



HERITAGE PRESERVATION COMMISSION AGENDA

PUBLIC MEETING ROOM

WEDNESDAY, MAY 18, 2022

6:00 PM

1. Call to Order
2. Approval of the Minutes
3. General Heritage Preservation Items
 - A. Citizen Comment Period
 - B. Section 106 Review - Sakatah Singing Hills Trail Improvements
 - C. Heritage Preservation Commission By-Laws Update
4. Design Reviews
 - A. Facade Restoration and Tuck Pointing - Cry Baby Craig's - 405 Central Avenue
5. Items for Discussion
6. Adjournment

Heritage Preservation Commission Meeting Minutes

April 20, 2022

Members Present: Rob Kuhlman, Sam Temple, Ron Dwyer, Lee Nordmeyer, Karl Vohs, Cori Weems and Chair Sauer

Members Absent: None.

Staff Present: Peter Waldock, Kari Casper

1. Call to Order

Chair Sauer called the meeting was called to order at 6:00 p.m.

2. Approval of Minutes of February 16 and March 16, 2022 meetings.

A motion was made to approve the February 1, 2022 meeting minutes by Weems, seconded by Vohs. Vote carried unanimously. Another motion was made by Weems to approve the March 16, 2022 meeting minutes also seconded by Vohs. Vote also carried unanimously.

3. General Heritage Preservation Items

A. Citizen Comment Period – None.

B. Updated Heritage Preservation Commission Bylaws

At last month's meeting, the Heritage Preservation Commission was asked to complete its annual review of the Commission By-Laws. The HPC approved the addition of (5) "Items for Discussion" in Section 6 Proceedings on page 2 of the By-Laws. The commissioners asked that the updated by-laws be brought back at the next meeting with this change. After a short discussion a motion was made by Vohs and seconded by Nordmeier. Vote carried unanimously.

4. Design Reviews - None.

A. Farmers Seed and Nursery Demolition Request - 818 4th Street NW

This matter was presented to the Heritage Preservation Commission (HPC) on November 17, 2021. At that time, the HPC approved a Certificate of Appropriateness for a partial demolition of the site that included five out of eight of the existing buildings on this site on the National Register of Historic Places. Those to be retained and refurbished by the new owners were the Pre-Engineered Metal Building in the north, the 3-story Concrete Building in center, and the 3-story Wood Structure in front along 4th St. NW.

The HPC approved the Certificate of Appropriateness for partial site demolition with the following conditions of approval: the owner shall provide an executive summary of the structural report for the building; the demolition shall not include the front three-story frame building (original building 4,890 sq. ft.), the pre-engineered metal building (5,600 sq. ft.) and the north 3-story concrete building (5,240 sq. ft.); seal or enclose the north wall of the 3-story wood structure that is not being demolished in this proposal; and the owners shall take all prudent actions needed to maintain the remaining buildings and protect them from further deterioration or weather damage.

The owners have now determined the 3-story Wood Structure along 4th St. NW has additional structural issues not known at the time of the previous application. They have determined that this building cannot be cost effectively repaired and therefore are now seeking approval to demolish this building as well.

The owner, Nicole Elsayaf began her presentation with a power point. Elsayaf went into the cost associated with the repair of the building and offered up the layout of the proposed building which would include an apartment building on the northeast side which would have 52 units. Elsayaf also talked about the things they would like to do to keep the history by putting in a gazebo, benches and a mural. Matt Leister and Brian Schmidt were both present and they talked about how some of the items found in the building have been put to re-use or donated to the Rice County Historical Society or sold and proceeds given to the RCHS. Elsayaf talked about using some of the reclaimed wood to put up benches on a greenspace. She introduced the idea of a mural on the side of the building and showed a rendering of such a mural which was noted to be approx. 30' x 20'. Weems asked if they are able to save any of the old sign on the side of the building. Both Elsayaf, Leister and Schmidt stated that it would be great but very difficult but if someone can do it, they are open to that.

Elsawaf's recent discovery of the condition talked about the remediation of the lead based paint; the roof trusses with dry rot; the collapse of the flooring; a 33x above the allowable amount of a dangerous gas "Butadiene" which was found in the soil and emits harmful vapors; a large crack in the foundation caused by a vehicle striking the building; the project cost of \$257/sf which would result in an approximate loss of around \$100,000/yr.

Mr. Vohs began with a history from the ISG structural engineer's report and quickly stepped into the purchase with the new owners. I believe he was looking for an updated professional review of a structural analysis. Dwyer then commented that he felt that with his knowledge of the building, he felt that the building could be restored.

Elsawaf continued with her discussion on what they would need to do to make it residential with the current findings. She stated that the MN Pollution Control Agency could step in and take over the project to remediate the exposures. Elsayaf's father was present and stated that they would need to remove all the dirt and bring new dirt in and would have to put new flooring which is costly. Dwyer asked if the use could be changed to storage. The response was no due to the amount of weight-bearing needed would be too much for each floor and there is still the remediation of the dangerous soil.

There was some discussion about funding for the cleanup through Historic Tax Credits. Elsayaf stated that the cleanup grant is timely and would be assist in about 75% of the cost

for remediation. Elsayaf added that since the building would be 'de-listed' they weren't eligible for assistance.

