

# Heritage Preservation Commission

**PL 22-105 118 East First Street and  
PL 22-090 102 East Superior Street**

Monday, July 11, 2022



## Background



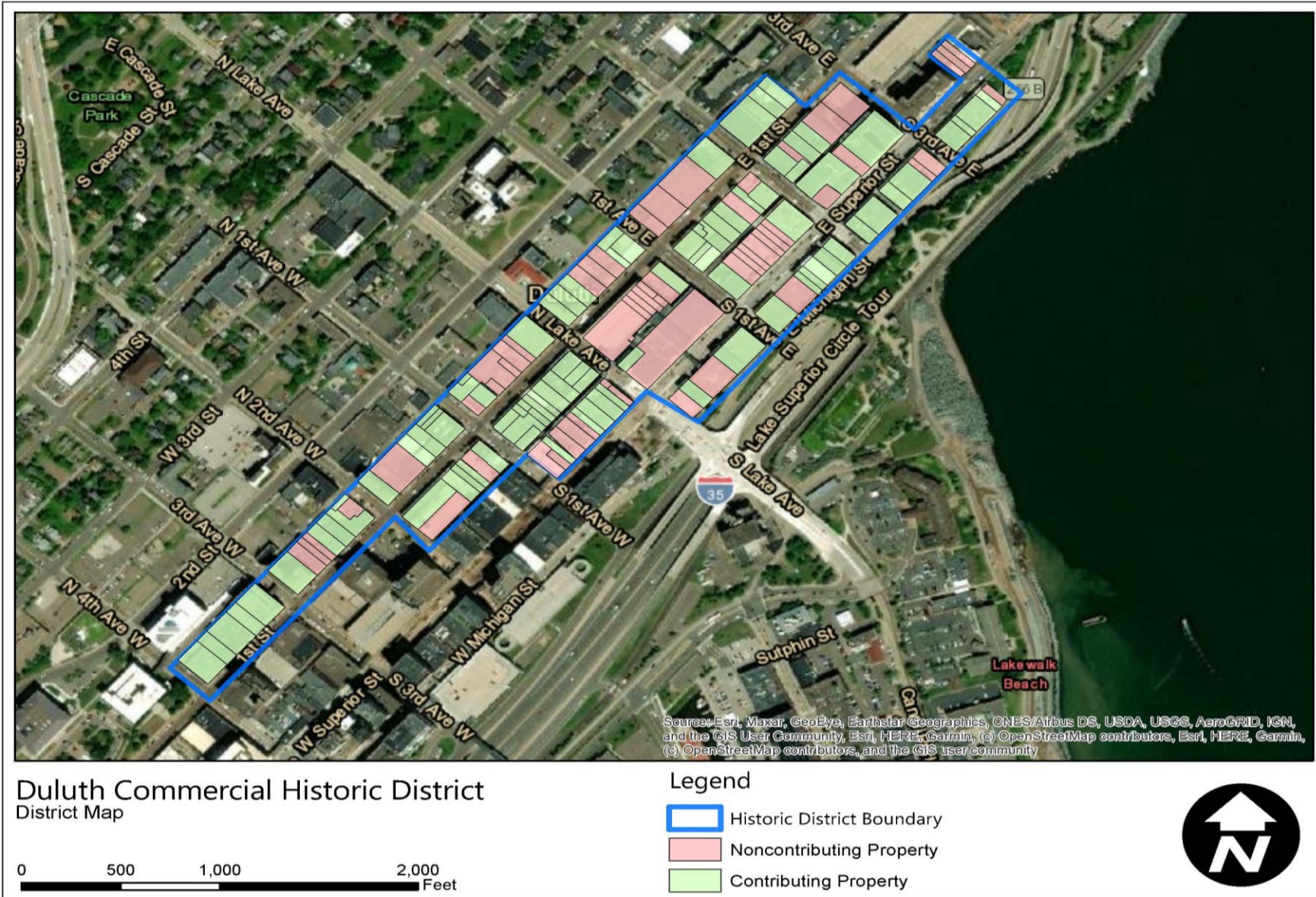
According to the “Historic Resources of Downtown Duluth, Minnesota, 1872-1933”, submitted to the National Register of Historic Places, 2005, 102 East Superior Street was constructed in 1905, and was known as Duluth Marine Supply. It is also known to citizens as the old Astoria Hotel, as well as the Old Town Antiques, Chinese Dragon, and the Bullseye Building.

118 East First Street was constructed in 1904 and was known as Gray Brother’s Bakery.

Both are considered to be contributing to the historic district.



