



CITY HALL

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P.O. Box 378
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December 4, 2014

Heritage Preservation Commissioners
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Heritage Preservation Commission will be held on **Wednesday, December 10, 2014 at 4:00 p.m. in the Heritage Room** of the Winona City Hall.

1. **Call to Order**

2. **Meeting Notes – November 12, 2014**

3. **Work Session with Greg Gaut – Part 1-Preservation Education Plan**

As noted in his communication of November 21, 2014 (attached), Mr. Gaut will meet with the Commission on December 10th with the purpose of beginning preparation of a Preservation Education Plan for the City. This attachment also outlines his anticipated agenda for the meeting. For Commission reference, we are also attaching an additional email from Mr. Gaut summarizing recent conversations he has had with County Historical Society, Visit Winona, and Main Street staff relative to this project.

Again, given the significance of this meeting to plan development, all Commissioners are strongly encouraged to attend.

4. **Other Business**

5. **Adjournment**

Sincerely,

A handwritten signature in black ink, appearing to read "Mark K. Moeller".

Mark K. Moeller
City Planner

HERITAGE PRESERVATION COMMISSION NOTES

DATE: November 12, 2014

TIME: 4:00 p.m.

PRESENT: Wes Hamilton, Carolyn Larson, Andy Bloedorn

ABSENT: Lynn Englund, Mary Edel Beyer, Eric Floan, Merle Hanson, Kendall Larson, and Shaune Burke

STAFF PRESENT: Myron White, Development Coordinator

OTHER: Greg Gaut, Historic Preservation Consultant

Because there was not a quorum present, consider this document to be notes reflecting the discussion, there will be no official minutes from the meeting.

Wes Hamilton stated that because there was not a quorum, members present would have a general discussion with Mr. Gaut regarding the Preservation Education Plan.

Mr. Gaut explained that in the interest of keeping the Education Plan moving forward he would like to discuss a work proposal and get some feedback from Commissioners. Mr. Gaut thanked the Commissioners for awarding him the Preservation Education Plan contract and further explained that it combined two of his passions, Historic Preservation and Education. He noted that on the State level, Historic Preservation Education was highlighted in their 5 year plan but he had yet to see a significant education component surface.

Greg talked about how an education plan could take on two very different paths depending on the audience:

- An example of a more technical historic preservation education program might be used to provide property owners with expert information on windows and the pros and cons of rebuilding existing windows rather than replacement.
- A different approach to education might be educating the public on why there are policies in place to help protect historic structures and the importance of preserving our local history.

Mr. Gaut made the following suggestions for the December Historic Preservation Commission Meeting:

- Provide a brief overview/perspective on the history of the Historic Preservation Commission:
 - what seems to have worked well in the past, what has not

- look at historic documents that outline roles and responsibilities at the federal, state and local level with the understanding/expectation that much of the work is done at the local level with the local preservation commissions seemingly wield the most power with regard to enforcement.
 - use this information as a basis for orientation for incoming members
- Provide an overview of “players” in local historic preservation and discuss the opportunities to partner/collaborate:
- Downtown Main Street
 - Winona Visitors and Convention
 - Winona County Historical Society/History Center
 - Others?
- Discuss ideas on how we might better engage the public/get public “buy in”.

The result of the information and dialogue should help the Commission to articulate a mission statement along with a set of goals and objectives.

DISCUSSION

Andy mentioned that he liked a “back to basics” approach. Concentrating on what the HPC can do well.

Carolyn agreed explaining that the Commission needs focus.

Wes liked the idea of collaboration and wants the Commission to take a proactive role.

Commissioners along with Mr. Gaut went on to discuss strategies on how we can get the public engaged in Historic Preservation.

- How the Commission might help to best present historic information about Winona.
- Talks ensued about how residents were receptive of short plays with actors depicting historic figures.
- Members discussed the pros and cons of bringing in speakers.

The meeting adjourned at 5:05 P.M.



Greg Gaut

Historic Preservation Consultant

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November 21, 2014

Dear HPC members,

First, thanks for choosing me for this work. I really appreciate your confidence in me.

Second, when I met with the commission on November 12, we agreed to follow the plan I laid out in my proposal, and that we would get started with Part I at your December 10th meeting.

Therefore I propose we do the following at that meeting:

1. Review the foundational documents which guide our work, including the federal, state, and municipal legal and planning documents. Attached is a list of key documents, along with excerpts of some of them. Please read them over and bring them to the meeting. They are very helpful in focusing our attention of the essential mission of the preservation movement, and reminding ourselves of how we got to where we are.

Note: I have not included excerpts from the *Historic District Design Guidelines* because all of you should have your own copy. If you don't have one, city staff can get you one.

2. Report on my initial meetings with representatives of SHPO, WCHS, Visit Winona, and Winona Main Street.
3. Brainstorm your ideas for a mission statement which we can finalize in January. I think you will find the foundational documents very helpful as you prepare for this.

As we go through this process, please call or email me if at any time you have a question.

See you on December 10 at 4:00.


Greg

Heritage Preservation: Foundational Documents

(A list of documents key to understanding heritage preservation in Winona. Some have the force of law and some are planning documents. Attached are excerpts for discussion purposes.)

Federal

1. **National Historic Preservation Act of 1966** (Sections 1 & 2)

The act creates the National Register, SHPO programs in the states, the Certified Local Government (CLG) program including grants to HPCs, and Section 106 review of federally funded projects. I attach introductory sections which state the basic policy considerations.

