, Stacey DeRoche, Jess McCullough and Mike Poupore

Staff Present: Steven Robertson

A quorum was not obtained; no official business conducted.

Respectfully,

Adam Fulton – Deputy Director
Department of Planning and Economic Development

Heritage Preservation Commission
August 9, 2021 Meeting Minutes
Web-Ex Meeting Format

August 9, 2021, 12:00 PM - Meeting Minutes
Council Chambers – Duluth City Hall

1. Call to Order and Roll Call

Attendance:

Attending: Jessica Fortney, and Sarah Wisdorf

Absent: Brandon Hartung, Ken Buehler, Stacey DeRoche, Jess Mccullough, and Mike Poupore

Staff Present: Steven Robertson

A quorum was not obtained; no official business conducted.

Respectfully,

Adam Fulton – Deputy Director
Department of Planning and Economic Development

Heritage Preservation Commission
September 13, 2021 Meeting Minutes
Web-Ex Meeting Format

Due to the COVID-19 emergency, the HPC members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency.

Call to Order and Roll Call

President Jessica Fortney called to order the meeting of the Heritage Preservation Commission (HPC) at 12:03 p.m. on Monday, September 13, 2021.

Attendance: (Via WebEx video conferencing – all votes conducted via roll call)

Attending: Stacey DeRoche, Jessica Fortney, Brandon Hartung, Jess McCullogh, Mike Poupore, and Sarah Wisdorf (joined late - during the downtown commercial historic design guidelines discussion)

Absent: Ken Buehler

Staff Present: Steven Robertson and Cindy Stafford

Public Hearings

None

Consideration of Minutes

None at this time. Will be ready next month.

Communications

The SPHO virtual conference is this week. Please consider attending even one session. Robertson sent the link. It is being held online, and is free of charge. President Fortney said there is a session focused on local jurisdictions. She plans on attending some sessions.

Robertson noted next month he hopes to have info back from SPHO on the sea wall project.

(The next items were moved around to accommodate the attendee.)

Consideration of Matters Regarding Commission Action

PL21-160 Review for Historic Impacts, 863 E Upham Road, Windwood Townhomes: Robertson gave an overview and introduced the attendee. Aaron Keniski addressed the commission. The HPC has been asked to review the project and determine whether or not the commission agrees **with MHFA's determination that the Windwood Project would have no adverse effect on any nearby properties.** The Phase I and II architectural history survey was shared. Chair Fortney **noted the information in their packet. It doesn't fit the criteria** to be on the National Register, and has no historic significance.

MOTION/Second: Fortney/Hartung - The HPC agrees that the Windwood Project would have no adverse effect on any nearby properties.

VOTE: (5-0)

(Commissioner Sarah Wisdorf joined the meeting during the next item.)

Report of Final Disposition of Matters Previously Before the Commission

PL21-161 Downtown Commercial Historic Design Guidelines – Robertson gave an overview and noted it is now on the website. He hopes to have a public meeting and another round of mailing in early October. They have received mostly positive comments to date. One person was concerned about what if they wanted to demo their property.

Today Robertson is hoping for more discussion between the HPC members. Chair Fortney noted if a building is demoed, when it is rebuilt, it would have to fit in the historic design guidelines.

She noted the harsh words of “have to” and “must” and wanted to use this as a guideline and making it clear to help with maintenance plans. Mike Poupore said he has nothing to add at this point, but feels the document is lacking thoroughness and completeness. Jess Mcculloch suggested a clause for people who wish to build up, and the impact on view sheds. Chair Fortney noted page 62 – guideline 48 which talks about height compatibility with adjacent buildings. Maybe it needs to be more specific. Robertson noted a separate issue which might be in conflict with the Duluth Comp Plan. Chapter 11.1 Section 104 Demolition – part f – in case of a fire, if 50% remains standing, it is recommended that the structurally sound portion be rehabilitated and the other portion rebuilt. Chair Fortney shared a situation that happened in St. Cloud where people purposely set buildings on fire, so they wouldn't **have to follow the** guidelines. The HPC has to consider what they can do to help people not get to that point. Sarah Wisdorf asked about estimated market value. What if there is no money to repair?

Robertson said there is no good answer. If the owner says they can't afford it and walks away, there could be a blighted building remaining for several years. Wisdorf noted then 105 – demo **by neglect kicks in. She hopes there isn't an** uninsured owner in this situation. Robertson noted the possibility of a historic loan program, or TIF money. Wisdorf noted they can work on each situation on a case to case basis.

Chair Fortney will send her edits for consideration and urges the other HPC members to do the same. She would like to attend the informational meeting.

Reports of Officers, Staff and Committees

Planning Commission - Commissioner Sarah Wisdorf gave an overview. Essentia is seeking plan review approval for a 6-story parking ramp. They are also considering the sale of Lester Park Golf Course land.