Temple asked the Chair if they could open the matter up for public comment. Brian Schmidt spoke with the knowledge of being in the building and agreed that it would be just too much to save the building and was okay with the idea of the demolition.

Elsawaf said they are working with a group, Javeline (sp) that agreed to take care of what needs to be done to comply with the MN PCA. To date they have spent approx. \$38,000 for that report/analysis. She explained the process and reminded the board of the need to move forward with a decision to ensure they could apply for the necessary grants for assistance.

Temple came forward with a motion for approval of the demolition. There was further discussion and Kuhlman and Nordmeier both agreed moving forward. Temple then said that he would be willing to open up his motion to add conditions. Vohs stated that he would like to see the city come forward with assistance with the project. The board collectively agreed on four conditions. The first would be to come back to the HPC for the design review plans before construction since this is a gateway building, they would like to see what will be built; second would be affirm that the historic items and signage would be a part of the new site; third would be Vohs request ask the city to assist in the project; and the final and fourth condition would be to ensure that the historical items like the public art be preserved and maintained. Weems seconded Temple's amended motion and Chair Sauer then asked for a roll call vote with this amendment:

Kuhlman:	Aye
Nordmeier:	Aye
Weems:	Aye
Vohs:	Aye
Dwyer:	Aye
Temple:	Aye
Sauer:	Aye.

Motion carried unanimously at 7:25 p.m.

5. Items of Discussion

A. Discussion with City Attorney Scott Riggs about Open Meeting Law Requirements

At last month's meeting, the commission members had some questions regarding discussion between members outside of the regular meeting times. Generally, commission discussions should take place during public meetings. There are state statutes and administrative rules that regulate such communications between commission members that are intended to maintain public transparency for official government bodies such as the Heritage Preservation Commission.

Scott Riggs came forward and offered the information presented at the beginning of the meeting which included a power point, chapter from the League of MN Cities and a brief overview on the Open Meeting statutes. Riggs ensured that the biggest problem can be serial emails. The best thing to do is contact staff directly with any questions, additions or concerns. Encourage members not to talk at all on HPC business with other members. A discussion such as this could result in a serial meeting and violation of the open meeting law by another member contacting another member and so on. This may even be unintentionally and unknowingly a violation. It was confirmed that there can be civil and even criminal penalties aside from removal of the seat. The idea of this is to be completely

transparent and allow the public to have information relative to all matters discussed. Vohs stated that this has a “chilling effect” and Riggs talked about how other venues have been challenged the open meeting laws; however, the Courts are very strict on this subject.

Riggs also mentioned that if other items would like to be discussed to ensure that there is a line item on the agenda to offer up such discussion at the end before adjournment.

At this time, Temple asked that a discussion regarding the Dakota Indians be added to the next agenda. Waldock mentioned inviting a MN DOT historian here to discuss the paths. Temple also added inviting Youth on Boards to the meetings and went over the process with Riggs a bit.

6. Adjourn

A motion was brought by Commissioner Temple and seconded by Commissioner Vohs to adjourn the meeting at 8:10 p.m.

Respectfully submitted,

By: Kari Casper, Recording Secretary



Request for Action

TO: Faribault Heritage Preservation Commission
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: May 18, 2022
SUBJECT: Section 106 Review - Sakatah Singing Hills Trail Improvements

BACKGROUND:

At its meeting of March 16, 2022, the Heritage Preservation Commission accepted an invitation by the State of Minnesota (DNR and MnDOT) to participate in a consultation regarding trail improvements for the Sakatah Singing Hills State Trail through Faribault. The state is planning accessibility improvements at trail crossings where the trail intersects with public streets. Federal funding requirements trigger historic preservation review from local jurisdictions that are served by this trail.

It is recommended that the HPC concur with the finding as stated in the May 3, 2022 letter from Barbara Howard, of MnDOT that due to the limited area affected by the proposed intersection improvements, there will not be an adverse impact on Historic or Cultural resources within the City of Faribault by this project.

It is noted that the entire railroad corridor of the Minnesota Central / WM&P / CRI&P / CGW / C&NW Railroads that extends from Red Wing (through Faribault) to Mankato has historic significance in the areas of industry, commerce, agriculture, and transportation for the City and Rice County, and should be preserved and recognized on the State and National Registers of Historic Places. As such, it is recommended that the Heritage Preservation seek to partner with the Minnesota DNR to develop a plan for historic markers or signage along the trail to inform users of the historic and cultural significance of the areas the trail passes through.

REQUESTED ACTION:

Staff recommends as follows:

1) That the HPC concurs with the State's finding that the proposed accessibility improvements to the Sakatah Singing Hills State Trail will not have an adverse impact on historical or cultural resources in affected

areas of the Trail; and

2) That the Commission further find that the entire railroad corridor from Red Wing, through Faribault and Rice County to Mankato has historic significance for the City and Rice County, and therefore the Commission seeks to work with the Minnesota DNR and the Rice County Historical Society to promote the history of the area along the trail and inform the public (trail users) of the historic and cultural significance of this area.