2. **Secretary of Interior's Standards for Rehabilitation**

If buildings are to be saved, they must be used, and this means alterations and maintenance. These standards provide the basic principles for the treatment of historic properties. They can be found, with commentary, on pages 19-22 of the *Historic District Design Guidelines* (#9 below)

3. ***Penn Central Transportation Co. vs. New York City* (U. S. Supreme Court, 1978)**

A brief summary of the case which affirmed the power of cities to regulate on the basis of historic preservation. The case concerned a plan to build a skyscraper on top of Grand Central Station, a historic landmark. In upholding the city's power to stop this plan, it confirmed the power of every city, including Winona, to enforce preservation ordinances.

State

4. **Minnesota Statutes 471.193 Municipal Heritage Preservation** (complete)

The statute authorizing Heritage Preservation Commissions and defining their possible powers.

5. ***A New Season: Preservation Plan for Minnesota's Historic Properties 2012-2017***

SHPO's current six year plan which is intended to guide the work of the entire preservation community, including HPCs. There are five goals, including "#3 Educate, educate, educate."

City

6. **Winona Ordinance--Section 22.27 Heritage Preservation Commission** (excerpts)

After a lengthy process, city council passed a preservation ordinance creating the HPC in 1989. I attach only sections a, b, and c, but commissioners should have the full ordinance close at hand.

7. ***Winona's Historic Contexts: Final Report of a Historic Preservation Planning Project***

In 1991, the HPC hired Gemini Research to prepare this context study. I have attached the introduction. Following that, the HPC hired Hess, Roise & Co. to do a citywide survey of historic properties. This survey comes in three volumes: Central Winona (1992), East Winona (1993) and West Winona (1994). Although dated, everyone should have copies.

8. ***City of Winona Comprehensive Plan (August 2007)*** (excerpts on historic preservation)

9. ***Winona, Minnesota Historic District Design Guidelines (2007)***

The document which educates and guides property owners when planning work on the exteriors of properties in the downtown historic district, and guides your review of those plans.



National Historic Preservation Act of 1966

as amended through 1992

Public Law 102-575

AN ACT to Establish a Program for the Preservation of Additional Historic Properties throughout the Nation, and for Other Purposes, Approved October 15, 1966 (Public Law 89-665; 80 STAT.915; 16 U.S.C. 470) as amended by Public Law 91-243, Public Law 93-54, Public Law 94-422, Public Law 94-458, Public Law 96-199, Public Law 96-244, Public Law 96-515, Public Law 98-483, Public Law 99-514, Public Law 100-127, and Public Law 102-575).

Italics indicates new text.

~~Strikeout~~ indicates text removed.

Section 1 (16 U.S.C. 470)

(a) This Act may be cited as the "National Historic Preservation Act."

(b) The Congress finds and declares that-

- (1) the spirit and direction of the Nation are founded upon and reflected in its historic heritage;
- (2) the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;
- (3) historic properties significant to the Nation's heritage are being lost or substantially altered, often inadvertently, with increasing frequency;
- (4) the preservation of this irreplaceable heritage is in the public interest so that its vital legacy of cultural, educational, aesthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans;
- (5) in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation;
- (6) the increased knowledge of our historic resources, the establishment of better means of identifying and administering them, and the encouragement of their preservation will improve the planning and execution of federal and federally assisted projects and will assist economic growth and development; and
- (7) although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local

governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

Section 2 (16 U.S.C. 470-1)

It shall be the policy of the Federal Government, in cooperation with other nations and in partnership with the States, local governments, Indian tribes, and private organizations and individuals to-

- (1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;
- (2) provide leadership in the preservation of the prehistoric and historic resources of the United States and of the international community of nations and in the administration of the national preservation program in partnership with States, Indian tribes, Native Hawaiians, and local governments;
- (3) administer federally owned, administered, or controlled prehistoric and historic resources in a spirit of stewardship for the inspiration and benefit of present and future generations;
- (4) contribute to the preservation of nonfederally owned prehistoric and historic resources and give maximum encouragement to organizations and individuals undertaking preservation by private means;
- (5) encourage the public and private preservation and utilization of all usable elements of the Nation's historic built environment; and
- (6) assist State and local governments, Indian tribes and Native Hawaiian organizations and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

Section 101 (16 U.S.C. 470a)

- (a) (1) (A) The Secretary of the Interior is authorized to expand and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture.
- (B) Properties meeting the criteria for National Historic Landmarks established pursuant to paragraph (2) shall be designated as "National Historic Landmarks" and included on the National Register, subject to the requirements of paragraph (6). All historic properties included on the National Register on the date of



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Penn Central Transportation Co. v. New York City

438 U.S. 104

Penn Central Transportation Co. v. New York City (No. 77-444)

Argued: April 17, 1978

Decided: June 26, 1978

- [Syllabus](#)
- [Opinion](#), Brennan
- [Dissent](#), Rehnquist

Syllabus

Under New York City's Landmarks Preservation Law (Landmarks Law), which was enacted to protect historic landmarks and neighborhoods from precipitate decisions to destroy or fundamentally alter their character, the Landmarks Preservation Commission (Commission) may designate a building to be a "landmark" on a particular "landmark site" or may designate an area to be a "historic district." The Board of Estimate may thereafter modify or disapprove the designation, and the owner may seek judicial review of the final designation decision. The owner of the designated landmark must keep the building's exterior "in good repair," and, before exterior alterations are made, must secure Commission approval. Under two ordinances, owners of landmark sites may transfer development rights from a landmark parcel to proximate lots. Under the Landmarks Law, the Grand Central Terminal (Terminal), which is owned by the Penn Central Transportation Co. and its affiliates (Penn Central) was designated a "landmark" and the block it occupies a "landmark site." Appellant Penn Central, though opposing the designation before the Commission, did not seek judicial review of the final designation decision. Thereafter appellant Penn Central entered into a lease with appellant UGP Properties, whereby UGP was to construct a multistory office building over the Terminal. After the Commission had rejected appellants' plans for the building as destructive of the Terminal's historic and aesthetic features, with no judicial review thereafter being sought, appellants brought suit in state court claiming that the application of the Landmarks Law had "taken" their property without just compensation in violation of the Fifth and Fourteenth Amendments, and arbitrarily deprived them of their property without due process of law in violation of the Fourteenth Amendment. The trial court's grant of relief was reversed on appeal, the New York Court of Appeals ultimately concluding that there was no "taking," since

