

**CITY OF SAINT PAUL
HERITAGE PRESERVATION COMMISSION STAFF REPORT**

FILE NAME: 809 Portland Avenue
DATE OF APPLICATION: June 19, 2014
APPLICANT: Kevin Haugtvedt, A Plus Windows; Harvey Schmidt, Door Glass
OWNER: Pergola Properties
DATE OF PUBLIC HEARING: June 26, 2014
HPC SITE/DISTRICT: Hill Heritage Preservation District
CATEGORY: Contributing
CLASSIFICATION: After-The-Fact Building Permit
STAFF INVESTIGATION AND REPORT: John Beaty, Christine Boulware
DATE: June 18, 2014

A. SITE DESCRIPTION: The apartment building at 809 Portland Avenue is a rectangular two-story masonry building with a flat roof behind a small parapet. A two-story, inset front entry has a recently-added, awning between the stories. The rear also has a two-story inset porch with stairs that serve as an entry to the rear apartments. The front windows have soldier brick lintels and rowlock brick sills. The secondary elevation windows have segmental header brick arches for wide openings, and hidden lintels for narrow openings. The historic windows are a mix of double-hung, in-swing casement, fixed, and awning windows in the basement. The primary elevation has uneven 12-over-one, grouped, double-hung windows: triples in the front, doubles in the first side bays, and doubles in the third side bays. The piano windows on the side elevations (second bay) were originally uneven 16-light fixed with matching divided-light storm windows, but three of four are now wood, in-swing casements. The triple windows at the landing in the second story of the inset front porch are a narrow, uneven, nine-over-ones, and the sixth side bays have triple, even 12-over-ones. All other windows are one-over-ones, except for the vertical, three-light, awning basement windows. The primary entrance had a wood glazed door and wooden sidelights and a full width-transom.

B. PROPOSED CHANGES: There are two applications and the first applicant is proposing to replace the divided-light windows in the building with Quaker Historic Fit windows with a custom applied muntin pattern that is similar to the existing historic window muntins. These windows have a new frame, but will use the existing exterior brick molds. The proposed applied muntin is 5/8" wide and 3/8" deep. This application differs from the previous application heard by the HPC because it is proposing to replace all windows with a similar muntin pattern window. The previous application proposed to replace all windows with a different muntin pattern window, and the work on the first proposal had begun before the hearing.

The second applicant is proposing to add vertical muntins to the transom of the recently added aluminum entryway. This proposal intends to restore some of the historic character of the entry.

C. CHANGES COMPLETED AND BACKGROUND:

On **December 18, 2013**, work commenced at 809 Portland Avenue and 26 windows were replaced without a building permit application or HPC review. The applicant was notified by DSI staff of the building's historic designation when he was applying for a building permit. The applicant then contacted HPC staff.

On **January 29, 2014**, the applicant submitted an HPC application, and scheduled a site visit.

On **February 12th**, HPC staff met the contractor at 809 Portland Avenue and noted other recent alterations to the primary entrance of the building not performed by the contractor. The front door, sidelights and transom had recently been replaced and an awning was installed over the door. The door work and awning were done without HPC approval and without a permit from DSI.

At the public hearing on **February 27th**, the applicants brought a proposal to replace the entry and windows to the commission. The commission voted 9-0 to accept staff recommendation to conditionally approve portions and specifically:

1. The original and early wood windows shall be retained and repaired.
2. Divided-light windows matching the ones that were replaced on the front and side elevations shall be installed to match the material, size, style, profile and divided-light configuration of the original windows. These windows shall be installed by June 30, 2014.
3. The one-over-one double hung windows on the north, east, and west elevations may be replaced to match the existing in size, profile, style and detail.
4. The basement windows that were replaced by the applicant may remain; the basement windows that were not replaced shall be repaired.
5. New windows approved for installation at the property shall have either full-frame, flush-mount screens with a horizontal bar that lines up with the meeting rail installed that the same plane as the historic screen/storm windows or shall have no screens/storms shall be installed.
6. There shall be no wrapping or panning of brick mold, trim or window sills.
7. The awning that was installed may remain.

