

## **HPC**

**Monday July 26, 2010**

### **Commission Members:**

Mary Flicek-Chair	Dan Miller
Jolene Greenheck	Victoria Moore
Linda Mann	Monica Walters

### **City Representatives:**

Molly Patterson-Lundgren, City Planner

## **PROCEEDINGS OF THE HERITAGE PRESERVATION COMMISSION**

The regular meeting of the Heritage Preservation Commission was held on Monday July 26, 2010 at City Hall and was called to order at 9:05 am by Mary Flicek who handed the chairmanship over to vice-chair Linda Mann.

All members present except for Dan Miller, Melody Gibson and Jolene Greenheck.

**Changes/Additions to the Agenda-** Molly added an item under 8a, a new resolution approving signs for Fresh Wok

### **Approval of Minutes**

Monica made a motion to approve the minutes of May 24<sup>th</sup>, Victoria seconded the motion, and there was no discussion. The minutes were approved unanimously.

Monica made a motion to approve the minutes of June 28<sup>th</sup>, Mary seconded the motion, and there was discussion:

- o Mary pointed out two issues. First, there was a blank in who seconded the motion for approval of the signage design review for the Fresh Wok. Mary indicated that she had in her notes that this was Victoria. Mary also indicated that under new business regarding the Main Street program the draft minutes indicate, "Motion to except staffs recommendation..." and that it should say "Motion to accept..."
- o (take out) Molly pointed out the error in the motion approving the signs for the Fresh Wok and that this is indeed the way the motion was stated (and should remain as such in the Minutes), but there was an error on the staff report and a new motion to approve this should be made to clear this up.

The two changes suggested by Mary were made the minutes accepted unanimously with these changes.

### **Design Review-**

**155 Pembroke Avenue-** Don Hager was present representing the American Legion as applicant for the sign permit. The Commission and staff discussed the fact that some of

the signage did not meet current standards but that it was placed prior to regulations and was therefore legal non-conforming signage. The applicant indicated they would also like to add two chalk boards, one on each side of the sign indicating the hours of the club. A motion was made by Monica and seconded by Victoria and passed unanimously

WHEREAS, The American Legion Post 50 submitted information on all of the signage located at 1155 Pembroke Avenue as requested in the letter dated May 21<sup>st</sup>, and

WHEREAS, the projecting sign does not meet current size or lighting for this type of sign, but is a legal non-conforming sign because of it being in place prior to 1988, and

WHEREAS, the changeable temporary wall sign has a frame delineating its size and location as future changes occur to it, and

WHEREAS, all the proposed signage meets the design requirements for the downtown historic district for color, font size & style, and sign clarity, and

WHEREAS, the proposed signage meets or is below the maximum signage allowed for this property and each sign proposed meets the maximum size or area coverage allowed in this district,

NOW THEREFORE, the signage proposed in the application submitted on June 22<sup>nd</sup> 2010 is hereby approved, including the projecting sign, and all 5 wall signs and also two new chalkboards are approved with the following conditions:

1. The changeable wall sign (beer/specials, etc.) may be changed as often as desired with the condition that it continue to be displayed within the frame provided and that all future signs in this location meet the design criteria for lettering, clarity, and color as provided for in the sign ordinance
2. The chalkboards shall meet the standards of design and size as stated in the ordinance and shall be approved by staff prior to their placement

**219 Main Street-The Olde Triangle** The Commission reviewed the application and photo of the sign proposed to replace the plastic A-frame sidewalk sign. Molly pointed out that this new sign meets yard sign requirement and therefore no permit is needed. Mary pointed out an error in the staff report stating that there is no record of permits for existing signs (on the front page) and then on the second page it states a permit was issued for the projecting sign on 6-29-06. Molly said she will note the error and file the report to document changes.

### **Old Business**

**Fuller Window issue** – Mr. Fuller was in attendance. Molly reminded the Commission that at their last meeting, they requested that Mr. Fuller be contacted to remind him that any proposed changes to the window must be pre-approved by the Commission. Molly indicated that per advice from the City Attorney she sent Mr. Fuller an e-mail stating this after the last meeting. The Commission had been provided the sketch of the proposed

brick arch. Minutes were handed out from May 26<sup>th</sup> 2009 meeting stating the conditions of Mr. Fuller's window approval.

Mr. Fuller provided the following information

- He initially contacted Dan Miller to do the work
- Dan quoted him at \$3,300 to \$3,500 and three days to do the project
- The Building had been owned previously by Vince Sulliman, a relative of his wife
  - The back of the building had been reinforced with a beam and then covered [stucco] because brick was crumbling
  - Fire occurred after Vince had sold the building to Kreye
- He "paid a premium value for the building"
- The building was filthy. \$22,000 to \$30,000 was put into fixing the building
- He owns 2,000 wedding kimonos
- His stock is worth \$300,00 to \$148,000
- There are 42 National Eagle Centers around the country
- He will cooperate with the commission members and do whatever needs to be done with the window.
- He is "pulling out of this town regardless" of what the result of this process are
- He has hired lawyers to handle this
- He hired his contractor who put the window in for \$700 plus material and use of the apartment for his (the contractor's) relative who is a veteran.
- He has been working with Peter Ekstrand who he has paid to handle this matter

Mr. Fuller left the meeting and discussion continued on how to proceed. Discussion included questions on historic appropriateness of the proposed brick arch and the option of painting the trim to allow the window to be less noticeable. Victoria made a motion which was seconded by \_\_\_\_\_ and adopted unanimously:

Whereas because Mr. Fuller expressed his desire that the Commission work through his legal counsel and because the Commission believes that there is a simple and inexpensive mitigation of the existing window which does not meet the requirements (conditions) as stated in the approval of the window on May 26<sup>th</sup> 2009, now therefore, the Commission agrees to create a subcommittee of Linda Mann to work with City Attorney Peter Ekstrand on resolving Richards window and or arch at 128 West Main Street and that the Commission gives full authority to Linda Mann and Peter Ekstrand to resolve this issue on its behalf.

**Anderson House for sale sign-** Molly provided an e-mail sent by Chris at First State Bank on Friday (after packets had gone out) asking if a 4x4 sign would meet the standards. The ordinance allows for a maximum of 15 square feet. It was agreed that Molly will provide this information to Chris. Molly stated that if can get 15 square foot signs or smaller, this was already approved.

Tabling of other Old Business

It was agreed that remaining old business would be tabled until the next meeting. This included: Downtown sign enforcement, Historic walking tour brochures, Anderson House re-use study, SHPO conference & Main Street Program.

The meeting was adjourned at 10:25 am. Monica motioned it and Mary seconded it.