Other Business

None

Adjournment

Adjournment at 12:49 p.m. (Next meeting scheduled for Monday, 10/11/2021 – Formerly Columbus Day now Indigenous Day and city hall is open.)

Respectfully,

Adam Fulton – Deputy Director
Department of Planning and Economic Development

September 3, 2021

VIA E-MAIL

Angly Ulschmid
AMI Consulting Engineers
91 Main Street
Superior WI 54880

RE: Duluth Coastal Infrastructure Rehabilitation
Phase II Duluth Entertainment and Convention Center (DECC) Seawall Replacement Project
Duluth, Saint Louis County
SHPO Number: 2021-0564

Dear Ms. Ulschmid,

Thank you for continuing consultation with our office regarding the above-referenced project. Information received in our office via e-mail on July 15, 2021 has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and its implementing federal regulations, "Protection of Historic Properties" (36 CFR Part 800).

We last wrote to the City of Duluth (City) on April 21, 2021 following our review of initial project information submitted to our office by the City, as authorized by the federal agency, regarding the proposed seawall replacement project which we understand will be funded through a grant from the Economic Development Administration (EDA).

In response, on July 15, 2021 AMI Consulting Engineers, on behalf of the City, submitted to our office the following additional documentation in support of the City's No Adverse Effect Section 106 finding for the EDA undertaking:

- Report titled *Phase II Duluth Entertainment and Convention Center (DECC) Seawall Rehabilitation Project, City of Duluth* (AMI Consulting Engineers, 07/14/2021) which also included:
 - Appendix A: DECC Seawall Phase II Preliminary Design Plans (01/25/21);
 - Appendix B: Historical Waterfront Development Design Plans;
 - Appendix C: Report titled *Minnesota Slip Phase II Intensive Level Survey/Evaluation, Minnesota Slip (SL-DUL-703), City of Duluth, St. Louis County, Minnesota* (Duluth Archaeology Center, January 2018); and
 - Appendix D: Presentation Slides "DECC Seawall & Irvin Relocation Project, Duluth, MN" (n.d.).

Our comments are provided below.

Define Federal Undertaking and Determine the Area of Potential Effect

The recent submission clarifies that the federal undertaking involves the proposed rehabilitation, which is essentially the replacement of 1,200 linear feet of existing seawall with a new seawall structure.

The July 15th submission provides a definition of the Area of Potential Effect (APE) as just the construction limits. It is explained in the letter that while the undertaking may have “temporary visual impacts” beyond the project boundary/construction limits, the “final project will not be visible beyond the project boundary.” Based upon our review of the existing conditions photographs, Preliminary Design Plans, and before/after renderings, we disagree with this assertion.

It is clear in the documentation that the existing seawall infrastructure is quite minimal and, while the proposed new outer seawall between stations 0+00 and 8+19 will essentially be of the same height and profile as existing, the undertaking also involves the construction of a new bollard platform, with a stepped-back, combination 4’ retaining wall and metal railing (of unspecified height) on top of the wall. As such, the proposed federal undertaking has the potential to present visual and possibly other potential effects to properties directly adjacent to the project boundary/construction limits. At a minimum, it is our opinion that the APE should include the first tier of extant properties adjacent to the project boundary/construction limits.

Identification of Historic Properties

Archaeology

Based upon information provided in your July 15th submission which, we note, is primarily archaeological survey and construction monitoring documentation associated with the Phase I DECC Seawall Rehabilitation Project outside of the current undertaking’s project area, we agree that areas within the APE have been subject to extensive ground disturbance and, as such there is a low likelihood of intact soils. We agree that no further archaeological survey is warranted for the undertaking as it is currently proposed.

History/Architecture

Considering the APE to include the first tier of extant properties adjacent to the construction limits, although we acknowledge there are several identified historic properties in the vicinity, we agree that there are no historic properties either currently listed or previously determined eligible for listing in the National Register of Historic Places (NRHP) within the APE.

We appreciate the inclusion of the 1963 development plans for the “Arena-Auditorium, Sitework Phase I Waterfront Development” plans in your July 15th submission. This documentation contributes to our understanding of the history of the property, including the fact that the original Duluth Arena Auditorium buildings and Harbor Drive are directly adjacent to the proposed undertaking. The original arena and auditorium buildings, and perhaps other site features, are over 50 years old and therefore meet minimum age requirements for listing in the NRHP.

As such, because this property - including the buildings, Harbor Drive, and any other landscape features - is located within a recommended APE, it should have been subject to identification and evaluation in order to determine whether the property is eligible for listing in the NRHP as required under 36 CFR 800.4(b). The Arena-Auditorium and Waterfront Development is obviously significant in the history of Duluth as a major urban renewal project which converted former industrial areas along the harbor to beneficial civic uses in the mid-1960s.

