



Heritage Preservation Commission Agenda
Rochester Boards & Commissions - Heritage Preservation Commission
April 22, 2025
5:00 p.m.

Attending and Viewing the Meeting

Attend the meeting in person - come to Government Center Council Chamber, 151 4th Street SE
A recording is made available after the meeting at the [City's website](#).

1. Open Public Comment Period

This is an opportunity for the public to provide comments to the Commission regarding items not on the agenda. The public has up to four minutes to provide comments. The Commission will not discuss or take action on them.

2. Call to Order/Roll Call

3. Order of Agenda

4. Consent Agenda

4.A. Minutes of April 2, 2025

Accepting the minutes and video of the April 2, 2025, Heritage Preservation meeting as the official record of the Heritage Preservation Commission.

5. Reports and Recommendations

5.A. 324 Broadway Ave S - Certificate of Appropriateness

Approving a Certificate of Appropriateness for alley balcony.

5.B. Rules of Procedure & Operation - Drafted Amendments

Approving the amendments to the Rules of Procedure & Operation of the HPC

6. Public Hearings

7. Other Business

8. Adjournment



REQUEST FOR ACTION

Minutes of April 2, 2025

MEETING DATE:

April 22, 2025

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Consent Agenda

PRESENTER:

Molly Patterson-Lundgren

Action Requested:

Accepting the minutes and video of the April 2, 2025, Heritage Preservation meeting as the official record of the Heritage Preservation Commission.

Report Narrative:

The minutes and video of the April 2, 2025, Heritage Preservation meeting are the official record of the Heritage Preservation Commission.

Prepared By:

Maribeth Cooper

Attachments:

[Minutes April 2, 2025](#)



**CITY OF ROCHESTER, MINNESOTA
Heritage Preservation Commission MINUTES**

1) *Open Public Comment Period*

The following individual(s) spoke:

- 1. Barry Skolnick
- 2. Barb Hudson
- 3. John Kruesel

2) Call to Order/Roll Call

Attendee Name	Status
David J Dobmeyer	Present
Anthony J Poirier	Present
Benjamin Zastrow	Present
Stephanie Cunningham	Present
Veena Gandhi	Present
Tyjuan H Connell	Present
Melissa Mutchler	Present
Jennifer M Shabel	Absent
Andrew Napier	Absent

3) Order of Agenda

Commissioner Zastrow proposed to add the following items under Other business
7B. Rochester Indigenous Ethnographic Study Update
7C. HPC Powers of Investigation and Special Committees

Motion to approve the Order of Agenda. Chair Zastrow used unanimous consent to approve.

MOVER: Benjamin Zastrow
SECONDER: Benjamin Zastrow
AYES: David J Dobmeyer, Anthony J Poirier, Benjamin Zastrow, Stephanie Cunningham, Veena Gandhi, Tyjuan H Connell, Melissa Mutchler
ABSENT: Jennifer M Shabel, Andrew Napier
RESULT: **APPROVED [UNANIMOUS]**

4) [Consent Agenda](#)

4.A) Minutes of February 25, 2025

Official Act: Accepting the minutes and video of the February 25, 2025, Heritage Preservation meeting as the official record of the Heritage Preservation Commission.

[Cover Page](#) 

[Minutes February 25, 2025](#) 

Motion to approve the minutes and video of the February 25, 2025, Heritage Preservation Commission as the official record of the Heritage Preservation Commission.

MOVER: Anthony J Poirier

SECONDER: Stephanie Cunningham

AYES: David J Dobmeyer, Anthony J Poirier, Benjamin Zastrow, Stephanie Cunningham, Veena Gandhi, Tyjuan H Connell, Melissa Mutchler

ABSENT: Jennifer M Shabel, Andrew Napier

RESULT: **APPROVED [UNANIMOUS]**

5) [Reports and Recommendations](#)

5.A) Certificate of Appropriateness - 311 Broadway Development LLC Project

Official Act: Denying the application for certificate of appropriateness for 309, 311, 313, 315, and 317 South Broadway, based on findings that it does not meet adopted Secretary of Interior Standards and a demolition permit is required.

[Cover Page](#) 

[Application for Certificate of Appropriateness Form w Attachments](#) 

[Location Map](#) 

[Excerpt from Rochester Design Guidelines, Standards for Rehabilitation](#) 

[Memo From New History, December 19, 2024](#) 

[Memo From Molly Patterson-Lundgren, February 10, 2025](#) 

Molly Patterson-Lundgren gave the staff report.