ATTACHMENTS:

1. May 3, 2022 MnDOT-Consultation-Letter-APE WITHOUT MAPS

May 3, 2022

Sarah Beimers, Environmental Review Program Manager
Minnesota State Historic Preservation Office
Administration Building #203
50 Sherburne Avenue
Saint Paul, MN 55155

Re: F RTP D006-16-4C, Sakatah Singing Hills State Trail ADA Intersection Improvements, Le
Sueur and Rice Counties (Federal Review)

Dear Ms. Beimers:

Minnesota Department of Transportation Cultural Resources Unit (MnDOT CRU) staff meeting the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-44739) in archaeology, history, and architectural history have reviewed the above-referenced project pursuant to our Federal Highway Administration (FHWA)-delegated responsibilities for compliance with Section 106 of the National Historic Preservation Act (54 USC 300108) and its implementing regulations, 36 CFR 800, and under the terms of the *Programmatic Agreement Among the Federal Highway Administration, the Minnesota State Historic Preservation Office, the Advisory Council on Historic Preservation; the Department of the Army, Corps of Engineers, St. Paul District; and the Minnesota Department of Transportation; Regarding Implementation of the Federal-Aid Highway Program in Minnesota* (Statewide PA).

We also reviewed the above-referenced project to determine whether MnDOT has responsibilities under Minnesota Statutes regarding cultural resources. Compliance with Minnesota Statute is the responsibility of the entity doing, funding, or licensing the work under the Minnesota Historic Sites Act (Minn. Stat. 138.661-138.669); or the agency controlling any public lands that may be affected by proposed work (e.g., right-of-way or through temporary or permanent easements) for the Minnesota Field Archaeology Act (Minn. Stat. 138.31-138.42). The Minnesota DNR (MnDNR) is responsible for compliance with the Minnesota Historic Sites Act for this project since it is funding or permitting the project. MnDNR is also responsible for compliance with the Minnesota Field Archaeology Act on this project since it controls the land on which the project will occur.

We are writing to consult with the Minnesota State Historic Preservation Office (MnSHPO) pursuant to MnDOT's duties and responsibilities under federal law and the Statewide PA. In

addition, this submittal facilitates MnDNR’s ability to meet their responsibilities under Minnesota Statute.

Project Description

The proposed project consists of Americans with Disabilities Act (ADA) improvements at 24 intersections along the Sakatah Singing Hills State Trail between Waterville and Faribault in Le Sueur and Rice Counties (see full list of PLSS information in Table 1). Proposed improvements include installation of concrete aprons, painting stop bars, cutting or filling steep or fluctuating grades at intersections/stopping points, installation of concrete sidewalks, concrete curb and gutter, and culverts in limited locations. All proposed construction locations are on the previously developed state trail, at intersections with existing roads and trails.

Table 1. Public Land System Survey

Township	Range	Sections
109N	21W	3, 9, 10, 17, 18
109N	22W	13, 14, 19, 20, 21, 22, 23, 24, 30
109N	23W	24, 25, 26
110N	21W	25, 34, 35, 36

Based on the information provided by MnDNR and pursuant to 36 CFR 800.3 and Stipulation 3.C of the Statewide PA, MnDOT CRU has determined that the proposed project constitutes a federal undertaking as defined in 36 CFR 800.16(y) that has the potential to cause effects to historic properties. Further, MnDOT CRU has also determined that MnDOT has no responsibilities under the Minnesota Historic Sites Act or the Minnesota Field Archaeology Act and that MnDNR, as the land-controlling and funding agency, is responsible for meeting the terms of Minnesota Statute.

Area of Potential Effects (APE)

Based on the project’s 95% plans, dated August 2021 (attached), and pursuant to 36 CFR 800.4 and Stipulation 3.C of the Statewide PA, Minnesota State Parks and Trails Cultural Resource Management Program of the Minnesota Historical Society (MNHS) recommended and MnDOT CRU agrees with the Area of Potential Effects (APE) as shown in the attached map (Figures 1-5 of the attached report). Due to the limited amount of ground disturbance across the 15-mile section of the trail, the APE is discontinuous and consists of the horizontal and vertical extent of the project’s construction limits at each of the 24 intersections slated for ADA improvements, including any known staging areas. The total APE is approximately 2.66 acres scattered across the 24 intersections.

Consultation & Public Involvement

On March 10, 2022, MnDOT CRU notified the following Tribal Nations about the undertaking, pursuant to 36 CFR 800, Minn. Stat. 10.65, and existing consultation protocol agreements between FHWA and certain tribes: Fort Peck Tribes, Lower Sioux Indian Community, Prairie Island Indian Community, Santee Sioux Nation, Shakopee Mdewakanton Sioux Community, Sisseton Wahpeton Oyate of the Lake Traverse Reservation, and Upper Sioux Community. We specifically requested input into the process of identifying historic properties of religious or cultural significance and sought the Tribal Nation's interest in becoming a consulting party. We received no responses.

The City of Faribault has a local heritage preservation commission (HPC) with jurisdiction over a portion of the APE. MnDOT CRU notified the HPC and invited their participation in consultation on March 10, 2022. On April 11, 2022, Peter Waldo responded that the HPC would accept the invitation to participate in consultation. They are copied on this submittal.