On **March 14th**, HPC staff met with the owner and the contractor who installed the entry. The contractor stated that muntins could be applied to the transom to simulate the divided light transom that existed before.

On **May 1st**, HPC staff met with the owner and the contractor who removed windows and installed new windows. The contractor agreed to get drawings for windows and applied muntins for replacement windows that would match the pattern of the existing historic windows. Additionally, the owner and contractor agreed to explore moving the historic divided-light windows on the side to the front, but subsequent measurements proved this impossible. Therefore, the applicant proposes to replace all historic, wood, divided-light windows with new, aluminum-clad, divided-light windows with matching muntin patterns.

D. GUIDELINE CITATIONS:

Historic Hill District Design Review Guidelines

Sec. 74.64. - Restoration and rehabilitation.

(a)General Principles:

1. *Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.*
2. *The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
3. *All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.*
4. *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*
5. *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.*
6. *Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being*

replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. *The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.*
8. *Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.*
9. *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.*
10. *Wherever possible, new additions or alterations to structures shall be done in such a manner that if such alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.*

(e) Windows and Doors:

- (1) Existing window and door openings should be retained. New window and door openings should not be introduced into principal elevations. Enlarging or reducing window or door openings to fit stock window sash or new stock door sizes should not be done. The size of window panes or sash should not be altered. Such changes destroy the scale and proportion of the building.
- (2) Window sash, glass, lintels, sills, architraves, doors, pediments, hoods, steps and all hardware should be retained. Discarding original doors and door hardware, when they can be repaired and reused in place, should be avoided.
- (3) The stylistic period(s) a building represents should be respected. If replacement of window sash or doors is necessary, the replacement should duplicate the material, design and hardware of the older window sash or door. Inappropriate new window and door features such as aluminum storm and screen window combinations, plastic or metal strip awnings, or fake shutters that disturb the character and appearance of the building should not be used. Combination storm windows should have wood frames or be painted to match trim colors.

E. FINDINGS: (Note: findings that are updates from the previous findings are underlined)

1. On April 2, 1991, the Historic Hill Heritage Preservation District was established under Ordinance No. 17815, § 3(II). The Heritage Preservation Commission shall protect the architectural character of heritage preservation sites through review and approval or denial of applications for city permits for exterior work within designated heritage preservation sites §73.04.(4).
2. The property at 809 Portland Avenue is categorized as contributing to the character of the Historic Hill Heritage Preservation District.
3. Approximately twenty-six windows were replaced without HPC review and approval or a building permit. The Legislative Code Sec. 74.64.(a)(2) states, "*The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*" The original windows have a distinguishing quality and are a character defining feature that contributes to the significance of the building and the surrounding historic district. The removal and replacement of the windows does not comply with the guideline.

4. At the site visit on February 12, 2014, HPC staff observed the condition of the windows at the property and advised the applicant that the remaining historic and early double-hung, wood windows with divided-lights and in-swing casements were in a condition that could be repaired as well as the one remaining divided-light storm window; repair of these windows would comply with Sec. 74.64.(e)(2).
5. At the February 27th public hearing, the HPC reviewed and approved the following:
 - a. The original and early wood windows shall be retained and repaired.
 - b. Divided-light windows matching the ones that were replaced on the front and side elevations shall be installed to match the material, size, style, profile and divided-light configuration of the original windows.
 - c. The one-over-one double hung windows on the north, east, and west elevations may be replaced to match the existing in size, profile, style and detail.
 - d. The basement windows that were replaced by the applicant may remain; the basement windows that were not replaced shall be repaired.
6. Replacement of the historic divided-light sash has not been justified. Repair estimates were not provided. The proposed new windows are aluminum-clad wood and generally match the proportions of the historic windows. The proposed muntin pattern is similar to the distinct divided light pattern of the originals. The new windows would not comply with Sec. 74.64.(e)(3) of the Legislative Code which states, "The stylistic period(s) a building represents should be respected. If replacement of window sash or doors is necessary, the replacement should duplicate the material, design and hardware of the older window sash or door."
7. The front entry was replaced without HPC review and approval or a building permit. The removal of the original materials, details and configuration of the front entry resulted in the loss of distinguishing original qualities and architectural character of the building and does not comply with Legislative Code Sec. 74.64.(a)(2) or Sec. 74.64.(e)(2) as "Discarding original doors and door hardware, when they can be repaired and reused in place, should be avoided."
8. The historic material of the entry has been lost. The proposal to add muntins to the transom of the entry would recall parts of its historic design features (Sec 74.64.(e)(3)).
9. Violation: The building at 809 Portland Avenue is located in the Historic Hill Heritage Preservation District and is subject to St. Paul Legislative Code Chapter 73 and the Hill Heritage Preservation District Design Review Guidelines. As such, a permit must be obtained prior to any exterior work, construction, or demolition. The exterior of 809 Portland Avenue was altered without a permit, as windows were replaced, the front entry was replaced and an awning was installed at the front entry. The alterations do not comply with Historic Hill Heritage Preservation District Design Guidelines and were performed in violation of St. Paul Legislative Code Chapter 73.
10. Violation: St. Paul Legislative Code section 73.07 states that persons who violate Legislative Code Chapter 73, or assist in the commission of violation of Chapter 73, are guilty of a misdemeanor. Section 73.07 further states that a historic preservation site on which there exists any remodeling, repairing or construction in violation of chapter 73 constitutes a nuisance.
11. The proposal to replace the windows at 809 Portland, as proposed, will adversely affect the Program for the Preservation and architectural control of the Historic Hill Heritage Preservation District (Leg. Code §73.06 (e)). The window replacement and repair could be approved at the property so long as the conditions are met.