The applicant, Hal Henderson spoke to the item.

Discussion ensued between commissioners, staff and the applicant.

Motion to deny the application for certificate of appropriateness for 309, 311, 313, 315, and 317 South Broadway, based on findings that it does not meet adopted Secretary of Interior Standards and a demolition permit is required.

MOVER: David J Dobmeyer
SECONDER: Melissa Mutchler
AYES: David J Dobmeyer, Anthony J Poirier, Benjamin Zastrow, Veena Gandhi, Tyjuan H Connell, Melissa Mutchler
NAYS: Stephanie Cunningham
ABSENT: Jennifer M Shabel, Andrew Napier
RESULT: **APPROVED [6 - 1 - 2]**

Commissioners Cunningham, Dobmeyer, Poirer, and Chair Zastrow spoke to the motion.

6) **Public Hearings**

6.A) Request for Landmark Removal - 309, 311, 313, 315, 317 South Broadway

Official Act: Recommending denial to the City Council based on findings contained in and attached to this report

[Cover Page](#) 

[Application - Request Removal from Distinct](#) 

[Memo from Building Official, Jerry Norman](#) 

[UDC Section 60.500.040.F](#) 

[Extracted pages from "Downtown Commercial Historic Designation Study, February 2019 with 2024 Update](#) 

The Public Hearing was opened.
Molly Patterson-Lundgren presented the staff report.
Discussion between Staff and Commissioners ensued.
Hal Henderson representing the Applicant spoke to the item.

The following persons spoke:

1. Barry Skolnick
2. Barb Hudson
3. John Kruesel
4. Kevin Reynolds
5. Martha Grogen
6. Lucy Amelia Kruesel

Having no additional persons wishing to speak, the public hearing was closed.

Hal Henderson, representing the applicant gave rebuttal comments.

Discussion between Staff and Commissioners ensued.

Motion to recommend denial to the City Council based on findings contained in and attached to this report

MOVER: Benjamin Zastrow
SECONDER: Tyjuan H Connell
AYES:

David J Dobmeyer, Anthony J Poirier, Benjamin Zastrow,
Veena Gandhi, Tyjuan H Connell, Melissa Mutchler

ABSTAIN: Stephanie Cunningham

ABSENT: Jennifer M Shabel, Andrew Napier

RESULT: **APPROVED [6 - 0 - 1 - 2]**

Discussion between Commissioners ensued.

Commissioner Zastrow called a brief recess.

7) **Other Business**

7.A) Other Business - Updates & Future Meeting Agendas

Official Act: No Action Recommended

[Cover Page](#) 

The following items were discussed by Staff and Commissioners.

1. Downtown Historic District Visioning Process
2. Indigenous Ethnographic Study
3. HPC powers of investigation and formation of special committees
4. Date & Items for next meeting, April 22, 2025.
-Changes to the Rules of Procedure & Operation

8) **Adjournment**

8) Adjournment

MOVER: Anthony J Poirier

SECONDER: Melissa Mutchler

AYES: David J Dobmeyer, Anthony J Poirier, Benjamin Zastrow,
Stephanie Cunningham, Veena Gandhi, Tyjuan H Connell,
Melissa Mutchler

ABSENT: Jennifer M Shabel, Andrew Napier

RESULT: **APPROVED [UNANIMOUS]**



REQUEST FOR ACTION

324 Broadway Ave S - Certificate of Appropriateness

MEETING DATE:

April 22, 2025

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Reports and Recommendations

PRESENTER:

Molly Patterson-Lundgren

Action Requested:

Approving a Certificate of Appropriateness for alley balcony.

Report Narrative:

Shawn & Michelle Fagan, owners of 324 Broadway Ave South, are requesting approval for the addition of a balcony to the east/alley side of their building. The current diagram (attached) is a concept only, showing the location and general placement of a balcony. They have submitted applications for funding through the historic district financial incentive program to possibly add this balcony as part of an interior rehabilitation project. Approval, at least in concept, from HPC is sought prior to funding approval.

The applicants propose adding a balcony as part of a second-story interior rehabilitation project and adding a residence. The Secretary of the Interior Standards for Historic Rehabilitation allows for this type of building alteration. Attached is page seven of the local design guidelines, providing the standards. Numbers 9 and 10 specifically allow for additions, as long as the new construction does not destroy historic materials and, if removed in the future, would not impair the property and its environment. A rear second-floor access, as proposed, was common in this type of building during the period of significance. An existing door, which would be reopened to use for the balcony, indicates that there was such a balcony or stairway at this location at some time in the past. The application indicates that a metal structure is planned. Metal or wood (or a combination of those) are materials allowed by the standards.

