

BEFORE THE HERITAGE PRESERVATION COMMISSION

CITY OF ROCHESTER, MINNESOTA

In Re: The Designation of the Days Inn/Hotel Carlton
as a Landmark Property

Findings of Fact,
Conclusions of Law,
and Order

On October 17, 2016, the Common Council of the City of Rochester (hereinafter “Common Council”) held a public hearing on the proposed Rochester Code of Ordinance (hereinafter “RCO”) Chapter 19B Heritage Preservation. On November 7, 2016, the Common Council gave a first reading to the proposed RCO Chapter 19B Heritage Preservation. On December 5, 2016, the Common Council adopted the proposed RCO Chapter 19B Heritage Preservation.

On December 6, 2016, the Heritage Preservation Commission (hereinafter “HPC”) found that the testimony and evidence supported that Days Inn/Carlton Hotel should have a Heritage Preservation Site Designation pursuant to RCO Sections 19.03 and 19.04.

On January 18, 2017, the matter of the Hotel Carlton Heritage Preservation Site Designation was scheduled for a public hearing before the Common Council. However, the Common Council continued the matter to the scheduled meeting on February 6, 2017, then continued the matter to the scheduled meeting on February 22, 2017, then continued the matter to the scheduled meeting on March 6, 2017, and then continued the matter to the scheduled meeting on April 3, 2017.

On April 3, 2017, the Common Council held a public hearing on the Hotel Carlton Heritage Preservation Site Designation. The Common Council adopted Resolution #158-17 to nominate the Days Inn/Hotel Carlton as a Landmark Property under the new ordinance adopted

on December 5, 2016 and ordered that matter be scheduled for a public hearing before the HPC.

On April 25, 2017, the HPC held a meeting where it reviewed Resolution #158-17 and determined that this matter should be set on for a public hearing on May 23, 2017.

On September 26, 2017, the matter of the designation of the Days Inn/Hotel Carlton as a Landmark Property was scheduled for a public hearing before the HPC. However, the HPC continued the matter to November 28, 2017, so that the HPC could consider the voluminous materials submitted by attorneys for the said property.

On November 20, 2017 the Common Council gave a first reading to a proposed amendment to RCO §19B.08 subd. 1 deleting language from this section that reflected that the Commission “designate” and “designation decisions made by the Commission may be appealed to the Council,” with the Commission shall “recommend the designation of” and “the designation shall occur by ordinance adopted by Council”.

On November 28, 2017, the matter of the designation of the Days Inn/Hotel Carlton as a Landmark Property was scheduled for a public hearing before the HPC. However, the HPC continued the matter to January 23, 2018, so that the amendment to the ordinance could be officially adopted and then the HPC could participate in further historical property evaluation training sessions and thereby be better prepared for the public hearing on this matter.

On December 4, 2017, the Common Council adopted the proposed amendment to RCO §19B.08 subd. 1 deleting language from this section and approved the proposed amendment.

On January 23, 2018, the HPC held a public hearing, upon notice to the public, to consider whether the Hotel Carlton should be recommended for designation as a Landmark Property pursuant to RCO §19B.08. At the January 23rd public hearing, all interested persons

were given an opportunity to give testimony and make presentations concerning the application. A copy of all the evidence and documents submitted during the hearing is attached hereto and identified as Exhibit A.

Based upon the evidence presented at the hearing, the HPC does hereby make the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. The HPC closed the public hearing and noted that the large number of people in attendance shows the public's high interest in this subject, and the participation in the public hearing on this type of application indicates the importance of preserving Rochester's heritage.
2. The HPC discussed financial incentives, private ownership rights, and how properties designated as Landmark Properties will impact the City of Rochester.
3. The HPC discussed whether members believe that this particular property is so essential to the historic fabric of the City and whether there is evidence that the Days Inn/Hotel Carlton possesses the quality of significance that preservation must be mandated and thus the property should be designated as a Landmark Property.
4. The HPC discussed the level of cultural significance, architecture style, and the cultural significance of the Days Inn/Hotel Carlson to the city.
5. The HPC compared and contrasted the Days Inn/Carlton Hotel with other local properties that are recognized as important and significant.
6. The HPC referred to Michael Koop's July 17, 2017 letter to Aaron Reeves contained in Exhibit A which listed the construction of the Days Inn/Carlton Hotel in 1920, the unique U-shape of the hotel, the continuous use of this well preserved, and the independently-

owned hotel by Mayo Clinic guests as examples of historic significance that would support local landmark designation.