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- Laura Underkuffler (<http://www.lawschool.cornell.edu/faculty/bio.cfm?id=344>): Tahoe's Requiem: The Death of the Scalian View of Property and Justice (http://papers.ssrn.com/sol3/papers.cfm?abstract_id=820266)

Stay Involved

the Landmarks Law had not transferred control of the property to the city, but only restricted appellants' exploitation of it; and that there was no denial of due process because (1) the same use of the Terminal was permitted as before; (2) the appellants had not shown that they could not earn a reasonable return on their investment [p105] in the Terminal itself; (3) even if the Terminal proper could never operate at a reasonable profit, some of the income from Penn Central's extensive real estate holdings in the area must realistically be imputed to the Terminal; and (4) the development rights above the Terminal, which were made transferable to numerous sites in the vicinity, provided significant compensation for loss of rights above the Terminal itself.

Held: The application of the Landmarks Law to the Terminal property does not constitute a "taking" of appellants' property within the meaning of the Fifth Amendment as made applicable to the States by the Fourteenth Amendment. Pp. 123-138.

(a) In a wide variety of contexts, the government may execute laws or programs that adversely affect recognized economic values without its action constituting a "taking," and, in instances such as zoning laws where a state tribunal has reasonably concluded that "the health, safety, morals, or general welfare" would be promoted by prohibiting particular contemplated uses of land, this Court has upheld land use regulations that destroyed or adversely affected real property interests. In many instances use restrictions that served a substantial public purpose have been upheld against "taking" challenges, e.g., *Goldblatt v. Hempstead*, 369 U.S. 590 (<http://www.law.cornell.edu/supremecourt/text/369/590/>); *Hadacheck v. Sebastian*, 239 U.S. 394 (<http://www.law.cornell.edu/supremecourt/text/239/394/>), though a state statute that substantially furthers important public policies may so frustrate distinct investment-backed expectations as to constitute a "taking," e.g., *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393 (<http://www.law.cornell.edu/supremecourt/text/260/393/>), and government acquisitions of resources to permit uniquely public functions constitute "takings," e.g., *United States v. Causby*, 328 U.S. 256 (<http://www.law.cornell.edu/supremecourt/text/328/256/>). Pp. 123-128.

(b) In deciding whether particular governmental action has effected a "taking," the character of the action and nature and extent of the interference with property rights (here the city tax block designated as the "landmark site") are focused upon, rather than discrete segments thereof. Consequently, appellants cannot establish a "taking" simply by showing that they have been denied the ability to exploit the superjacent airspace, irrespective of the remainder of appellants' parcel. Pp. 130-131.

(c) Though diminution in property value alone, as may result from a zoning law, cannot establish a "taking," as appellants concede, they urge that the regulation of individual landmarks is different, because it applies only to selected properties. But it does not follow that landmark laws, which embody a comprehensive plan to preserve structures of historic or aesthetic interest, are discriminatory, like "reverse spot" zoning. Nor can it be successfully contended that designation of a landmark involves only a matter of taste, and therefore will inevitably [p106] lead to arbitrary results, for judicial review is available, and there is no reason to believe it will be less effective than would be so in the case of zoning or any other context. Pp. 131-133.

(d) That the Landmarks Law affects some landowners more severely than others does not, itself, result in "taking," for that is often the case with general welfare and zoning legislation. Nor, contrary to appellants' contention, are they solely burdened and unbenefited by the Landmarks Law, which has been extensively applied and was enacted on the basis of the legislative judgment that the preservation of landmarks benefits the citizenry both economically and by improving the overall quality of city life. Pp. 133-135.

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2014 Minnesota Statutes

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471.193 MUNICIPAL HERITAGE PRESERVATION.

Subdivision 1. **Policy.** The legislature finds that the historical, architectural, archaeological, engineering, and cultural heritage of this state is among its most important assets. Therefore, the purpose of this section is to authorize local governing bodies to engage in a comprehensive program of historic preservation, and to promote the use and conservation of historic properties for the education, inspiration, pleasure, and enrichment of the citizens of this state.

Subd. 2. **Heritage preservation commissions.** The governing body of a statutory or home rule charter city, county, or town may establish a heritage preservation commission to preserve and promote its historic resources according to this section.

Subd. 3. **Powers.** The powers and duties of any commission established pursuant to this section may include any power possessed by the political subdivision creating the commission, but shall be those delegated or assigned by the ordinance establishing the commission. These powers may include:

(1) the survey and designation of districts, sites, buildings, structures, and objects that are of historical, architectural, archaeological, engineering, or cultural significance;

(2) the enactment of rules governing construction, alteration, demolition, and use, including the review of building permits, and the adoption of other measures appropriate for the preservation, protection, and perpetuation of designated properties and areas;

(3) the acquisition by purchase, gift, or bequest, of a fee or lesser interest, including preservation restrictions, in designated properties and adjacent or associated lands which are important for the preservation and use of the designated properties;

(4) requests to the political subdivision to use its power of eminent domain to maintain or preserve designated properties and adjacent or associated lands;

(5) the sale or lease of air rights;

(6) the granting of use variations to a zoning ordinance;

(7) participation in the conduct of land use, urban renewal, and other planning processes undertaken by the political subdivision creating the commission; and

(8) the removal of blighting influences, including signs, unsightly structures, and debris, incompatible with the physical well-being of designated properties or areas.