F. STAFF RECOMMENDATIONS:

Based on the findings staff recommends denial of the proposal to replace repairable historic windows with replacements and suggests the following conditions:

1. To comply with guidelines Sec. 74.64.(a)(6) and (e)(2), and because of finding 6, the existing original and early divided-light wood windows shall be retained and repaired (this finding stands from the previous HPC conditions)..
2. Divided-light windows matching the ones that were replaced on the front and side elevations shall be installed to match the material, size, style, profile and divided-light configuration of the original windows (this finding stands from the previous HPC conditions).
3. ~~The one-over-one double hung windows on the north, east, and west elevations may be replaced to match the existing in size, profile, style and detail~~ (Approved under HPC File# 14-011).
4. The basement windows that were replaced by the applicant may remain; the basement windows that were not replaced shall be repaired (this finding stands from the previous HPC conditions).
5. New windows approved for installation at the property shall have either full-frame, flush-mount screens with a horizontal bar that lines up with the meeting rail installed that the same plane as the historic screen/storm windows or shall have no screens/storms shall be installed (this finding stands from the previous HPC conditions).
6. There shall be no wrapping or panning of brick mold, trim or window sills (this finding stands from the previous HPC conditions).
7. ~~The awning that was installed may remain~~ (Approved under HPC File# 14-011).

II - Based on the findings staff recommends approval of the proposal add muntins to the transom of the new entry and accept the new entry with the following condition (this finding is different from the previous HPC conditions).

1. The muntins shall match the finish and the final design shall be reviewed and approved by staff.

G. ATTACHMENTS:

1. Minutes of February 27th, 2014 Public Hearing
2. Staff Report for 809 Portland Avenue for February Public Hearing
3. Proposed window and mullion specifications
4. Proposed transom mullion specifications

SUMMARY MINUTES OF THE HERITAGE PRESERVATION COMMISSION
CITY OF SAINT PAUL, MINNESOTA
Lower Level – Room 41, City Hall/Court House, 15 West Kellogg Boulevard
February 27, 2014

Present: Barbara Bezat, Richard Dana, Robert Ferguson, Matt Hill, Renee Hutter, Michael Justin, Matt Mazanec, David Riehle, Steve Trimble, Diane Trout-Oertel, David Wagner

Absent: William Lightner (excused)