Identification of Properties

On March 10, 2022, MnDOT CRU staff reviewed information on state-designated and listed properties, significant archaeological and historic sites, burials/cemeteries, and other previously inventoried properties in databases maintained by the MnSHPO, the Office of the State Archaeologist (OSA), and the Minnesota Indian Affairs Council (MIAC), including the OSA's unrecorded historic cemeteries database. In addition to the consultation with Tribal Nations described above, we also sent an Information Request to OSA and MIAC, asking if they had additional information on sites we had identified or if they were aware of any sites in the APE that were not identified in our searches. The OSA responded that it has no concerns with the proposed project at this time. MIAC expressed concerns about the boundaries for 21RC0005, 21RC0045, and 21LE14 (all burial sites) and requested a findings letter be sent to OSA and MIAC under the Private Cemeteries Act (Minn. Stat. 307.08). Because MnDNR is the land-controlling agency responsible for compliance with the Private Cemeteries Act, we forwarded MIAC's concerns to them to address and copied both MIAC and OSA on this submittal.

MNHS conducted cultural resource surveys in the APE. Although literature and archival reviews identified three previously reported alpha sites within or adjacent to the Project APE, Phase I archaeological investigations found no archaeological sites within the APE. The architecture-history investigations found just one property within the APE: Minnesota Central / WM&P / CRI&P / CGW / C&NW Railroad Corridor (XX-RRD-CGW004), which was determined eligible for inclusion in the National Register of Historic Places in 2011.

Based on the identification efforts and pursuant to 36 CFR 800.4 and Stipulations 3.D and 3.E of the Statewide PA, MnDOT CRU has determined there is one historic property in the APE, as described below. Further, identification efforts indicate there are no properties subject to

either the Minnesota Historic Sites Act or the Minnesota Field Archaeology Act in the project APE.

Archaeological Investigations

MNHS conducted research and fieldwork to identify archaeological properties within the APE, as described in the attached report. The records review conducted by MNHS identified 15 archaeological sites, including burials, located within 1 mile of the APE. None of these is within 100 feet of the APE (see Figures 1 through 5 in the attached report). In addition, the APE overlaps with three alpha sites:

- 21LEab is an alpha site for a contact/historic period trading post; the recorded location overlaps with the APE at Intersection #2
- 21RCap is an alpha site for a historic period mill; the recorded location overlaps with the APE at Intersection #8.
- 21RCau is an alpha site for a historic period mill; the recorded location overlaps with the APE at Intersections #23 and #24

Two historic era cemeteries appear on the Unrecorded Historic Cemeteries layer in the OSA portal overlapping with the APE. The first is Sakatah Cemetery near Waterville, which overlaps with Intersection #1. The second is Calvary Cemetery near Faribault, which overlaps with Intersections #20, 21, 22, & 23. Based on current aerial photographs and maps, neither of these cemeteries overlaps with the APE. In addition, the Warsaw Cemetery appears on the Unrecorded Historic Cemeteries Layer in the OSA portal between Intersections #11 and #12 but, as depicted, overlaps the existing trail outside the APE.

MNHS conducted a Phase I reconnaissance survey of the APE, including one shovel test near Intersection #5 (see Figure 6 in the attached report). No archaeological materials were identified; fill material including barbed wire was identified within the shovel test. Based on records review and fieldwork, MNHS concludes there are no archaeological sites in the APE.

The Minnesota Field Archaeology Act obligates “state and other governmental agencies” to submit project plans to MnSHPO and OSA when the project could affect “significant archaeological or historic sites” that are either known or predicted to exist on public lands or waters under their control. Since there are no archaeological sites in the APE, there are no properties subject to the Minnesota Field Archaeology Act.

Architecture-History Investigations

MNHS conducted research and fieldwork to identify architecture-history properties within the APE, as described in the attached report. Only one architecture-history property was identified within the APE, and it is recommended eligible for inclusion in the National Register of Historic Places (National Register): Minnesota Central Railroad / Wisconsin, Minnesota & Pacific

(WM&P) Railway / Chicago, Rock Island & Pacific (CRI&P) Railway / Chicago Great Western (CGW) Railway / Chicago & Northwestern (C&NW) Railway Corridor (XX-RRD-CGW004).¹

Minnesota Central / WM&P / CRI&P / CGW / C&NW Railroad Corridor (XX-RRD-CGW004)

The entire railroad corridor from Red Wing to Mankato, including the segment within the current project area, is recommended as having statewide significance under National Register Criterion A in the areas of industry, commerce, agriculture, and transportation. Primarily significant for its association with Red Wing's stoneware and clay industries, the property also played a significant role in Mankato's stone product industry and connected industry and commerce in communities along its route to larger agricultural and industrial centers. The period of significance extends from its construction in 1882 to 1961, which corresponded with the 50-year cutoff of the original evaluation but also corresponds with the decline of the railroad industry.

The portion of the railroad corridor that has been converted into the Sakatah Singing Hills State Trail retains sufficient integrity to convey the corridor's historic significance. Although the removal of the ballast, ties, and rails have compromised integrity of materials, the property generally maintains integrity of location, design, setting, feeling, and association (see photographs in the attached form). Character-defining features include the railroad roadway and "the linear corridor, which consists of many straight stretches with gradual curves; a low vertical alignment with little to no variation from the surrounding landscape; and the presence of limestone culverts and concrete mile markers along the trail."²

MnDOT CRU agrees with MNHS's eligibility recommendation and has determined the Minnesota Central / WM&P / CRI&P / CGW / C&NW Railroad Corridor (XX-RRD-CGW004) is eligible for inclusion in the National Register.