No power shall be exercised by a commission which is contrary to state law or denied a political subdivision by its charter or by law. Powers of a commission shall be exercised only in the manner prescribed by ordinance and no action of a commission shall contravene any provision of a municipal zoning or planning ordinance unless expressly authorized by ordinance.

Subd. 4. **Exclusion.** If a commission is established by the city of St. Paul, it shall for

the purpose of this section exclude any jurisdiction over the Capitol Area as defined in section 15B.03, subdivision 1.

Subd. 5. **Commission members.** Commission members must be persons with demonstrated interest and expertise in historic preservation and must reside within the political subdivision regulated by the ordinance establishing the commission. Every commission shall include, if available, a member of a county historical society of a county in which the municipality is located.

Subd. 6. **Communication with state historic preservation officer.** Proposed site designations and design guidelines must be sent to the state historic preservation officer at the Minnesota Historical Society, who shall review and comment on the proposal within 60 days. By October 31 of each year, each commission shall submit an annual report to the state historic preservation officer. The report must summarize the commission's activities, including designations, reviews, and other activities during the previous 12 months.

History: 1971 c 128 s 1; 1973 c 123 art 5 s 7; 1985 c 77 s 1; 1989 c 9 s 2; 2003 c 17 s 2

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Goals and Strategies for 2012-2017

These goals and strategies have been shaped with input from Minnesota's historic preservation community to give direction to our work over the next six years. It is up to each of us to pursue them in our own way, whether it's by collaborating with other partners, defining a specific work plan and measurable outcomes for a particular preservation organization, or volunteering for a favorite preservation cause. Though the means to reach them may vary, these goals unite us in our statewide effort to preserve the state's historic resources.

1. Preserve the places that matter: Increase the identification, designation and protection of Minnesota's historic and archaeological resources.

- Update inventory data and make the information widely accessible through new technology.
- Fill gaps in the survey record, focusing on archaeological resources, cultural landscapes, traditional cultural properties and historic resources of the recent past.
- Increase designations to local registers and the National Register for properties representing the full range and geographic spread of Minnesota's historic resources, using grant and tax credit assistance when appropriate to bring those resources the added recognition and protection afforded by designation.
- Increase protections for significant resources by strengthening selected state laws (Environmental Quality Board rules, for example) and establishing local preservation ordinances.
- Advocate for and direct resources to threatened and underused high-profile National Register properties as well as places where advocacy will build on and enhance local capacity.

2. Promote preservation's economic benefits: Strengthen the connections between historic preservation, community economic vitality and sustainability.

- Increase use of state and federal preservation tax credits for adaptive reuse of historic sites and structures.

- Publicize annually the economic impacts of the Minnesota Historic Structure Rehabilitation Tax Credit and advocate for its reauthorization.
- Resurrect Minnesota's "This Old House" law to create incentives for rehabilitating historic properties and revitalizing residential neighborhoods and to combat the loss of historic fabric from tear-downs.
- Increase participation, advocacy and stable funding for the Minnesota Main Street program to revitalize historic commercial centers.
- Invite Legacy grant applications that result in job creation and/or job training in preservation and construction trades. Report back and celebrate successes.
- Document and publicize the economic value and sustainability of traditional historic districts and site rehabilitation projects, and showcase energy-efficient preservation projects.

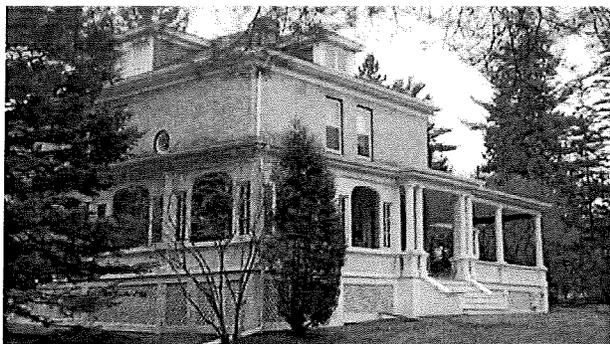
3. Educate, educate, educate: Build a foundation for effective preservation education and activism.

- Develop a historic preservation curriculum adaptable for all ages, including grades K-12 and trade and technical schools.
- Improve interpretation of cultural resources and historic sites around the state by integrating compelling, instructional stories of historic preservation.
- Develop and implement hands-on workshops and training opportunities that demonstrate effective treatment techniques for historic resources.

- Provide training and support for heritage preservation commissions, local government staff and owners of historic properties to enhance preservation outcomes.
- Improve understanding of and compliance with local, state and federal preservation laws.
- Connect Minnesota's preservation partners and reach wider and more diverse audiences through social media and other communications vehicles.
- Develop and implement programs to train, equip and mobilize more volunteers to engage at all levels of historic preservation activity.

4. Increase diversity in Minnesota's historic preservation community: Include participants who reflect the breadth of the state's racial/ethnic groups, geography, income levels and ages.

- Create volunteer, training and professional opportunities in the preservation field that involve underrepresented groups, including immigrants and racial/ethnic minorities.
- Strengthen communication, coordination and consultation with American Indian communities. Encourage tribes to expand and enhance their historic preservation programs and develop additional preservation expertise.
- Expand survey and designation efforts to include properties associated with underrepresented groups and to assure that all regions of the state are fairly represented and served.



Henry C. Oldenburg House, Carlton, Carlton County

- Increase participation in preservation conferences, training and workshops through such means as scholarships and internships for Minnesota's diverse populations.
- Include groups devoted to green and sustainable development in the network of preservation partners.