Absent an evaluation of this adjacent property and taking into account the scope and nature of federal involvement in this undertaking, we will consider the Arena-Auditorium and its site to be eligible for listing in the NRHP for purposes of completing Section 106 review of this undertaking only. Be advised that a considerable amount of additional research and documentation would be needed to make a formal determination of eligibility and nominate this property to the NRHP and that research may ultimately prove that the property is not, in fact, eligible for listing. We highly recommend that the City pursue a full evaluation of the property.

Assessment and Finding of Effect

Based upon information provided to our office at this time, we concur with the City's finding that the undertaking, as it is currently proposed, will have **no adverse effect** on historic properties.

Consulting Parties/Public Involvement

Thank you for providing a summary and documentation of agency coordination with other consulting parties, including consultation with the Duluth Heritage Preservation Commission and notification to tribal nations, as well as public involvement in the Section 106 review process for this project.

Implementation of the undertaking in accordance with this finding, as documented, fulfills the agency's responsibilities under Section 106. If the agency does not construct the undertaking as proposed, including, but not limited to, a situation where design changes to the currently proposed project diverts substantially from what was presented at the time of this review, or design changes involving undisturbed ground are made for the undertaking following completion of this review, the agency will need to reopen Section 106 consultation with our office pursuant to 36 CFR 800.5(d)(1).

Please feel free to contact me if you have any questions regarding our review. I can be reached at (651) 201-3290 or by e-mail at sarah.beimers@state.mn.us.

Sincerely,



Sarah J. Beimers
Environmental Review Program Manager

Cc via email:

Chase Dewhirst, AMI Consulting Engineers
Darrin Fleener, Economic Development Administration
Nancy Komulainen-Dillenburg, St. Paul District, Corps of Engineers

Duluth Commercial Historic District Draft Design Guidelines

Second Round of Public Information Presentations
October 7, 2021



PERSPECTIVE MAP OF
DULUTH, MINN.

1887.
POPULATION 35,000.
(1880 POP. 3400.)

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- RECESSIONS**
- 1. B. B. B. B.
 - 2. C. C. C. C.
 - 3. D. D. D. D.
 - 4. E. E. E. E.
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- INDUSTRIES**
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- CHURCHES**
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 - 3. C. C. C. C.
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 - 25. Y. Y. Y. Y.
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- EDUCATION**
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 - 3. C. C. C. C.
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 - 24. X. X. X. X.
 - 25. Y. Y. Y. Y.
 - 26. Z. Z. Z. Z.

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Presentation Overview

1. The unique importance of Duluth's historic district
2. Purpose of the design guidelines, major elements:
 - Maintenance of existing structures
 - New structures
 - Demolition of existing structures
3. Public review process and timeline

Information Available

PLANNING & DEVELOPMENT

[Home](#) / [Planning & Development](#) / [Planning & Development News](#) / [Duluth Commercial Historic Design Guidelines](#)

Planning & Development

Planning & Development News ▾

[Duluth's Medical District](#)

[Social Distancing and Curbside Delivery](#)

[Broadband Access](#)

[Demographic Data](#)

[Duluth Commercial Historic Design Guidelines](#)

Land Use Zoning and Applications

Business Development ▾

Community Development Funding ▾

Environmental ▾

Commissions & Committees

Guiding Documents ▾

Planning Library

Housing ▾

Public Lands Realignment

Duluth Commercial Historic Design Guidelines

In 2006, a portion of Duluth's central business district was nominated and listed on the National Register of Historic Places as the [Duluth Commercial Historic District \(click for link to map\)](#). The purpose of historic districts is, in part, to preserve the character of a neighborhood by retaining historic buildings and features while ensuring that new construction and additions are compatible with their historic surroundings.

The city is proposing historic design guidelines to assist property owners and contractors in determining appropriate treatment for existing historic buildings and landscape elements within the historic district, as well as to help provide direction when new structures are proposed to be constructed within the downtown historic district. The proposed downtown historic standards will give guidance on maintaining, repairing, and, when necessary, replacing historic features. Maintaining a neighborhood's historic character has social, economic, and environmental benefits beyond achieving and preserving a particular aesthetic appearance. Well-preserved neighborhoods with historic character can also attract visitors and investment. These proposed standards would only apply to properties within the 2006 historic district boundaries.

There will be another round of informational meetings in late September, to show the final proposed document. The goal is to share the final document with the Heritage Preservation Commission and the Planning Commission later this fall, and the City Council before the end of the year. If adopted, these guidelines would not be effective until early 2022.

[Link to PowerPoint that was presented end of July 2021](#)

[Link to Draft Commercial Historic District Design Guidelines \(New! 8/12/21\)](#) This is a work in progress, and will continue to be updated and amended through the fall.