The Minnesota Historic Sites Act obligates the "state, state department, agencies, and political subdivisions" carrying out, funding, or licensing a project to consult with MnSHPO when the project could affect properties designated as part of the state historic site network (Minn. Stat. 138.662), selected for inclusion in the State Register of Historic Places (138.664), or listed in the

¹ This historic property was previously assigned the inventory number XX-TRL-003 and recommended as eligible for inclusion in the National Register in 2011 (DNR Project #11-TR-SH-1; SHPO #2012-0619); MnSHPO did not object to the eligibility determination at that time. Although the property and eligibility information for XX-TRL-003 was never entered into the Minnesota Statewide Inventory Database, MnDOT CRU used the eligibility determination in 2013 correspondence related to the replacement of two bridges associated with the railroad corridor (NRTP D105-11-4D; SHPO #2013-1719); MnSHPO did not object to the eligibility determination for the railroad corridor at that time. In December 2021, the Minnesota State Parks and Trails Cultural Resource Management Program, in coordination with MnSHPO inventory manager Jim Krumrie, obtained a new inventory number for the railroad corridor based on newer inventory numbering conventions (XX-RRD-CGW004). An inventory form for the new number is included in this submittal and the railroad corridor is referenced as XX-RRD-CGW004 throughout the attached report.

² *Cultural Resource Review of the Sakatah Singing Hills State Trail: ADA Intersection Improvements, Le Sueur and Rice Counties, Minnesota*, MNHS 2022, page 16.

National Register. Because the Minnesota Central / WM&P / CRI&P / CGW / C&NW Corridor (XX-RRD-CGW004) is not listed in the National Register nor is it designated as part of the state historic site network or included in the State Register of Historic Places, it is not subject to the Minnesota Historic Sites Act.

Assessment of Effects

MNHS assessed effects to the Minnesota Central / WM&P / CRI&P / CGW / C&NW Railroad Corridor (XX-RRD-CGW004) and recommends that the project will have No Adverse Effect to the historic property. Any auditory effects due to construction will be temporary. Historic stone culverts and concrete mile and crossing markers associated with the historic property were taken into consideration as part of project planning and are not within the APE (see notes on Sheet L-102 and L-110, for example). MNHS notes that the proposed “intersection modifications are not expected to alter the grade substantially and, by design, are meant to eliminate steep grades and slopes” and, therefore, are in keeping with the fairly flat grade of the historic railroad roadbed.³ The proposed intersections occur in areas previously altered to accommodate trail to road transitions and, with one exception, will not modify the alignment of the railroad roadbed. Intersection #19 will realign approximately 300 linear feet of the railroad roadway at its intersection with the Cannon Lake Trail to improve safety (see Sheet L-110 and explanation on page 16 of the attached report). Physical changes to the character-defining features of the remainder of the extant railroad roadway (railroad bed, cuts, fills, and ditches) will be minimal and will improve universal access to the historic property. Because all the proposed work will occur within areas previously modified for intersections, the project will not further diminish the integrity of the historic property’s integrity of location, design, materials, or workmanship. Due to the limited nature of the ADA modifications, visual impacts will be minimal and will not diminish the historic property’s integrity of setting, feeling, or association.

MnDOT CRU staff meeting the Secretary of the Interior’s Professional Qualifications Standards in architectural history and history reviewed project documentation, including the recommended finding of effect, and concur with the recommended finding that the project, as currently proposed, will result in No Adverse Effect to the Minnesota Central / WM&P / CRI&P / CGW / C&NW Railroad Corridor (XX-RRD-CGW004).

Conclusion & Request for Comments: No Adverse Effect

Pursuant to 36 CFR 800.5(b) and (d)(1) and Stipulation 3.G of the Statewide PA, MnDOT CRU finds that the federal undertaking, as currently proposed, will have **No Adverse Effect** to historic properties.

³ *Cultural Resource Review of the Sakatah Singing Hills State Trail: ADA Intersection Improvements, Le Sueur and Rice Counties, Minnesota*, MNHS 2022, page 16.

This letter also documents that MnDOT has no responsibilities under the Minnesota Historic Sites Act or the Minnesota Field Archaeology Act. MnDNR is responsible for compliance with Minnesota Statute as the entity funding or permitting the project and since it controls the land on which the project will occur. Identification efforts indicate there are no properties subject to either act in the APE.

Pursuant to Stipulation 3.G of the Statewide PA, we request any comments from your office within 30 days of receipt of this letter. Specifically, we are requesting comments from your office on the APE, determination of eligibility, and finding of effect. Per 36 CFR 800.6(a)(2), consulting parties (copied) are also invited to provide written comments on these items within the same timeframe.

Please do not hesitate to contact me if you have any questions, require additional information on the historic property or potential effects, or would like to schedule a meeting to discuss the project.