5. Lead the way: Develop leaders at all levels to strengthen Minnesota's preservation network.

- Create a united voice in advocating for the use of Legacy funds to benefit historic preservation, as the Minnesota History Coalition did for history.
- Establish a preservation response team to better coordinate efforts when historic resources or funding sources are imminently at risk or when public policy affecting historic preservation requires urgent attention.
- Develop and implement a training program for preservation leaders at the local and regional levels.
- Incorporate preservation training into existing leadership training programs at key agencies.
- Increase the capacity of Minnesota's statewide, regional and local nonprofit preservation partners by enlisting, training and referring volunteers for historic preservation programs and projects.
- Establish a means to convene a broad array of preservation leaders on a regular basis to improve communication and keep everyone moving towards implementation of the statewide plan.

All of us have a vested interest in Minnesota's future. Join in the effort to realize the goals and strategies set forth in this statewide preservation plan as a foundation for public and private action. By doing so, our legacy will be a lasting one.

Winona City Code:

From Chapter 22 City Administration

22.27 HERITAGE PRESERVATION COMMISSION

- (a) Public Policy and Purpose. The City Council finds that the historical, architectural, archaeological, engineering and cultural heritage of this City is among its important assets. Therefore, the purpose of this section is to establish a municipal program of heritage preservation, as authorized by Minnesota Statutes 471.193, to promote the rehabilitation and conservation of historic properties for the education, inspiration, pleasure and enrichment of the citizens and visitors of Winona.
- (b) Definitions. Certificate of Appropriateness: An approved certificate issued by the Heritage Preservation Commission prior to the construction, demolition, alteration, removal, or relocation of any publicly or privately owned structure or site within a heritage preservation site.

Commission: Means the Heritage Preservation Commission established under the provisions of this section.

Heritage Preservation Site: A single area, building, structure or object, which has been duly designated as a heritage preservation site(s) pursuant to Subsection (k) of this section.

Heritage Preservation District: A concentration of two or more properties linked by significance and located in a contiguous area. A heritage preservation district shall have the same protection and meaning as a heritage preservation site under this section. Land and structures which do not contribute to the significance of the district may be included within the boundaries of a heritage preservation district when necessary to protect the significance and visual unity of the whole.

For purposes of this section, a designated residential site or district is one located within a residential zoning district while a designated commercial site or district is one located within any nonresidential zoning district.

- (c) Established. There is hereby created within and for the City a Heritage Preservation Commission with the following responsibilities:
 - (1) To conduct continuing surveys and research in order to identify properties which have historic, architectural, archaeological, engineering or cultural significance to the community.
 - (2) To recommend to the City Council properties which meet the criteria of significance stated herein for designation as heritage preservation sites.

- (3) To protect heritage preservation sites by public review of all proposed alterations, relocations, demolitions or new construction within designated site boundaries.
- (4) To advise the property owners of heritage preservation sites and educate the public in appropriate maintenance, rehabilitation or restoration methods. To encourage continued uses, compatible with their character, of heritage preservation sites.
- (5) To review and comment on applications pertaining to land use, signs, subdivisions and site plans on properties designated heritage preservation sites referred by the Planning Commission or City Council.
- (6) To advise the Planning Commission and/or the City Council regarding measures required or appropriate for the preservation, protection or maintenance of heritage preservation sites including but not limited to variances or amendments to the zoning code, rules governing construction, demolition, alteration or use, or the removal or repair of blighting influence incompatible with the physical well-being of designated properties.
- (7) To promote public recognition and appreciation for heritage preservation sites. It shall periodically publish a register of designated and potential heritage preservation sites and districts, along with guidelines and preservation programs available at that time.
- (8) To contract the services, on a permanent or part-time basis, of technical experts and such persons as may be required to perform its duties; subject to approval of the City Council.
- (9) To accept the gifts and contributions to be made to the City, and subject to approval of the City Council, make applications and administer grants for the purpose of identifying, preserving, and promoting historic properties.
- (10) The commission shall make no application to the National Register or to the State of Minnesota for the designation of a historic site or district without the consent of the City Council.

INTRODUCTION

The City of Winona and its Heritage Preservation Commission (HPC) have been mandated by the public to help safeguard Winona's quality of life by watching over the city's historic, artistic, architectural, and cultural resources. Winona is a dynamic and evolving community, and constant change in the built environment is essential to the health and vigor of the city. The HPC encourages both public agencies and the private sector to consider carefully the benefits and costs of historic preservation when making development decisions. Recognizing that we live in an era of dwindling material resources, the HPC is working to preserve buildings in Winona which display an excellence in design, construction, materials, and techniques which may never be seen again.

The Winona historic context study was conducted in 1990-91 by the Winona Heritage Preservation Commission (HPC) in preparation for an upcoming cultural resources survey of Winona's historic properties. The project was sponsored by the City of Winona, the Minnesota Historical Society's State Historic Preservation Office, and the National Park Service which administers the National Register of Historic Places and related programs.

Involved in the historic context study were the eleven members of the Heritage Preservation Commission: Frances Edstrom, Don Guidinger, Jean Kendall, Allan Lieder, Mike Pellowski, David Pendleton, Mark Peterson (Chairman), Deb Salyards, Robert Sebo, Sherman Smith, and Jerome Speltz. Also participating was Mark Moeller, City Planner, of the City's Community Development staff. Susan Granger and Scott Kelly of Gemini Research served as consultants for the study. Kathryn Gonier and Larry Hutchings assisted Gemini Research with final report writing and production.