Community Development personnel are recommending approval of a balcony addition as shown, constructed out of metal, wood, or a combination of those materials. With this approval, the applicant will be able to access the financial program for the apartment addition. Approvals from Building Inspections and Public Works (due to its location in the alley) will be required. The HPC may choose to allow Community Development personnel to conduct approval of the final design or to place as a condition a review of the final design with later HPC approval.

Prepared By:

Molly Patterson-Lundgren

Attachments:

[COA Application](#)

[Balcony Concept](#)

[Extracted pages from Rochester Design Guidelines - Standards for Rehabilitation](#)



Alteration to Designated Historic Property

THIS REQUEST IS FOR CONSIDERATION OF:

Certificate of Appropriateness



Cursory Review



LOCATION INFORMATION:

Property Address: 324 South Broadway

Legal Description:

Property Name (historic and/or common): Fagan Studios building

OWNER INFORMATION:

Name: Shawn and Michelle Fagan

Phone: 507-273-2914

Email: shawn@faganstudios.com

Address: 2883 Tomah Pl. NW, Rochester, MN 55901

DESIGN PREPARED BY:

Name and Title: Owner

Address: SAME

Phone:

Email:

Relationship to Owner:

APPLICANT:

Applicant Name: Shawn Fagan Phone: 507-273-2914 Email: shawn@faganstudios.com

SIGNATURE:

A handwritten signature in black ink, appearing to read "Shawn Fagan", with a long horizontal flourish extending to the right.

DATE: April 14, 2025

PROPOSED ALTERATION

Check one of the following

- | | | |
|--|---|--|
| <input type="checkbox"/> Building Addition | <input checked="" type="checkbox"/> Façade Alteration | <input type="checkbox"/> Window/Door Replacement |
| <input type="checkbox"/> New Development | <input type="checkbox"/> Re-roofing | <input type="checkbox"/> Sign |
| <input type="checkbox"/> Other | | |

General description of proposed work:

A simple iron deck on the backside, second floor of the building at 324 S. Broadway to be built in conjunction with the remodel of the second floor office space to residential condo.

Proposed timeline of work:

To be completed at the same time of the remodel, likely in Q2 or Q3 of 2025.

SUBMITAL REQUIREMENTS

Review and consideration of proposed property alterations shall be based on the Secretary of Interior's Standards and locally adopted Design Guidelines as specified in Rochester Unified Development Code, 60.200.040.C.8. HPC reviews shall occur at a public meeting that allows for public comment.

An application for certificate of appropriateness shall provide sufficient information to allow for review according to the above including the following as attachments:

1. Completed forms and fees as established by the City.
2. Maps, site plans and/or photos showing existing historic resource's (buildings, structures, sites, and/or objects) and locations of the proposed alterations, additions or demolition.
3. Description of the proposed work including proposed materials, product information, extent and timing for work proposed.
4. Sketches, architectural renderings, plans, sections, elevations or similar illustrations with existing and proposed dimensions, showing the property appearance after proposed alterations.



Rehabilitation as a treatment approach

When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, Rehabilitation may be considered as a treatment.

The Secretary of the Interior's Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The Secretary of the Interior's Standards for Preservation, Restoration and Reconstruction, are available at <https://www.nps.gov/tps/standards/four-treatments.htm> and from the Rochester Community Development Department.



REQUEST FOR ACTION

Rules of Procedure & Operation - Drafted Amendments

MEETING DATE:

April 22, 2025

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Reports and Recommendations

PRESENTER:

Molly Patterson-Lundgren

Action Requested:

Approving the amendments to the Rules of Procedure & Operation of the HPC

Report Narrative:

At recent HPC meetings, the need to update elements within the adopted Rules of Procedure & Operation was identified. The document was adopted by the HPC and approved by the Council in 2022 after the Mayor and City Attorney prepared these as policy for all Boards and Commissions to adopt. Since that time, changes have been made to our standard agenda template, and our local preservation code was incorporated into the Unified Development Code (UDC). These citations in the policy need to be updated. We've also had some discussions about operational procedures for the HPC and the City personnel's role in administering the heritage preservation program. Language has been drafted in the document, attached, to address these issues.