Sincerely,



Barbara A.M. Howard, Historian
Barbara.Howard@state.mn.us | 651-366-3636

- Encl. Area of Potential Effects (APE) Map (Figures 1-5 of the attached report)
 95% Plans, dated August 2021
 *Cultural Resource Review of the Sakatah Singing Hills State Trail: ADA Intersection
 Improvements, Le Sueur and Rice Counties, Minnesota*, by Amy K. Ollila, Miranda Van
 Vleet and Matthew Finneman, Minnesota Historical Society, 2022
 Minnesota Multiple Property Inventory Form for XX-RRD-CGW004, dated April 2022
- CC: CRIS (Administrative Record)
 Kent Skaar, Minnesota DNR
 Amy Ollila, MNHS
 Peter Waldock, Faribault Heritage Preservation Commission
 Dylan Goetsch, MIAC
 Jennifer Tworzyanski, OSA



Request for Action

TO: Faribault Heritage Preservation Commission
FROM:
MEETING DATE: May 18, 2022
SUBJECT: Heritage Preservation Commission By-Laws Update

BACKGROUND:

At last month's meeting, the Heritage Preservation Commission asked for an additional section be added to the agenda format discussed in the By-Laws. The HPC approved the addition of (6) "Other Items" in Section 6 Proceedings on page 2 of the By-Laws. The commissioners asked that the updated by-laws be brought back at the next meeting with this change.

REQUESTED ACTION:

Approve Proposed update to the HPC By-Laws Section 6.

ATTACHMENTS:

1. By-laws HPC 2022 Approved Amendment (Proceedings - Agenda Contents) 5.13.22

Faribault Heritage Preservation Commission
BYLAWS

Section 1. Annual Meeting

The annual meeting of the Heritage Preservation Commission shall be the first regular meeting in the month of February of each year. Such meeting shall allow for the election of officers for the ensuing year and such other business as shall be scheduled by the Heritage Preservation Commission.

Section 2. Regular Meetings

Regular meetings of the Heritage Preservation Commission shall be held at the City Hall at 6:00 P.M. on the third Wednesday of each month. At such meetings the Commission shall consider all matters properly brought before the Commission. Notice of meetings to each member need only be in the form of the Agenda for said meeting. A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting.

Section 3. Special Meetings

The chairman or five members of the Commission may call a special meeting. Such meetings shall be called with a seventy-two-hour notice to all Commission members and members of the news media.

Published notice in the official newspaper shall also be given; notice shall also be posted on the City Hall Bulletin Board. Either or both notices shall specify: (1) items to be considered at the meeting, and (2) the date, time and place of meeting. Special meetings shall be held in City Hall unless the Commission has determined that other facilities are to be used.

Section 4. Quorum

At any meeting of the Heritage Preservation Commission, a quorum shall consist of a simple majority of members of the Commission, based on a commission size of seven members. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.

Section 5. Voting

At all meetings of the Heritage Preservation Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice. In the event that any member of the Heritage Preservation Commission shall feel that he has a conflict of interest in any matter that is on the agenda, he shall voluntarily excuse himself,

vacate his seat, and refrain from discussing and voting on said item as a Heritage Preservation Commissioner. The secretary shall record in the minutes that no vote was cast by such member. The affirmative vote of a simple majority of members of the commission as provided in Section 4 shall be necessary for the adoption of any Resolution or other voting matter.

Section 6. Proceedings

- a. At any regular meeting of the Heritage Preservation Commission the following shall be the order of business. (1) Call to Order; (2) Minutes of Previous Meeting; (3) General Heritage Preservation Items; (4) Designs Reviews; (5) Items for Discussion; (6) Other Items (7) Adjournment
- b. Each formal action of the Heritage Preservation Commission required by law, city charter or ordinances shall be embodied in a formal Resolution duly entered in full in the Minute Book after an affirmative vote as provided in Section 5.

Section 7. Rules of Procedure

All meetings of the Heritage Preservation Commission shall be conducted in accordance with Robert's Rules of Order.

Section 8. Officers

The officer of the Heritage Preservation Commission shall consist of a Chairman and Vice-Chairman elected by the commission at the annual meeting for a term of one year. The Director of Community Development or designated staff liaison shall be the Secretary of the Commission. In the absence of the Secretary, the presiding officer shall designate an acting Secretary. No member may serve more than two full consecutive terms as chairman.

Section 9. Duties of Officers

The duties and powers of the officers of the Heritage Preservation Commission shall be as follows:

- a. Chairman:
 1. To preside at all meetings.
 2. To call special meetings in accordance with these By-Laws.
 3. To sign all documents of the Commission.
 4. To see that all actions are properly taken.
- b. Vice Chairman:
 1. During the absence, disability or disqualification of the Chairman, the Vice Chairman shall exercise or perform all the duties and be

subject to all the responsibilities of the Chairman.

c. Secretary

1. To keep minutes of all meetings, in an appropriate minute book.
2. To give or serve all notices require by law or by these By-Laws.
3. To prepare the agenda for all meetings.
4. To be custodian of all records.
5. To handle funds allocated to the Commission.
6. To sign official documents of the Commission.

Section 10. Committees

The Heritage Preservation Commission may establish standing committees for a term of one (1) year. After the term of one year, a committee may be established upon review. Also Ad Hoc Committees may be established to address and study various issues.