The link to the heritage preservation commission's public meeting on the downtown commercial historic design standards on Thursday, October 7, at 6:00 pm, is [here](#).

<https://duluthmn.gov/planning-development/planning-development-news/duluth-commercial-historic-design-guidelines/>

Next Steps

August and Early Sep

More Review at Heritage Preservation Commission

Late September

Additional Public Information Meetings
(Mailed Notices and Press Release)

October/November

Heritage Preservation Commission and Planning Commission Public Hearing, and Review and Comment by State Historic Preservation Office (SHPO)

Late 2021 or Early 2022

City Council

Downtown Commercial District

National Register of Historic Places Multiple Property Documentation Form

This form is used for documenting multiple property groups relating to one or several historic contexts. See instructions in *How to Complete the Multiple Property Documentation Form* (National Register Bulletin 16B). Complete each item by entering the requested information. For additional space, use continuation sheets (Form 10-900-a). Use a typewriter, word processor, or computer to complete all items.

New Submission Amended Submission

A. Name of Multiple Property Listing

Historic Resources of Downtown Duluth, Minnesota, 1872-1933

B. Associated Historic Contexts

(Name each associated historic context, identifying theme, geographical area, and chronological period for each.)

Railroads and Agricultural Development (1870-1940)
Northern Minnesota Lumbering (1870-1930s)
Minnesota's Iron Ore Industry (1880s-1945)
Urban Centers (1870-1940)

C. Form Prepared by

name/title Michael Koop and Chris Morris

organization MN SHPO & National Trust for Historic Preservation

date 3/22/05

street & number 345 Kellogg Blvd West

telephone 651-296-5451

city or town St. Paul state MN

zip code 55102

D. Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this documentation form meets the National Register documentation standards and sets forth requirements for the listing of related properties consistent with the National Register criteria. This submission meets the procedural and professional requirements set forth in 36 CFR Part 60 and the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. See continuation sheet for additional comments.)

Signature and title of certifying official _____

Date _____

State or Federal agency and bureau _____

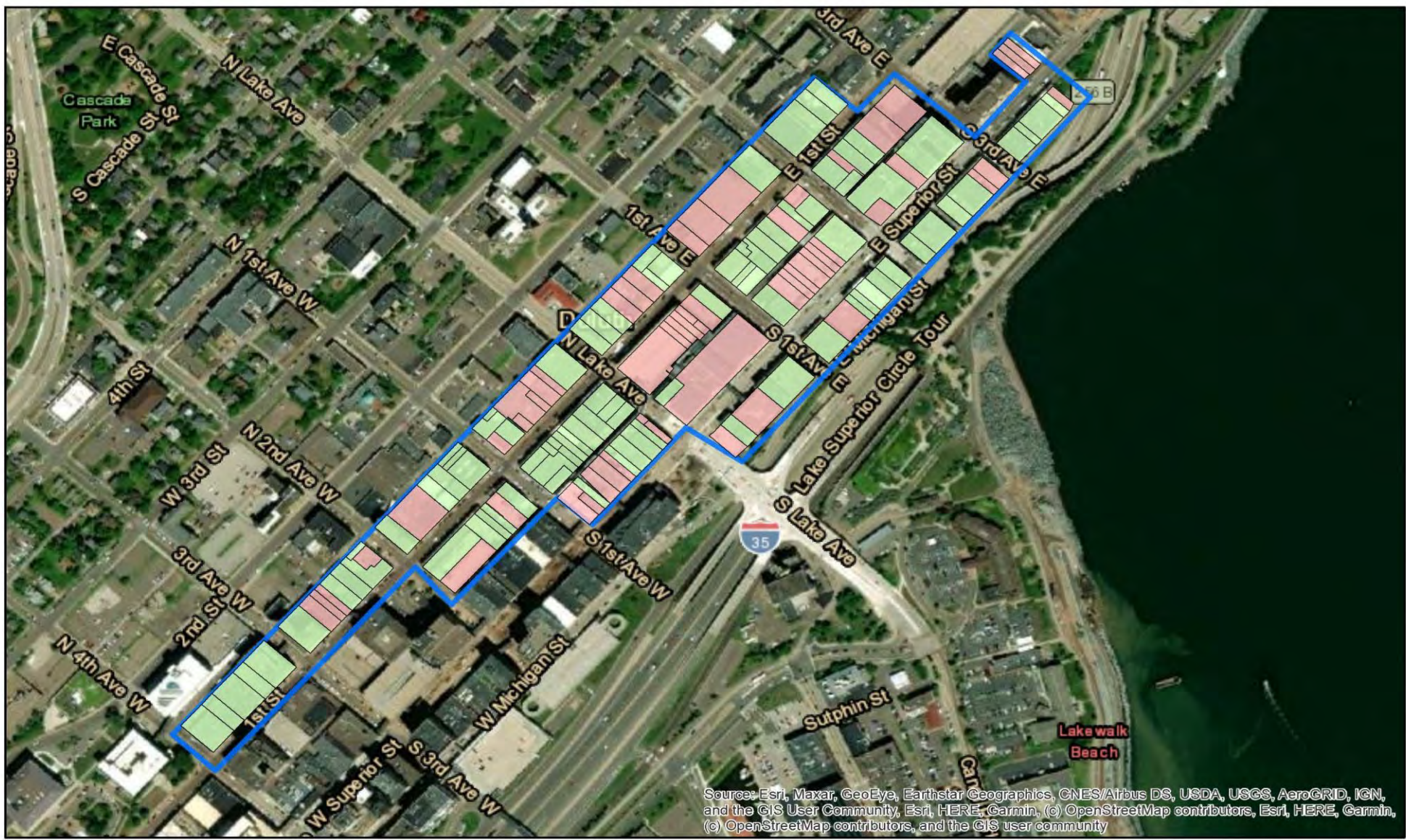
I hereby certify that this multiple property documentation form has been approved by the National Register as a basis for evaluating related properties for listing in the National Register.