Staff Present: Amy Spong, Christine Boulware, Renee Cohn, John Beaty

PUBLIC HEARING/ DESIGN REVIEW

- I. Call to Order** 5:03 PM
- II. Approval of the Agenda** Commissioner Trout-Oertel moved to approve the agenda; Commissioner Bezat seconded the motion.
- III. Conflicts of Interest** None were stated.
- IV. Chair's Announcements** None were stated.
- V. Staff Announcements**
 - A.** Ms. Spong mentioned meeting former Chair Laffin at the Union Depot during President Obama's visit.
 - B.** Ms. Boulware announced that the State Historic Preservation Office informed the City of Saint Paul that the Minnesota Milk Company has been listed on the National Register of Historic Places.
- VI. Public Hearing/Permit Review**
 - B. 809 Portland Avenue, Hill Heritage Preservation District**, by Kevin Haugtvedt – A Plus Windows, for an **after-the-fact** building permit to replace windows at the property. 26 of the 84 windows were replaced without review and approval or a building permit. **File#14-011** (Beaty, 266-6643)

Staff read aloud the revised report recommending partial and conditional approval of the after-the-fact application for a building permit to replace windows at the property and presented current and past photos of the property.

Chair Dana requested confirmation on the configuration of the front entryway; Ms. Boulware responded that it may have been leaded glass in the transom and this it is unclear what the configuration of the sidelights was.

Commissioner Wagner referenced condition number seven and requested confirmation that staff believes that the removal of the awning would create damage; Ms. Boulware confirmed. Commissioner Wagner inquired as to whether staff would have approved an awning had it been proposed; Ms. Boulware confirmed that they would have if it was an appropriate style.

Commissioner Riehle inquired as to the building construction date; Ms. Boulware responded that they believe that the building was constructed in the early 1920s.

Attachment G1

Kevin Haugtvedt, from A Plus Windows, was present and stated that the work completed was without a permit. He noted that the only windows replaced were ones that were not original and that work was stopped when Mr. Haugtvedt was informed that HPC review was required.

Chair Dana inquired as to whether Mr. Haugtvedt had previously done work in St. Paul; Mr. Haugtvedt confirmed that he had. Chair Dana inquired as to whether Mr. Haugtvedt had previously completed work without a permit; Mr. Haugtvedt responded that he had not and stated that he expected the process of receiving a permit to be quick.

Chair Dana inquired as to Mr. Haugtvedt's feelings about the staff recommendations; Mr. Haugtvedt responded that he is concerned about repairing the windows.

Commissioner Wagner inquired as to whether A Plus Windows provides window repair services; Mr. Haugtvedt responded that they do not. Commissioner Wagner noted that historic windows are generally approved to be repaired, and not replaced.

Commissioner Trimble expressed concern with assuming that a building permit could be received quickly and inquired as to whether the building owner had informed Mr. Haugtvedt that the building is in a historic district; Mr. Haugtvedt confirmed that he had not.

Brian Pergament, building owner with Pergola Management, was present and stated that he was not aware that this building is in a historic district. He discussed other experiences with historic properties and window repair or maintenance.

Chair Dana inquired as to the company that completed the front entry replacement; Mr. Pergament stated that it was the Door Glass Company and that a representative was present at the meeting. Chair Dana inquired as to whether Mr. Pergament knew that the front entry work was being completed without a permit; Mr. Pergament responded that he did not.

Chair Dana inquired as to whether Mr. Pergament had repaired historic windows on other properties; Mr. Pergament responded that they have not done full repair before and that his maintenance person suggested that the windows on this property be replaced. Chair Dana inquired as to whether Mr. Pergament had replaced the front windows with an appropriate style had he known it was within the historic district; Mr. Pergament responded that the style of the window was chosen based on his aesthetic preference and an attempt to fit within the perceived neighborhood context.

Commissioner Hutter noted that the issue of the bank not informing purchasers that the building was in a historic district has happened before; Ms. Spong noted that the historic status of a property can be retrieved from the public DSI website.

Commissioner Hutter inquired to Mr. Pergament if he had reviewed the staff recommendations; Mr. Pergament responded that he had, discussed concern with the feasibility of rehabilitating the windows and continuing maintenance, and encouraged the Commission to allow for the windows to continue to be replaced. Mr. Pergament addressed the front entrance, suggested that there is a solution to keep the entrance, and noted that the original transom was divided lights.

Chair Dana responded to Mr. Pergament and clarified that staff is acting on requirements by city code, and not their personal desire. Commissioner Trimble added that staff is fully aware of what it takes to repair windows. Commissioner Wagner noted that staff and the Commission review the repair and conservation of windows on a regular basis and were not given the opportunity to determine with the windows at this property could have been repaired. Mr.