Section 11. Attendance

Each member of the Heritage Preservation Commission who has knowledge of the fact that he will not be able to attend a scheduled meeting of the Commission shall notify the Community Development Department at City Hall at the earliest possible opportunity and, in any event, prior to 4:30 p.m. on the day of the meeting. The Director of Community Development or staff liaison shall notify the chairman in the event that the projected absences will produce a lack of quorum.

Section 12. Vacancies

Should any vacancy occur among the members of this Heritage Preservation Commission by any reason of death, resignation, disability or otherwise, immediate notice thereof shall be given to the City Administrator by the Secretary along with a recommended replacement to the vacancy. It is desired by the Heritage Preservation Commission that the new commission member have interest or knowledge in architectural design or a construction professional that has experience in the field of historic preservation. Should any vacancy occur among officers of the Commission, the vacant office should be filled in accordance with Section 8 of these By-Laws, such officer to serve the unexpired term of the office in which such vacancy shall occur.

Section 13. City Code Recognized

Chapter 30 of the Faribault Code of Ordinances establishing this Heritage Preservation Commission and all other chapters referring to this Commission are hereby recognized and are to be complied with.

Section 14. Amending By-Laws

These By-Laws may be amended at any meeting of the Heritage Preservation Commission provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting.

These By-Laws shall take effect upon adoption and all prior rules and By-Laws are rescinded.

Adopted this 26th day of August 1981.

Amended this 15th day of July 2003

Amended this 20th day of November 2007

Amended this 15th day of July 2008

Amended this 16th day of March 2010

Amended this 16th day of December 2019

Amended this 17th Day of November 2021

ADOPTED AND APPROVED by the Heritage Preservation Commission of the City of Faribault, Minnesota this 17th Day of November, 2021.

David Sauer, Chairperson

Deanna Kuennen, Director
Department of Community and Economic Development



Request for Action

TO: Faribault Heritage Preservation Commission
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: May 18, 2022
SUBJECT: Facade Restoration and Tuck Pointing - Cry Baby Craig's - 405 Central Avenue

BACKGROUND:

Cry Baby Craig's building at 405 Central Ave. suffered wind damage in March that blew off the metal facade panels. The owners would like to, remove the wood framing that was used to hold the metal panels and then repair the original brick facade. The brick facade will be tuck pointed and the spandrel glass / sign board area addressed.

The application forms and project summary will be provided at meeting time.

REQUESTED ACTION:

Approve the repairs to the original facade, tuck-pointing with colored mortar matching the original, and address the spandrel glass / sign board area to replicate the original facade design.

ATTACHMENTS:

1. Pictures - 405 Central
2. Historic survey file 405 Central



May 13, 2022



Undated Photo from Rice County Assessor

HISTORIC SITES SURVEY
OF FARIBAULT



ROLL # 18
FRAME # 16

ADDRESS : 405 - 407 CENTRAL AVE N

ELEMENT SPECIFIC INFO

PRESENT NAME : B. AND B. SPORTING GOODS
HISTORIC NAME :

INVENTORY # RC-FAC-653

ADDRESS : 405 - 407 CENTRAL AVE N

DESCRIPTION

DATE BUILT : Circa 1890
DATE SOURCE :

PROPERTY TYPE : Commercial bldg./store
PRESENT USE : Commercial bldg./store

STYLE :

INTACTNESS :

CONDITION :

☐ INTACT
☐ SLIGHT ALTERED
☐ MODER ALTERED
☒ VERY ALTERED

☐ EXCELL
☒ GOOD
☐ FAIR
☐ POOR

STORIES : 2
ROOF STYLE : Flat
WINDOWS : Rectangular Fixed
FOUNDATION :

STRUCTURAL SYSTEM : Brick
PRIMARY EXTERIOR : Sheet metal/vertical meta
SECONDARY EXTERIOR : Brick

ADDITIONAL COMMENTS :

ALTERATIONS : Storefront altered, second story covered with corrugated metal.

OPEN TO PUBLIC : ☐ YES ☐ NO ☒ LIMITED

BACKGROUND & SIGNIFICANCE

ARCHITECT :
CONTRACTOR :

ORIGINAL OWNER :

HISTORIC BACKGROUND :

SOURCES :

STATEMENT OF SIGNIFICANCE :

HISTORIC SITES SURVEY OF FARIBAULT

PRESENT NAME OF SITE : B. AND B. SPORTING GOODS

INVENTORY # RC-FAC-653

SITE ADDRESS : 405 - 407 CENTRAL AVE N
E SIDE OF STREETFIELDWORK DATE : 05 - 87
FIELDWORKER : Granger

SITE SUMMARY

INVENTORY #	PROPERTY TYPE	CONTRIBUTING STATUS	PHOTO I.D.
653 *	Commercial bldg./store	Contributing Building	18.16

PROPERTY SPECIFIC INFO

TAX PARCEL #
ASSESSOR'S MAP #ZONING DISTRICT :
BUILDING PERMIT #

APPROX. LEGAL DESCRIPTION :

PRESENT OWNER'S NAME AND ADDRESS :

NEIGHBORHOOD SETTING :

SITE FEATURES :

POTENTIAL THREATS :

HISTORIC CONTEXTS :

Commerce

SIGNIFICANCE :