Signature of the Keeper _____

Date of Action _____

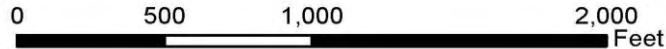
In 2006, a portion of Duluth's central business district was nominated and listed on the National Register of Historic Places as the Duluth Commercial Historic District (06-000455).

The Duluth Commercial Historic District contains 107 buildings (86 contributing and 21 non-contributing), one contributing structure, two non-contributing structures, and ten non-contributing sites.






Duluth Commercial Historic District

District Map



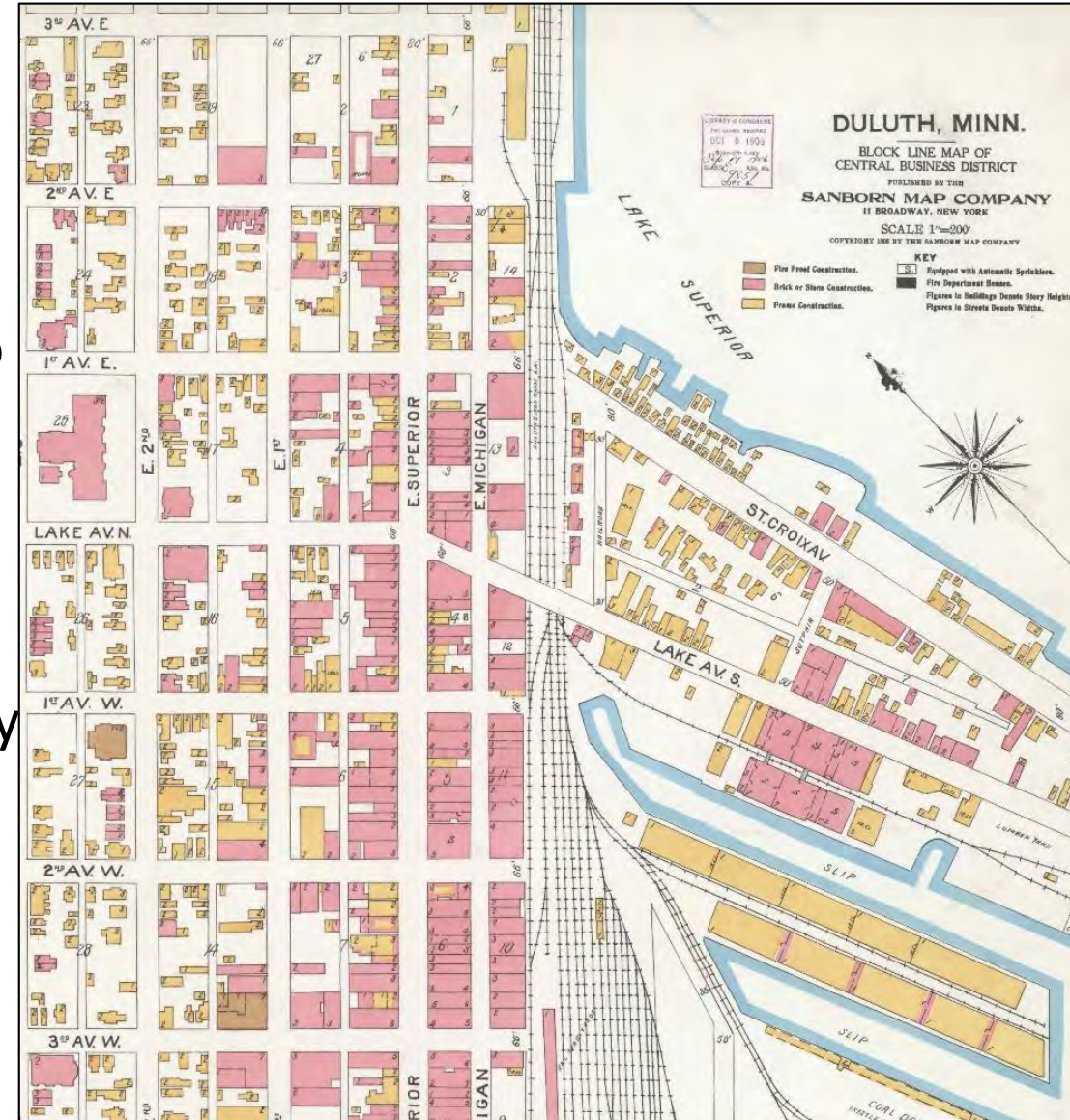
Legend

-  Historic District Boundary
-  Noncontributing Property
-  Contributing Property



The Unique Character of Historic Downtown

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



What is the Value of Historic Preservation

Maintaining a neighborhood's historic character has social, economic, and environmental benefits beyond achieving and preserving a particular aesthetic appearance. **Historic buildings are constructed using workmanship and materials which are often superior to new construction**, including old growth lumber and forgotten techniques.

They typically have a longer lifespan (100+ years) when compared to new construction (30-40 years on average).

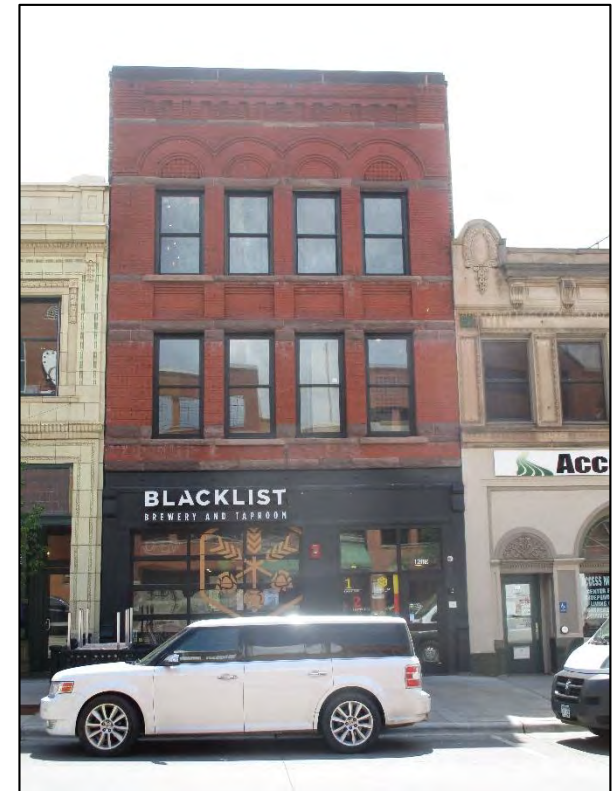
Well-preserved historic character can attract visitors and investment to the area, differentiating it from communities filled with new construction, which tend to lack “personality” or individual distinction.



What is the Value of Historic Preservation

Making use of existing buildings and infrastructure to the greatest extent possible is environmentally sustainable. Waste materials from demolition and construction projects comprise approximately 25% of the waste in our nation's landfills.