BACKGROUND OF PRESERVATION IN WINONA

The people of Winona have recognized the need to preserve their cultural assets since a group of citizens founded the Winona County Historical Society in 1935. The county historical society has been a leader in local preservation efforts, acquiring the Bunnell House in Homer in 1954 and the steamboat James P. Pearson in 1956. The society lobbied to preserve the Winona County Courthouse and the Winona Opera House, and played a pivotal role in the formation of the Heritage Preservation Commission. The society has been joined by other groups such as the Winona Heritage Association in trying to save specific historic properties like the Chicago and Northwestern Depot which was razed in 1980.

The late 1960's and early 1970's were years of both major losses and notable achievements in the preservation Winona's architectural resources. During this period several major commercial buildings downtown were demolished as a result of urban renewal efforts. For example, following the recommendations of the "Master Plan for Winona" (1959), the Morgan, Latsch, and Steak Shop blocks and the Post Office building were razed, the demolition of the 1889 Romanesque Revival Winona County Courthouse was seriously considered, and Central Park became the site of a

INTRODUCTION

new post office. On the other hand, major rehabilitation projects were completed during this period. The Merchants National Bank was rehabilitated in 1971 and the Winona County Courthouse was renovated in 1975. During the 1970's, the City of Winona assisted in the renewal of the Exchange Building, Anger's Block, and the Winona Hotel. Private funds renovated the Second National Bank and the R.D. Cone Building. In addition, a number of Winona properties were placed on the National Register of Historic Places during the 1970's in recognition of their outstanding historical and architectural significance.

In 1976 local government took two important steps toward the protection of Winona's resources. That year the City Council established a conservancy zone to limit development on the city's bluff faces, recognizing that the aesthetic qualities of Winona's natural environment should be preserved for all of its citizenry. Also in 1976, a mayor-appointed Citizens' Housing and Preservation Task Force recommended that the City:

- work to revitalize downtown,
- encourage the preservation of historic housing,
- continue to seek National Register designations,
- ensure that future development and planning be sensitive to historic resources,
- adopt a city historic site and historic district ordinance, and
- name the Winona County Historical Society as a central preservation resource center.

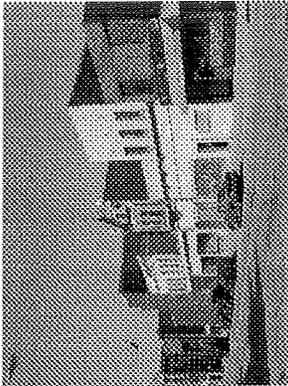
The goal of establishing an historic preservation commission as a permanent component of city government was stated in the City's 1982 General Plan Update. During the next several years, the Planning Commission and the City Council worked to develop a city preservation ordinance and create an HPC. During this period, the City, the Port Authority, and private parties collaborated to renovate the Winona and St. Peter Freight House in 1983 and the International Harvester/Peerless Chain Building in 1985. Two other major Winona buildings were demolished after considerable debate, the Winona Opera House (razed in 1990) and the Kreske Block (razed in 1991). In 1989 the City Council adopted a preservation ordinance and established the HPC. The commission was charged with developing a citywide preservation program which would identify, evaluate, and designate local historic sites, and promote their preservation. The City then applied for designation as a Certified Local Government (CLG) through the National Park Service. This federal program helps cities finance their preservation efforts and annually reviews their programs.

8. Historic Preservation Plan

Issues

Since the 1995 Comprehensive Plan, much has been accomplished in the area of preservation, including development of historic contexts for the City and design guidelines for the Second Street Historic District. The Historic Preservation Subcommittee identified some of the major issues that the 2007 Comprehensive Plan should address:

- Visibility.** A general lack of public awareness of some of the City's most unique resources, such as the Watkins and Polish museums.
- Cost concerns.** The idea that historic building standards can increase costs of building renovation or rehabilitation.
- Lack of a local historic district.** Locally established districts can offer some level of protection for existing historic buildings, compared to the largely honorary National Register district designation. The recent demolition of several contributing buildings in the Third Street Historic District for employee parking highlighted the importance of this issue.

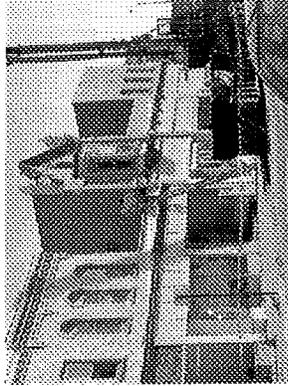


Goals and Objectives

1. **Preserve the City's unique character.** Identify, value and preserve the unique and diverse characteristics of Winona's architectural and built environment and its valuable outdoor and other public spaces.

Objectives:

1. Preserve, protect and promote identified significant architectural themes, unique elements of infrastructure in the City, (such as limestone sidewalks, brick streets and iron fences) and the established green space that helps define the City's historical character.
2. Encourage infill construction appropriate to neighborhood context and aesthetics.
3. Preserve and protect significant historical structures and districts through the promotion of local designations and the creation of clearly written design guidelines.
4. Promote methods of identifying and considering archeological resources prior to the development/redevelopment of property.



2. Preserve and enhance the historic character of downtown Winona.

Objectives:

1. Educate and create awareness for celebrating and promoting cultural and architectural heritage.
2. Maintain and improve upon the condition of historic downtown buildings.

3. Recognize the City's diverse heritage. Identify and celebrate the role of diverse peoples in Winona's development and preserve the artifacts of their lives. Recognize the legacy and many contributions of religious, fraternal and other groups to the City.

Objectives:

1. Celebrate the City's pre-settlement and post-settlement ethnicity.
2. Encourage Winonans and visitors to learn about and appreciate Winona's unique stories by collecting oral histories, written records and artifacts.