Prepared By:

Molly Patterson-Lundgren

Attachments:

[HPC Rules of Procedure 2025](#)

**CITY OF ROCHESTER
HERITAGE PRESERVATION COMMISSION
RULES OF PROCEDURE AND OPERATION**

ARTICLE 1: Rules of Procedure

Rule 1. Meetings

- A. Regular Meeting. Regular meetings of the Heritage Preservation Commission shall occur at least four (4) times per year at a time and place selected by a vote of its members at the first meeting of the calendar year. Meetings may be adopted by schedule. Regular meetings shall be publicly posted in accordance with the State of Minnesota's open meeting law requirements.

Ad Hoc Meetings. At the end of each meeting the Commission shall decide the date and time of the next meeting. If a date and time cannot be found, the Commission shall ask the secretary to find a date and time that will work. All meetings shall be noticed in accordance with State Law.

Local ordinance and Minnesota State Statute include requirements for the City to take action within specific timelines and personnel may from time to time seek to change meeting dates or call an ad-hoc meeting due to conflicts in scheduling and meeting notification requirements. In such cases, the HPC will be polled for availability to determine if a quorum can be made.

- B. Quorum. A majority of appointed members shall be a quorum for the transaction of business, but in the absence of a quorum, the members present may adjourn the meeting to a later date or hold the meeting but not act on any action items, which must be deferred to the next meeting with a quorum.

Rule 2. Presiding Officer

Conduct of Meeting. The presiding officer at all meetings of the Commission shall be the chair, and in the chair's absence, the vice chair.

Rule 3. Remarks and Debate

- A. Interruption. No member of the Commission shall interrupt or argue with any other member while such member has the floor. Exceptions to the rule are described under C and D of this section.
- B. Courtesy. Members of the Commission in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and demeanor and shall not engage in disorderly behavior, or make personal comments, derogatory remarks or insinuations in respect to any other member of the Commission, staff, or public.

- C. Discipline. If a member of the Commission violates these rules, the presiding officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. Any other member of the Commission may, under a point of order, call the presiding officer or other member to order. Additional discipline may include, but is not limited to, a verbal admonition, public reprimand, and/or expulsion from the meeting at which the conduct is occurring.
- D. Challenge. Any member of the Commission shall have the right to challenge any action or ruling of the presiding officer, or member, in which case the decision of the majority of the members present, including the presiding officer, shall govern.
- E. City Staff. The staff designee or liaison shall have the right to enter into a discussion of any matter coming before the Commission but they are primarily there to provide technical support, factual information, and offer advice.

Rule 4. Order of Business

- A. Order of Business. The order of business shall be as follows:

- 1. Open Comment Period
- ~~1.2. Call to Order/Roll Call~~
- 3. Order of Agenda
- ~~2.4. Consent Agenda & Approval of Minutes~~
- ~~3.1. Order of Agenda~~
- ~~4.1. Open Comment Period~~
- 5. Reports & Recommendations
- ~~5.6. Public Hearings~~
- ~~6. Old Business~~
- ~~7. New Business~~
- ~~8.7. Other Business~~
- ~~9.8. Adjournment~~

The order of the agenda can be modified by a majority vote of the Commission at the start or during the meeting to accommodate speakers or maintain a quorum for action items.

The open comment period shall be limited to 15 minutes total with each speaker limited to four minutes. No other public comment or participation is allowed, unless there is a legally noticed public hearing, ~~except in the review of certificates of appropriateness.~~

Rule 5. Motions

- A. Making a Motion. For an item to be brought to the floor a member shall make a motion. Items shall be brought to the floor in the order of the agenda.
- B. Seconding a Motion. All motions must receive a second for action, except for a call for nominations, withdrawing a motion, and a point of order. If a second is made, the presiding officer will state the names of the respective commission members making and seconding the motion and they will be noted in the minutes of the meeting. If a motion does not receive a second, it dies.
- C. Amending a Motion. Any member may move to amend a pending motion. No more than two amendments may be made to a pending motion. The last amendment made shall be voted on first.
- D. Postpone to a Certain Date. This motion is used to delay consideration of an item until a specified date.
- E. Postpone Indefinitely (Table). This motion is used to delay consideration of an item until an unspecified date.
- F. Point of Order. Any member may raise a point of order at any time. A point of order means that the member is asking for a ruling on whether the rules of procedure are being followed. The point of order shall first be made to the presiding officer for a ruling. The member may appeal the presiding officer's ruling to the full commission, which may affirm or overrule the presiding officer's ruling by a majority vote of the members present. A point of order directed to the presiding officer or commission does not require a second and is not subject to amendment.
- G. Reconsideration. No motion to reconsider a vote shall be in order except by a member who voted on the prevailing side during the same or next meeting. Any member shall have the right to change their vote at any time before final action is taken.
- H. Discussion on the Motion. The Commission may discuss a pending motion only after the motion has been moved and seconded.
- I. Calling the Previous Question. Any member may call a vote on the motion (Calling the "Previous Question"). If a commission member calls the question, the presiding officer shall allow the members that have not spoken to the motion one chance to speak. The presiding officer shall then call for a vote, after which a vote shall take place.
- J. No Opposition. If the presiding officer determines there is no opposition to a motion, the presiding officer may ask if there is any objection to the proposed action. If there is none, the presiding officer shall announce the result. In this situation the action shall be done by unanimous consent.