Demolishing a historic building that could otherwise be utilized for a productive purpose wastes a significant amount of energy, while replacing it with new construction, often utilizing inferior materials, wastes even more.



What is the Value of Historic Preservation

Rehabilitation projects provide more local jobs as compared to new construction, as a larger percentage of the project cost is for labor. Multiple studies have shown consistently that communities with revitalized historic neighborhoods have higher property values which are also stabilized over time.



Purpose of the Design Guidelines

The guidelines are intended to **provide guidance for possible solutions to common issues in preserving historic buildings.**

The guidelines will contain the procedures, standards, and guidance necessary to ensure proper preservation, **restoration, rehabilitation, and reconstruction** of historic structures within the Duluth Commercial Historic District, as well as to ensure that **new construction** and additions are compatible with the historic character of their surroundings.

The guidelines serve as the primary **resource for property owners** conducting any alteration, rehabilitation, or restoration on buildings within the Duluth Commercial Historic District. In addition, they provide a guide for the HPC to use when reviewing alterations to any historic structures or properties.

Purpose of the Design Guidelines

The guidelines are based on the guidance outlined by the Secretary of the Interior's Standards for Rehabilitation, a set of overarching guidelines developed by the National Park Service which set forth standards of treatment when rehabilitating or altering historic properties.