# Historic District



# Zoning Application, Request for Demolition



The revised administrative process required before the City of Duluth approves a demolition permit for a structure contributing to a historic district is clarified in Mn Rules 4410.4300 subpart 31:

## **Historical places.**

For the destruction, in whole or part, or the moving of a property that is listed on the National Register of Historic Places or State Register of Historic Places, the permitting state agency or local governmental unit is the RGU, except this does not apply to projects reviewed under section 106 of the National Historic Preservation Act of 1966, United States Code, title 54, section 306108, or the federal policy on lands, wildlife and waterfowl refuges, and historic sites pursuant to United States Code, title 49, section 303, or projects reviewed by a local heritage preservation commission certified by the State Historic Preservation Office pursuant to Code of Federal Regulations, title 36, sections 61.5 and 61.7. This subpart does not apply to a property located within a designated historic district if the property is listed as "noncontributing" in the official district designation or if the State Historic Preservation Office issues a determination that the property is noncontributing.







## Timeline, 102 East Superior Street



- **Application Submitted May 18, 2022. Application included 5 page cover letter and 18 page structural engineering report from Northland Consulting Engineers.**
- **Mailed notice of public hearing sent to property owners within 350 feet on May 26, 2022, and zoning notice signs posted on May 23, 2022.**
- **In person walk through for two HPC Commissioners and city staff on June 7, 2022.**
- **Public Hearing was held on June 13, 2022. Item was tabled for more information.**
- **If action is not taken, next HPC meeting is July 11, 2022.**

## Timeline, 118 East First Street



- **Application Submitted June 8, 2022. Application included 16 page building condition evaluation report from MSA.**
- **Mailed notice of public hearing sent to property owners within 350 feet on June 23, 2022, and zoning notice signs posted on June 27, 2022**
- **Public Hearing to be held at July 11, 2022 meeting.**
- **If action is not taken, next HPC meeting is August 8, 2022.**

# No New Written Public Comment Received



## Written Public Comments Received at the June PC Meeting (102 East Superior Street Only)

- Rod Raymond, May 26 (In HPC Packet)
- David Siebert, May 26 (In HPC Packet)
- Al Skomars, June 9
- Blake Romenesko, June 13
- William Burns, June 13



## 102 East Superior Street May 18 Cover Letter



- **1929 fire destroyed the buildings roof and the parapet stonework about the roofline. Much of the third floor has been unusable since then. The heavily scorched brick and timbers below the roof and on the 3<sup>rd</sup> floor were left and still visible today.**
- **In 2017 the building was purchased and then leased to an affiliate of ZMC hotels.**
- **The building has been plagued by issues that come with an aged structure. Decades of little or no maintenance or improvements have the left the building in a state of decay that is beyond recoverable and not economically viable...**
- **Contrary to what you have heard there is no current plan to put in a parking ramp or lot.**

# 102 East Superior Street, Building Condition Evaluation



## Professional Opinions:

1. The exterior brick is in such poor condition, especially at the window openings, that significant brick repair, new lintels and window replacement will be required if the building is to be renovated. The exterior is also not insulated.
2. The roofing system requires replacement and would need insulation to be added if the building were to be renovated. However, to add insulation, the roof would likely need to be reinforced to meet the MN Conservation Code for existing buildings.
3. The floor capacity is acceptable for residential, or office uses on both levels, however the Superior Street level would require reinforcing if retail or restaurant uses were desired per current MN Conservation code.
4. A new elevator and internal stairs would be needed if the building were to be renovated.

## Summary:

In our professional opinion, given the needed structural repairs, the needed envelope repairs, the needed vertical transportation renovations described above etc., it is likely more economical to replace the existing building than to renovate and re-purpose this structure.





Photo 8: Close-up view of brick condition on west exterior wall looking east



Photo 12: Close-up view of existing east exterior wall masonry condition



Photo 22: Existing roof joist framing severely damaged due to fire.



Photo 21: Existing roof joists that have been severely damaged due to fire.





Photo 23: Existing wet flooring on the upper level due to roof leaks.



Photo 24: Existing north wall is bowed inward due to poor construction methods and water infiltration.

# 118 East First Street, Structural Engineering Report



## **Professional Opinions:**

1. An inspection by MSA personnel observed that the building is currently vacant with no roof or windows.
2. The brick other walls of the building are still relatively intact, but no mother major structural elements of the building were visible.
3. No interior insulation, plumbing, or other intact building feature or amenities were observed during the inspection.
4. The fire and subsequent collapse of the roof and partial collapse of the second story have caused extensive damage to both the interior and structural integrity of the building.
5. There does not appear to be sufficient remaining structural or utility components to attempt renovating the building and additional weakness may be present that were not identified during the inspection.