Attachment G1

Pergament responded that there are many irreparable windows on the property according to the opinion of his maintenance person and requested that the representative from Andersen present possible solutions.

Jay Sandgren, form Andersen Windows, was present and presented the window style that was already used in the building and possibilities to alter the windows to better conform to the district guidelines.

A discussion was had regarding muntin replacement, glass panel replacement, and additional Andersen products that would be more appropriate for the building and the historic district. It was determined that the most appropriate style would require replacement of the existing window sashes.

Harvey Schmidt, with Door Glass, was present and discussed their normal process and the desire to work with staff to make changes to the existing system.

Commissioner Bezat inquired as to the configuration of the historic transom; Mr. Schmidt responded that it was divided lights and likely original. Commissioner Bezat inquired as to how many windows there were and if any were retained; Mr. Schmidt responded that he was unsure of the number of lights and that none were retained.

Commissioner Trimble inquired as to who is responsible for pulling permits for Door Glass; Mr. Schmidt responded that is the individual installer.

Ms. Boulware read aloud a letter from the owners of 805 Portland Avenue expressing support of the window replacements on 809 Portland.

The public hearing was closed.

Commissioner Mazanec moved to approve the building permit per staff recommendations 1-7 and the denial for the installation of the entry system.

Commissioner Mazanec noted that the window and door installers would not have had to attend the Commission hearing had building permits been obtained prior to installation.

Commissioner Trimble seconded the motion.

Commissioner Trimble noted that the motion does not prohibit the owner and applicant to have conversations with staff.

Commissioner Mazanec inquired as to if staff observed any irreparable windows; Ms. Boulware noted a failure of the exterior structure causing damage, but not windows. Ms. Boulware noted that she had only viewed the windows from the interior.

Commissioner Ferguson added that different windows can be in different conditions and referenced the district guideline for window replacement.

Commissioner Wagner noted the unique character of the historic windows on the property.

The motion passed 9-0.

Attachment G1

Submitted by R.Cohn & C. Boulware

**CITY OF SAINT PAUL
HERITAGE PRESERVATION COMMISSION STAFF REPORT**

FILE NAME: 809 Portland Avenue

DATE OF APPLICATION: January 29, 2014 (complete – February 12th, 2014)

APPLICANT: Kevin Haugtvedt, A Plus Windows

OWNER: Pergola Properties

DATE OF PUBLIC HEARING: February 27th, 2014

HPC SITE/DISTRICT: Hill Heritage Preservation District

CATEGORY: Contributing

CLASSIFICATION: After-The-Fact Building Permit

STAFF INVESTIGATION AND REPORT: John Beaty, Christine Boulware

DATE: February 20, 2014 revised February 25, 2014

H. SITE DESCRIPTION: The apartment building at 809 Portland Avenue is a rectangular two-story masonry building with a flat roof behind a small parapet. A two-story, inset front entry has a recently-added, awning between the stories. The rear also has a two-story inset porch with stairs that serve as an entry to the rear apartments. The front windows have soldier brick lintels and rowlock brick sills. The secondary elevation windows have segmental header brick arches for wide openings, and hidden lintels for narrow openings. The historic windows are a mix of double-hung, in-swing casement, fixed, and awning windows in the basement. The primary elevation has uneven 12-over-one, grouped, double-hung windows: triples in the front, doubles in the first side bays, and doubles in the third side bays. The piano windows on the side elevations (second bay) were originally uneven 16-light fixed with matching divided-light storm windows, but three of four are now wood, in-swing casements. The triple windows at the landing in the second story of the inset front porch are a narrow, uneven, nine-over-ones, and the sixth side bays have triple, even 12-over-ones. All other windows are one-over-ones, except for the vertical, three-light, awning basement windows. The primary entrance had a wood glazed door and wooden sidelights and a full width-transom.

I. PROPOSED CHANGES: The applicant is proposing to replace the windows in the building with Anderson Fibrex series 100 windows. These windows fit into the existing frame, and have a patterned grille in between the glass and are six-over-one.