Major Elements

- Maintenance of existing structures
- New structures
- Demolition of existing structures



Maintenance of Existing Structures

Preserve Significant Historic Features. Each architectural style has a distinctive set of details that contribute to the overall character of the building. These features should be preserved.

Repair Rather than Replace. Wherever possible, deteriorated historic features should be repaired rather than replaced.

Restore Significant Historic Features. When possible and where historic documentation exists, it is appropriate to restore historic features to their historic appearance.

Make Sensitive Replacements. When a historic element is deteriorated to the point that replacement is required, care should be taken to do so without altering its character.

Prioritize Regular Maintenance. Avoid changing the character of historic features. For example, original horizontal board siding should not be replaced by vertically oriented siding, even of the same material.

Construction of New Structures

To ensure compatibility with contributing historic structures within the district, designs for new buildings should take into account the following:

- Height, scale, orientation, spacing, and site coverage of surrounding buildings.
- Façade proportions, and window patterns of surrounding buildings.
- Size, shape, and proportions of entrances of surrounding buildings.
- Materials, textures color, and architectural details of surrounding buildings.
- Roof forms of surrounding buildings.
- Horizontal or vertical emphasis of surrounding buildings.
- Landscaping, walls, and fences in the surrounding area.

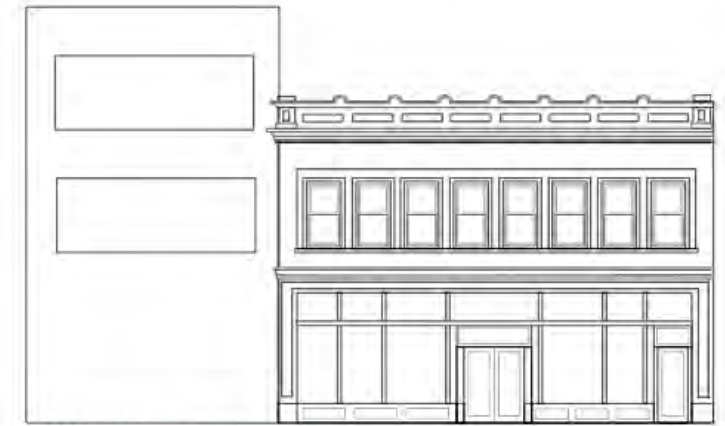
Construction of New Structures

Style. Do not imitate earlier or historic architectural styles.

Siting. Site new construction on existing vacant lots whenever possible. New buildings should be oriented to face the street.

Orientation. Orient new construction toward the major street. Align new buildings with the setback of surrounding buildings on the street.

Massing. Respect the form and massing of adjacent and surrounding historic properties. New buildings should be compatible with surrounding property and generally should occupy the same visual volume.



INAPPROPRIATE
SCALE AND FENESTRATION



APPROPRIATE
SCALE AND FENESTRATION

Construction of New Structures

Fenestration. New construction should take design cues from the surrounding buildings.

Additions. Additions should be compatible with the massing and scale of the main building. In general, they should be the same or lower height as compared to the surrounding historic buildings.

Lighting. Exterior light fixtures should match the character of the building as well as the historic character of the surrounding area in terms of materials, color, finish, scale, size, and design.



Demolition of Existing Structures

Demolition of a building, whether total or partial, **affects the entirety of the historic district and is not reversable.** The HPC should only approve demolition of historic properties in cases where no feasible or prudent alternative exists. All applications for demolition will be considered on a **case-by-case basis.**

Factors contributing to the decision will include whether or not the structure is of **significant architectural or historic value**, whether its removal would be to the detriment of the **public interest**, whether or not the building or structure is of such significance that it would **qualify as a National, State, or local historic landmark**, whether not the retention of the building would cause **undue financial hardship to the owner**, and whether or not the retention of the **building would be in the best interest of the community.**

Demolition of Existing Structures

- Avoid demolition of sound contributing buildings, structures, and objects.
- Explore the possibility of adapting historic buildings to a new purpose.
- Consider relocation of significance historic buildings to a new location.
- Demolition may be appropriate if the building poses an immediate hazard to public safety.
- **In cases of fire or other catastrophic disaster where at least 50% of the building remains standing, it is recommended that the structurally sound portion be rehabilitated, and the other portions rebuilt.**