Policies and Actions

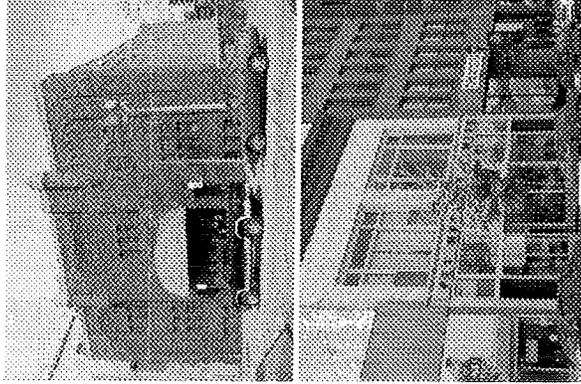
1. Establish a local historic district in downtown Winona. Districts and properties on the National Register of Historic Places, while eligible for federal tax incentives, are not protected against demolition or unsympathetic alteration. A local historic district, by contrast, when combined with a design review process, can protect the character-defining elements of a property, and can provide for review and approval or denial of demolitions.

A downtown local historic district would be located along Third Street from Johnson Street to Franklin Street and along Second Street from Center Street to Lafayette Street, matching the boundaries of the existing National Register East Second Street and Third Street districts. An attempt to establish such a district in the mid-1990s failed due to the opposition of some property owners. A renewed effort should build on the increased awareness of and commitment to downtown revitalization, focus on educating property owners, and offer incentives for renovation of historic buildings.

Related actions include the following:

- Implement **design standards** for both contributing and non-contributing⁴ buildings,

⁴ Contributing buildings have retained their historic character, whereas the historic character of non-contributing buildings has been compromised.



8. Historic Preservation Plan

including uniform signage within the Downtown Local Historic District. (Design standards were developed in 1999 for the East Second Street Historic District, primarily focusing on building renovation standards, and are currently being updated for the Third Street Historic District)

- Implement **design guidelines** for the greater downtown area, focusing primarily on achieving compatibility between new infill development and surrounding traditional storefront buildings. Design guidelines can be linked to updated zoning standards (see below) or incorporated into a site plan review process. (This recommendation is also identified in the Downtown Revitalization Plan.)
- Compile reference materials for building owners regarding process and time line for permitting projects within the Downtown Local Historic District and informing them of the existing tax credit attached to the National Historic District and other state, federal and local funding options.

2. Update zoning regulations to encourage preservation and context-sensitive development. Zoning standards, both in downtown Winona and in its traditional neighborhoods and commercial districts, should encourage mixed use development, emphasize pedestrian-oriented design, and encourage adaptive reuse of historic buildings. Zoning standards should provide incentives for such reuse, such as reduced requirements for off-street parking, relaxation of setback requirements, or additional density or intensity of development.

3. Implement financial incentives and resources for historic building rehabilitation and adaptive reuse. Programs should include, but are not limited to, public/private partnerships with financial institutions, grants, revolving loans, tax abatement, and tax increment financing. Programs should focus primarily on downtown Winona, but should also include historic buildings outside the downtown.

4. Develop educational and informational programs that are designed to heighten an awareness and understanding of local history for all citizens and visitors to the City. Examples of such programs may include the development of K-12 curricula, brochures, travel exhibits and specialized seminars, using available media resources.

5. Encourage intergovernmental and interagency partnerships between the City, County, Winona County Historical Society, Visit Winona and others to promote preservation opportunities and programs.

Jayne Meier

From: Greg Gaut <greggaut@gmail.com>
Sent: Wednesday, December 03, 2014 9:40 AM
To: Carolyn Larson; Lynn England; Merle Hanson; Andy Bloedorn; Erik Floan; Jayne Meier; Kendall Larson; Mark Moeller; Mary Edel Beyer; Myron White; Shaune Burke; Wes Hamilton
Subject: Meetings with WCHS, Visit Winona, Main Street
Attachments: Winona HPC ed collaboration reports Nov '14.docx

Dear HPC Members,

By now you should have received a copy of my letter of November 21 along with the excerpts of the "foundational documents" which guide our work. At the December 10 meeting, we will review them in preparation for brainstorming ideas for a mission statement. They are also a quick reminder of how we got to where we are. Contact the Planning office if you didn't get them.

At the November meeting we also agreed that I would schedule initial meetings with WCHS, Visit Winona, and Main Street and provide written reports. They are attached. I found them all open to collaboration to one degree or another. They came up with many ideas which we will use in the creation of a detailed plan.

I would appreciate it if you would send me a quick email confirming that you received this (and that I have your email address correct) and that you could open the attachment. Let me know if you have any questions. See you on Wednesday December 10 at 4:00.

Greg

CC: Mark Moeller, Myron White, Jayne Meier

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**Meeting with Mark Peterson, Director, and Jennifer Weaver, Asst Director, WCHS,
November 21, 2014**

After explaining the goals of the HPC and the process leading to a preservation education plan, Mark and Jennifer brainstormed ideas with collaboration in mind. I noted that we are thinking of education in the broadest sense, with many possible audiences in mind.