J. CHANGES COMPLETED AND BACKGROUND:

On **December 18, 2013**, work commenced at 809 Portland Avenue and 26 windows were replaced without a building permit application or HPC review. The applicant was notified by DSI staff of the building's historic designation when he was applying for a building permit. The applicant then contacted HPC staff.

On **January 29, 2014**, the applicant submitted an HPC application, and scheduled a site visit.

On **February 12th**, HPC staff met the contractor at 809 Portland Avenue and noted other recent alterations to the primary entrance of the building not performed by the contractor. The front door, sidelights and transom had recently been replaced and an awning was installed over the door. The door work and awning were done without HPC approval and without a permit from DSI.

K. GUIDELINE CITATIONS:

Historic Hill District Design Review Guidelines

Sec. 74.64. - Restoration and rehabilitation.

(a) General Principles:

1. *Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.*

Attachment G2

2. *The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
3. *All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.*
4. *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*
5. *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.*
6. *Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.*
7. *The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.*
8. *Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.*
9. *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.*
10. *Wherever possible, new additions or alterations to structures shall be done in such a manner that if such alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.*

(e) Windows and Doors:

- (1) Existing window and door openings should be retained. New window and door openings should not be introduced into principal elevations. Enlarging or reducing window or door openings to fit stock window sash or new stock door sizes should not be done. The size of window panes or sash should not be altered. Such changes destroy the scale and proportion of the building.
- (2) Window sash, glass, lintels, sills, architraves, doors, pediments, hoods, steps and all hardware should be retained. Discarding original doors and door hardware, when they can be repaired and reused in place, should be avoided.
- (3) The stylistic period(s) a building represents should be respected. If replacement of window sash or doors is necessary, the replacement should duplicate the material, design and hardware of the older window sash or door. Inappropriate new window and door features such as aluminum storm and screen window combinations, plastic or metal strip awnings, or fake shutters that disturb the character and appearance of the building should not be used. Combination storm windows should have wood frames or be painted to match trim colors.

(f) Porches and Exterior Architectural Features:

- (1) *Porches and steps which are appropriate to the building and its development should be retained. Porches and additions reflecting later styles of architecture are often important to the building's historical integrity and, whenever possible, should be retained. Porches and steps removed from the building should be reconstructed, using photographic documentation and historical research, to be compatible in design and detail with the period and style of the building. In replacing porch railings, it is important to maintain the original spacing, section and profile of the balustrades.*
- (2) *Decorative architectural features such as cornices, brackets, railings, and those around front doors and windows should be preserved. New material used to repair or replace, where necessary, deteriorated architectural features of wood, iron, cast iron, terracotta, tile and brick should match the original as closely as possible.*
- (3) *Shutters should not be used on buildings not designed for them. If used, they should be large enough to cover the entire window area, should be functional and operable, and should not look as if they were simply flat-mounted on the wall.*
- (4) *Deck and fire stair additions may be acceptable in some cases, but should be kept to the rear of buildings where they will be the most inconspicuous and detract the least from the historical context. The detailing of decks and exterior stairs should be compatible with the period and style of the building.*

L. FINDINGS:

1. On April 2, 1991, the Historic Hill Heritage Preservation District was established under Ordinance No. 17815, § 3(II). The Heritage Preservation Commission shall protect the architectural character of heritage preservation sites through review and approval or denial of applications for city permits for exterior work within designated heritage preservation sites §73.04.(4).
2. The property at 809 Portland Avenue is categorized as contributing to the character of the Historic Hill Heritage Preservation District.
3. Approximately twenty-six windows were replaced without HPC review and approval or a building permit. The Legislative Code Sec. 74.64.(a)(2) states, *"The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.* The original windows have a distinguishing quality and are a character defining feature that contributes to the significance of the building and the surrounding historic district. The removal and replacement of the windows does not comply with the guideline.
4. The front entry was replaced without HPC review and approval or a building permit. The removal of the original materials, details and configuration of the front entry resulted in the loss of distinguishing original qualities and architectural character of the building and does not comply with Legislative Code Sec. 74.64.(a)(2) or Sec. 74.64.(e)(2) as "Discarding original doors and door hardware, when they can be repaired and reused in place, should be avoided."
5. An awning was installed over the front entry without HPC review and approval or a permit. There is no evidence that an awning ever existed at the property. Legislative Code Sec. 74.64.(a)(9) states, *"Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.* The design of the awning does not have a traditional loose valance, but the size of the awning is proportional with the bay and the material appears to be canvas-like and traditionally appropriate. Attachment into mortar joints is recommended so as not to damage brick; it is not known how the awning was attached and removal of the awning at this time may result in damage to the facade. It does not appear that any decorative architectural features were removed for the installation of

the awning [Sec. 74.64(f)(2)].