Other Topics Addressed in Design Guidelines

Skywalks

Streetscape Elements

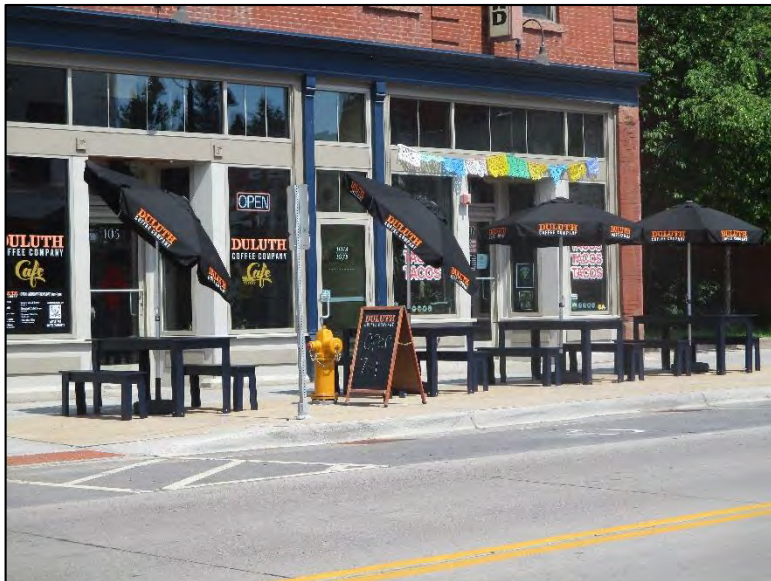
Moving Buildings

Alleys

Public Art

Street Furniture, Street Lighting

Substitute Materials



City Code, 50-18.3 Historic Resources Overlay

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

A. Purpose.

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

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

B. Designation of historic resources.

1. Through the process for designating historic resources in Section 50-37.8, or its predecessor ordinance previously codified as Chapter 28A of the City Code, the heritage preservation commission has designated:
 - (a) Two historic preservation districts: the Duluth Civic Center Historic District, and the Duluth State Normal School Historic District, whose boundaries are shown on Exhibits 50-18.3-1 and 50-18.3-2; and
 - (b) Those designated historic preservation landmarks on file with the secretary of the planning commission;
2. The heritage preservation commission and planning commission may from time to time recommend, and the council may approve, additional historic preservation districts or landmarks pursuant to Section 50-37.8;

C. Review of construction/demolition activities.

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

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

D. Emergency repair.

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

50-37.14 Historic construction/demolition permit.

This Section applies to applications for construction or demolition within a historic district or on a historic property listed in Section 50-18.3 where the city must confirm whether the application complies with the standards in Section 50-18.3 and with all other applicable provisions of this Chapter and state law.

A. Application.

An application for a historic construction/demolition permit shall be filed pursuant to Section 50-37.1.B;

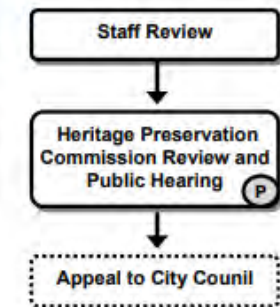
B. Procedure.

The application shall be reviewed by the heritage preservation commission. The commission shall conduct a public hearing pursuant to Section 50-37.1.I, with public notice as required by Section 50-37.1.H and make a decision to adopt, adopt with modifications, or deny the application based on the criteria in subsection C below;

C. Criteria.

The commission shall approve the application, or approve it with modifications, if the commission determines that the application complies with all applicable provisions of this Chapter and state law and that the work to be performed shall not adversely affect the historic preservation landmark or district based on adopted historic preservation guidelines. (Ord. No. 10041, 8-16-2010, § 12; Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10286, 3-10-2014, § 19.)

Historic Construction / Demolition Permit



P Indicates Public Hearing Required

City Code, 50-18.3 Historic Resources Overlay

The HR-O is a zoning tool used to preserve, protect, and promote any areas, places, buildings, structures, lands, districts, and other objects having a special historical, community or aesthetic interest or value. The HR-O:

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

Proposed Ordinance Change

Proposals for exterior alterations, additions, or demolitions within the Duluth Commercial Historic District require approval from the city's Heritage Preservation Commission (HPC). Applicants must submit a historic construction/demolition permit to the Commission For more information about the HPC, see the Duluth Legislative Code (50-36.3).

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

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

HISTORIC CONSTRUCTION/ DEMOLITION PERMIT REVIEW



Next Steps

August and Early Sep

More Review at Heritage Preservation Commission

Late September

Additional Public Information Meetings
(Mailed Notices and Press Release)

October/November

Heritage Preservation Commission and Planning Commission Public Hearing, and Review and Comment by State Historic Preservation Office (SHPO)

Late 2021 or Early 2022

City Council

Next Steps

Proposed Final Ordinance Language to be shared at the Planning Commission and Heritage Preservation Commission in November, with an official Public Hearing in December.

Written comments in advance of the meetings are appreciated, and will be included in correspondence. Send to planning@duluthmn.gov, with “Comment on Historic Standards” in the subject line.

Final language will be shared with the City Council for their review and action in December or early 2022.

QUESTIONS