## **City Staff Follow Up Questions:**

1. What are the plans of the future reuse of this site?
2. Are you intending on preserving any historic elements of the façade or structure?
3. Have you sought any bids to restore the structure?





*View of the caved in roof of the 118 East 1st Street building which resulted from fire damage to the building sustained around Thanksgiving 2020.*



*Complete roof collapse and partial collapse of the second floor structure of the 118 East 1<sup>st</sup> Street building.*





*View from the inside of the 118 East 1<sup>st</sup> St Street building looking towards 1<sup>st</sup> Street. Note roof absence and second floor separation.*



# Comments from SHPO, July 8, 2022



- ....it is worth repeating that the State Historic Preservation Office has no regulatory role in the proposed demolition of a National Register-listed property by a private owner, so we must be mindful not to overstep our authority.
- ....While we do not dispute the observations in the April 11, 2022 Northland Consulting Engineers memo regarding the overall condition of 102-108 East Superior Street, SHPO staff found the information to be cursory, non-technical, and lacking sufficient details to determine if the building could feasibly be repaired or not.
- .....Our office has seen dozens of buildings with issues similar to 102-108 East Superior – buildings that have been vacant for many years and suffered damage from water infiltration – be successfully rehabilitated despite what appear to be serious structural problems. We would be happy to provide technical assistance to the owners if it is decided to repair and repurpose the building. However, if demolition is permitted by the City, we can work with you to determine appropriate mitigation measures such as archival documentation and appropriate design review of whatever is built in its place.
- ....118 E. 1<sup>st</sup> Street, which was badly damaged by multiple fires over the last several years. Without specific details regarding the physical condition of the building, it is impossible to comment on how easily it could be repaired and reused. However, it appears as if all four walls of 118 E. 1<sup>st</sup> Street are intact, so it seems possible that the building could be saved.
- Our office has worked with municipalities and owners of historic buildings that were badly damaged by fire...but in regards to a demolition zoning application, similar to 102-108 East Superior Street, SHPO has no official role in the proposed demolition of a National Register-listed property by a private owner.

## Chapter 11. Guidelines for Demolishing Buildings

### 11.1. *Guidelines for Demolition*

Demolition of a building, whether total or partial, affects the entirety of the historic district and is not reversible. The HPC only approves demolition of historic properties in cases where no feasible or prudent alternative exists. All applications for demolition will be considered on a case-by-case basis.

Factors contributing to the decision will include whether or not the structure is of significant architectural or historic value, whether its removal would be to the detriment of the public interest, whether or not the building or structure is of such significance that it would qualify as a National, State, or local historic landmark, whether or not the retention of the building would cause undue financial hardship to the owner, and whether or not the retention of the building would be in the best interest of the community.

#### **Guideline 104. Avoid Demolition**

- a. Avoid demolition of sound, contributing buildings, structures, and objects.
- b. Explore the possibility of selling historic buildings.
- c. Explore the possibility of adapting historic buildings to a new purpose. Consider constructing an addition to increase interior space.
- d. Consider relocation of significant historic buildings to a new location.
- e. Demolition may be appropriate if the building poses an immediate hazard to public safety.
- f. In cases of fire or other catastrophic disaster where at least 50% of the building remains standing, it is recommended that the structurally sound portion be rehabilitated, and the other portions rebuilt.

#### **Guideline 105. Demolition by Neglect**

- a. The willful neglect of maintenance of a historic property in order to hasten its deterioration to the point where demolition is required is known as “demolition by neglect.” Property owners are expected to keep their buildings in sound repair in compliance with local health and safety codes. Willful neglect of a property in order to necessitate demolition of a property whose demolition would not otherwise be approved by the HPC is a violation of the historic preservation ordinance.



# Public Hearing Process



- Short staff overview or summary on the project or zoning application,
- Comments or short presentation from the project proposer,
- Commissioner questions or clarifications on items presented by staff or project proposer,
- Public hearing, accepting testimony from members of the public,
- Public hearing is closed, and commissioner discussion and motion.

## HPC Next Steps, 118 E First St and 102 E Superior St



- Make a motion to approve the zoning application (Certificate of Appropriateness) allowing the demolition. The motion will have to include findings to support the motion, or
- Make a motion to deny the zoning application, denying the demolition. The motion will have to include findings to support the motion, or
- Table the item until the next meeting, but tabling the item should be accompanied by specific information requests to allow the HPC to take action on the zoning application at their next meeting.



# Thank You