6. The windows that were installed are of a different material (Fibrex), size, profile and design than the original, wood, divided-light windows the replaced. These new windows do not comply with Sec. 74.64.(e)(3) of the Legislative Code which states, "The stylistic period(s) a building represents should be respected. If replacement of window sash or doors is necessary, the replacement should duplicate the material, design and hardware of the older window sash or door."
7. Sec. 74.64.(e)(3) of the Legislative Code which states "The size of window panes or sash should not be altered. Such changes destroy the scale and proportion of the building." The new window frames were installed into existing frames; the window openings were not blocked in, but the size to the sash and glass were reduced by a few inches. This does not comply with the guideline.
8. At the site visit on February 12, 2014, HPC staff observed the condition of the windows at the property and advised the applicant that the remaining historic and early double-hung, wood windows with divided-lights and in-swing casements were in a condition that could be repaired as well as the one remaining divided-light storm window; repair of these windows would comply with Sec. 74.64.(e)(2). The one-over-one double-hung windows that were replaced at some point in the past 20-30 years as well as the majority of the original one-over-one double-hung windows were in a condition that replacement was justified.
9. Violation: The building at 809 Portland Avenue is located in the Historic Hill Heritage Preservation District and is subject to St. Paul Legislative Code Chapter 73 and the Hill Heritage Preservation District Design Review Guidelines. As such, a permit must be obtained prior to any exterior work, construction, or demolition. The exterior of 809 Portland Avenue was altered without a permit, as windows were replaced, the front entry was replaced and an awning was installed at the front entry. The alterations do not comply with Historic Hill Heritage Preservation District Design Guidelines and were performed in violation of St. Paul Legislative Code Chapter 73.
10. Violation: St. Paul Legislative Code section 73.07 states that persons who violate Legislative Code Chapter 73, or assist in the commission of violation of Chapter 73, are guilty of a misdemeanor. Section 73.07 further states that a historic preservation site on which there exists any remodeling, repairing or construction in violation of chapter 73 constitutes a nuisance.
11. The proposal to replace the windows at 809 Portland, as proposed, will adversely affect the Program for the Preservation and architectural control of the Historic Hill Heritage Preservation District (Leg. Code §73.06 (e)). The window replacement and repair could be approved at the property so long as the conditions are met.
12. The replacement of the entrance at 809 Portland adversely affects the Program for the Preservation and architectural control of the Historic Hill Heritage Preservation District (Leg. Code §73.06 (e)).

M. STAFF RECOMMENDATIONS:

Based on the findings staff recommends approval of the building permit application provided the following condition(s) are met:

1. The original and early wood windows shall be retained and repaired.
2. Divided-light windows matching the ones that were replaced on the front and side elevations shall be installed to match the material, size, style, profile and divided-light configuration of the original windows. These windows shall be installed by June 30, 2014.

Attachment G2

3. The one-over-one double hung windows on the north, east, and west elevations may be replaced to match the existing in size, profile, style and detail.
4. The basement windows that were replaced by the applicant may remain; the basement windows that were not replaced shall be repaired.
5. New windows approved for installation at the property shall have either full-frame, flush-mount screens with a horizontal bar that lines up with the meeting rail installed that the same plane as the historic screen/storm windows or shall have no screens/storms shall be installed.
6. There shall be no wrapping or panning of brick mold, trim or window sills.
7. The awning that was installed may remain.

Based on the findings staff recommends denial of aluminum entry system that was installed at the front elevation. The entry door, sidelights, and transom that were replaced without review and approval shall be restored to their historic size, profile, material and detail. This work shall be completed by June 30, 2014