Precedence of Motions

A. Precedence of Motions. When a question is under consideration, no motion shall be entertained except as follows, such motions having precedence in order as stated:

1. To adjourn. (Not debatable.)
2. To remove an item from the agenda.
3. To lay on the table.
4. To call the question.
5. To postpone to a date certain.
6. To amend.
7. To substitute.
8. To postpone indefinitely.
9. Main motion.
10. Motion to reconsider.

Rule 6. Suspension of Rules

No rule shall be suspended except by a two-thirds (2/3) vote of commission members present at the meeting. A motion to suspend a rule is not debatable. A vote on the motion to suspend shall be by voice vote of the members.

Rule 7. Robert's Rules of Order

These shall be adopted on an annual basis. Any questions of practice or procedure not provided for by these rules shall be governed by Robert's Rules of Order (newest revision).

Rule 8. Amending these Rules

Amending these rules requires notification and ratification by the City Council and Mayor.

Article II: Rules of Operation

In carrying out its duties, several responsibilities for the Commission are specified in [the City of Rochester's Code of Ordinances Chapter 4-7 Unified Development Code \(UDC\)](#). In lieu of any specific language reference above for individual commissions, the following should act as the guide.

Rule 1. Membership

Membership shall consist of nine (9) voting members who are nominated by the Mayor and appointed by the City Council. Members of the Commission shall be residents of

the City of Rochester. If available, a member of the History Center of Olmsted County shall be appointed as a non-voting member.

Rule 2. Officers

The chair, vice chair, and secretary of the Commission shall be elected by the membership from among its members. The election shall occur at the first meeting of each year. Each person elected to an office shall serve until their successors have been elected. If the chair should resign or otherwise be unable to serve out his or her term of elected office, the vice chair shall become the chair and the Commission shall elect a new vice chair to serve until his or her successor is elected at the first meeting of the new year. If the vice chair or secretary should resign or otherwise be unable to serve out his or her term of elected office, the Commission shall elect a new vice chair or secretary to serve until his or her successor is elected at the first meeting of the new year.

Rule 3. Meetings

- A. The Commission's meeting agenda will include a time for public comment. There is a 15 minute time limit for public comment. Each speaker is limited to four minutes. The time for public comment can be extended by a majority vote of the Commission.

- B. Public hearings shall be conducted to meet the requirements for notifications per requirements of the UDC and Minnesota State Statute.

Rule 4. Disability Accommodation

Heritage Preservation Commission meetings are open to the public. Requests for accommodations from persons with disabilities must be made to the Community Development Department at least 24 hours in advance of a meeting. Community Development may be reached by email at communitydevelopment@rochestermn.gov or by calling 507-328-2600.

Rule 5. Transparency Act

All commission meetings shall be audio and visual recorded and available for public viewing within 48 hours of the meeting.

Rule 6. Removal of Members

The appointing authority of the Commission may remove any member.

Rule 7. Attendance

Every appointed member of the Commission shall be required to attend at least eighty percent (80%) of the regularly scheduled meetings each calendar year of such body unless excused from attendance by the chair of that body. The Commission shall maintain attendance records which document absences of members from meetings and which indicate whether those absences are excused or unexcused. The Chair of the Commission shall report to the Mayor the name of any commission member who failed to meet the attendance requirement specified above. Failure of any appointed commission member to meet the said attendance requirement shall constitute just cause to remove the individual from that appointed position. The appointing authority may summarily remove that commission member upon a determination that the member has failed to meet the attendance requirement.

Rule 8. Term Limits

Except as otherwise expressly provided by State Law, no appointed member of any commission of the City shall be eligible to serve on such commission more than six (6) consecutive years or two (2) consecutive terms whichever period is longer. Any person whose reappointment is prohibited by this restriction shall become eligible again for reappointment to the same board or commission twelve months after the date on which the individual first became ineligible for reappointment.