1. They thought that HPC **web site development** was important and presented opportunities for collaboration. Their own *Stories in Structures* mobile app could be expanded to include more buildings, and especially homes. (It currently covers six downtown buildings. See <http://www.winonamntours.org/tour/>) One idea is to digitalize the Sanborn Fire Insurance maps for Winona and make them available for viewing. Mark liked the idea of using photos of the same property showing how it “morphed” over time. They have a huge photo collection that can be put to great use.
2. More specifically, they wondered what **property and business owners in the historic district** receive? New owners and businesses at least should get a packet with the design guidelines and information from the original designation form which gives a brief history of their own property. Maybe there should be an event for owners.
3. Thinking big, a brief **video** introducing and promoting the historic district was mentioned as part of a larger campaign and as a way of alerting owners to the significance of their property and the district. This led to the ideas of collaborating with other **SE Minn HPCs** to produce something like a video or a conference. (Note: the following SE Minn towns have HPC’s with CLG status: Chatfield, Frontenac, Lake City, Lanesboro, Red Wing, Wabasha, Winona). This could be a way of leveraging larger CLG or Legacy grant funds.
4. Thinking about **K-12 education**, Jennifer mentioned that she had recently met with Superintendent Steven West and curriculum director Kelly Halverson. The meeting was about History Day, and they were enthusiastic about promoting it in Winona. But Jennifer thought they would be interested in curriculum ideas about the built environment and preservation. For one thing, each grade level needs a field trip. Jennifer offered to join me if I met with Kelly Halverson and I will follow up.
5. They hoped that the HPC and **Main Street** would team up on things, for example, jointly welcoming new owners to the historic district or sponsoring a workshop on design together.
6. And they hoped that HPC and WCHS could work with **Visit Winona** to produce materials, like a walking and bus tours of downtown buildings and homes, needed to attract bus tour and steamboat stops. Apparently, Winona used to attract more bus tour and steamboat stops than it does now. Tour companies favor cities that have well-developed activities for their customers.

**Meeting with Pat Mutter, Director, *Visit Winona*,
November 21, 2014**

After explaining the goals of the HPC and the process leading to a preservation education plan, Pat shared some of her ideas and concerns. I noted that we are thinking of education in the broadest sense, with many possible audiences in mind, with an emphasis on collaboration.

Pat emphasized that she has always promoted Winona's historic architecture as a way to attract people to Winona, but that she is dependent on other groups (HPC, WCHS) to produce content.

We talked about the **Historic Downtown walking tour brochure**, which was produced many years ago by the HPC with CLG funding and with help from the Chamber which at that time sponsored the Convention and Visitors Bureau. It's very good, and updated not too long ago, but also very elaborate and costly to reproduce. Hence, it is not used much. Pat thought that the context captured there could be the basis for **webpage development**, including an interactive map, and that maybe some of the content could be used in a cheaper format, like a simple trifold with a downtown walking tour.

She pointed out the **Arts and Heritage section of Visit Winona webpage** which has quite a bit on historic architecture, but nothing on historic homes. This is an area where HPC or WCHS could help with content production, both for the Visit Winona website and also for an inexpensive **home tour brochure**. The home tour could include about ten homes (enough for about an hour) that could be used by the trolley or by individual visitors. She noted that the expensive Stained Glass brochure they used to have has been discontinued, but that the content is on their webpage. (See <http://www.visitwinona.com/itinerary/arts-heritage/>)

Visit Winona has a **Facebook** and **Pinterest** page which emphasizes the visual. Beautiful pictures of things are popular and get noticed. They have historic buildings and she would welcome more submissions.

Overall, Pat was interested in promoting downtown and home tours, both with better on-line content and with inexpensive brochures. Even though websites are crucial, she said, visitors want to have a handout of some kind. The key is "**cross-promotion**" where content is shared and promoted by HPC, Visit Winona, Main Street and maybe more.

She also mentioned the monthly meetings on the second Tuesday at 8:15 where people gather to share what is going on in Winona related to tourism. Next one is December 9 at Masonic Temple. All our welcome.

Finally, she mentioned Dr. Hamid Akbari, Dean of Business (hakbari@winona.edu, 309 Somsen Hall, 507.457.5014) as someone at WSU who is community-oriented and might be interested in collaborations. His focus is on entrepreneurship.

GG

**Meeting with Della Schmidt and Dave Bittner, *Winona Main Street*
November 24, 2014**

After explaining the goals of the HPC and the process leading to a preservation education plan, Della and David shared some of ideas and concerns. I noted that we are thinking of education in the broadest sense, with many possible audiences in mind, with an emphasis on collaboration.

Overall the meeting was focused on working together to enhance the downtown and on cross-promotion of content and activities. Della noted that “times had changed,” due not only to the arrival of *Main Street*, but also because of an increased interest in downtown revitalization.

She hoped that the HPC could become more visible as a “**friendly resource.**” Today, most business owners don’t even know about it until they try to do something and then it’s another hoop to jump through. She suggested routinely promoting preservation successes via **press releases** (and phone calls) to media, **guest editorials** in the newspapers, friending *Main Street Facebook* page (and sending materials to David to post there), and using *Main Street’s e-newsletter* as an outlet for HPC articles. Also there is soon to be unveiled a *Main Street mobile ap* to which HPC could possibly be linked.

David noted that there had been some collaboration. Lynn England is a member of the **Main Street Design Committee** (next meeting 11:00 Dec 11 at Pet Medical). Several HPC members came to Catherine Sandlund’s presentation of the Secretary of Interior Standards. Also, HPC members were invited to the unveiling of the consultant’s design ideas for the vacant lot on 3rd street where the fire occurred.

David mentioned that Catherine is ¼ time for *Main Street* statewide. In that role, she will come to Winona once a year to do a **design rendering** on a selected storefront. This was done in 2014 for Yarnology, and the 2015 site has not been chosen.

Della talked about possibly having not just “guidelines” but “standards” for a limited area in downtown where things like signage and paint color could be addressed, tied with a campaign to educate property owners about how standards protect their investment.

One particular issue of education, Della mentioned that the repointing repair on the Alexander building on 3rd Street was not done as well as it should have been from a preservation point of view, and that the owner understood this, but that his **insurance** would not cover proper procedures. Future education should include advising property owners to make sure their coverage provided for proper rehab procedures. Possibly for a very small increase in premium, the coverage could have been appropriate.

GG