☒ LOCAL
☐ STATE
☐ NATIONAL

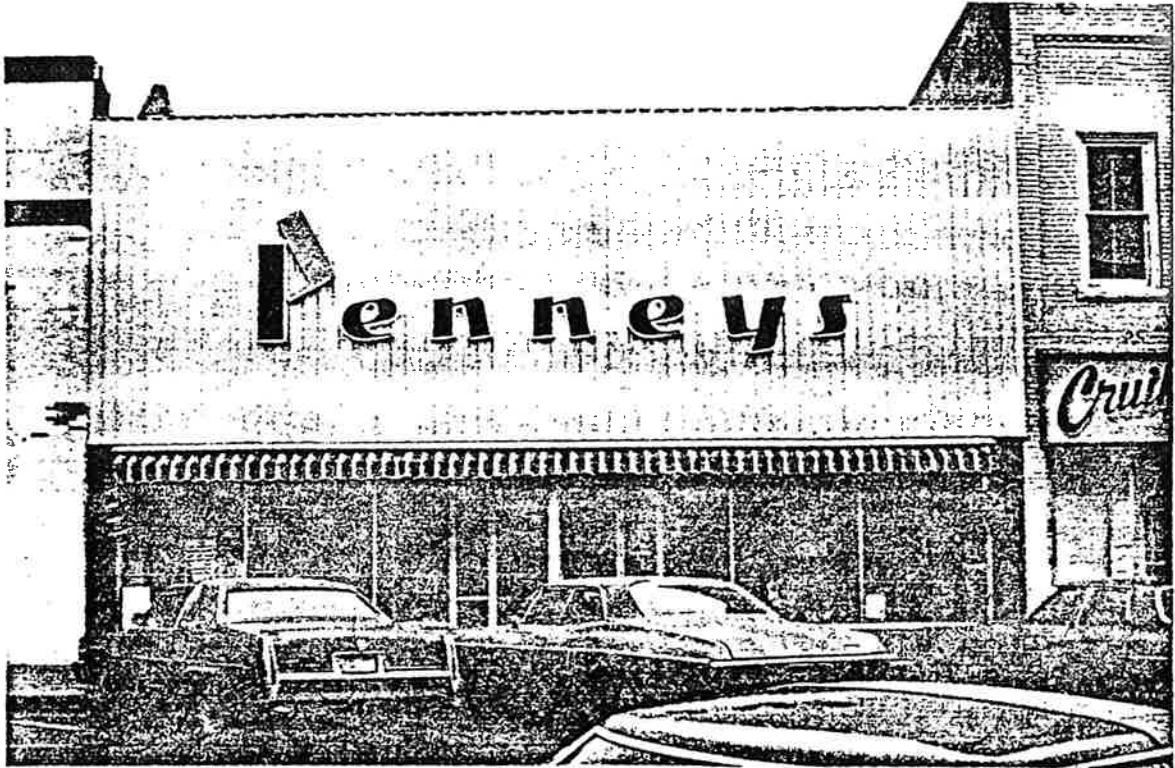
DESIGNATION STATUS :

☐ HPC SITE
☐ NR SITE
☒ HPC DIST Downtown
☐ NR DIST

BLOCK 5

F

Address: 405 Central Avenue



Date of Construction: 1880-1900

Building has been "modernized" but date of construction
and rear indicate it may be contributing.

Date of Photograph: July, 1982

Faribault Commercial Historic District

Street No **Street Name**

405

CENTRAL AVE

SHPO No

RC-FAC-653

Property Name**Current Owner**

SCHULTZ DONALD & WILLIAM BERG

PIN

1831126185

Zone

15

UTM Easting

478612

UTM Northing

4904692

USGS Map

Faribault

Township

110

Range

20

Section

31

Quarter

NE

Q Q

NW

Legal Description

Lot 009 Block 033 of ORIGINAL TOWN FARIBAULT
ORIG TOWN S18FT W100FT L9 & W100FT N1/3 L10 B33

Historic Use

Commerce: Department Store

Current Use

Commerce: Specialty Store

Description

Architectural Style**Stories**

1

Architect**Contractor****Primary Exterior**

Metal Panels

Foundation

Mix, stone & concrete

Roof Materials

Composition

Roof Form

Flat

Integrity

Significantly Altered

Condition

Fair

Narrative Description

This building shows a mid-20th century sensibility. It has sheathed the upper wall in ribbed metal sheets. On the street level, there are five bays, with a centered recessed double door flanked by two plate glass display windows. The bulkhead is brick.

Faribault Commercial Historic District

Street No	Street Name	SHPO No	Property Name
405	CENTRAL AVE	RC-FAC-653	

History

Date Built	Date Source	Original Owner
	Historic Properties Survey, 1987	

Historical Background

This property was the home of a movie theater at one time. It was later remodeled into a retail storefront, with a J. C. Penney Department Store (1936, 1937 Polk Directory).

Sources

Historic Properties Survey, 1987; Polk City Directory, Faribault; Faribault HPC Property Files

Historic Context

Commerce

NRHP Current	Local District Current	NRHP Recommend	Contributing
No	Yes	Yes	Noncontributing

Surveyed by Daniel J. Hoisington October, November 2012

Faribault Commercial Historic District

Street No	Street Name	SHPO No	Property Name
405	CENTRAL AVE	RC-FAC-653	