7. The HPC reviewed the criteria listed in RCO §19B.08, specifically subd. 2, which provides that the Heritage Preservation Commission and Common Council shall in designating a Building, Land, Site Structure, or Object, or any collection thereof, as a Landmark Property or Landmark District, consider the following criteria:

- A. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, State or United States;
- B. Its location as a place of a significant historic event;
- C. Its location within and contribution as an element of a Landmark District;
- D. Its identification with a person who significantly contributed to the culture and development of the City;
- E. Its embodiment of distinguishing characteristics of an architectural style period, form, or treatment;
- F. Its identification as the work of an architect or master builder whose individual efforts have influenced the development of the City or have contributed to the development of a nationally or internationally – recognized style or movement;
- G. Its embodiment of elements of architectural design, detail, material or craftsmanship that represent a significant architectural innovation; and,
- H. Its location, scale, or other physical characteristics representing an established and familiar visual feature or a neighborhood, a district, the community, or the City.

The HPC also referenced the requirements of RCO §19B.08 subd. 1, specifically, that the Common Council will need to determine if the property is so essential to the historic fabric of the City and whether the property has a demonstrated quality of significance that preservation must be mandated regardless of a property owner's consent.

The HPC reviewed RCO § 19B.01, subd. 1 regarding the legislative intent of Chapter 19B and the public policy statement, and the charge and responsibility of the HPC to facilitate the preservation of Rochester's heritage.

The HPC considered the written materials found in Exhibit A and testimony provided in the public hearing. The commissioners discussed Criteria A, E, and H and evidence of the hospitality heritage of the hotel, the unique design and amenities of the hotel, the value of the hotel as one of the last remaining properties of this type to be found in the City of Rochester, the strong, local flavor associated with the Days Inn/Carlton Hotel, and the integrity of the hotel's location.

8. The HPC discussed the need to weigh the private property rights versus the need for preservation and that the ordinance does not provide clear information about economic benefits to a landmark designation. There was concern that designating a property as Landmark Property when the owner opposes the designation may bring about a negative result. It was noted that chapter 19B.08 subd. 1 does not require the owner to support a nomination of a property for landmark designation.

9. The HPC noted that the Days Inn/Hotel Carlton property may be developed into a boutique hotel or the current hotel demolished if the property is not designated as Landmark Property. The HPC discussed that designation of a property as Landmark Property would not stop the sale of the property but simply adds a planning and zoning layer of information on the property.

10. The HPC referenced Ginger Carroll's memo and found evidence supporting criteria 19B.08 subd 2 (B) of a significant historical event in the Days Inn/Hotel Carlton. The hotel United States Department of the Interior – Office of Indian Affairs stated that hotel

correspondence from 1926 showed the Carlton Hotel routinely accommodated Native Americans from several reservations in an era of widespread racial prejudice in our community. It further noted that during this time, Jews and people of color came to Rochester for treatment at the Mayo Clinic and they were not readily accepted at many hotels. However, they were welcome to stay at the Avalon Hotel which is why the Avalon Hotel is listed on the National Registry.

11. The HPC discussed that while the Days Inn/Carlton Hotel is located in downtown, it is nearly incorporated into the Mayo Clinic campus and many of the Mayo Clinic patients are patrons of the property.

CONCLUSIONS OF LAW

1. This matter is properly before the HPC pursuant to RCO § 19B.08 Subd. 2.
2. RCO §19B.08, subd 2. provides that the HPC and Common Council shall in designating a Building, Land, Site Structure, or Object, or any collection thereof, as a Landmark Property or Landmark District, consider the following criteria:
 - A. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, State or United States;
 - B. Its location as a place of a significant historic event;
 - C. Its location within and contribution as an element of a Landmark District;
 - D. Its identification with a person who significantly contributed to the culture and development of the City;
 - E. Its embodiment of distinguishing characteristics of an architectural style period, form, or treatment;
 - F. Its identification as the work of an architect or master builder whose individual efforts have influenced the development of the City or have contributed to the development of a nationally or internationally –

recognized style or movement;

- G. Its embodiment of elements of architectural design, detail, material or craftsmanship that represent a significant architectural innovation; and,
- H. Its location, scale, or other physical characteristics representing an established and familiar visual feature or a neighborhood, a district, the community, or the City.

3. By a substantial amount of the historical data, evidence and testimony presented at the January 23, 2018 public hearing, it is hereby determined by the HPC that the Days Inn/Hotel Carlton location is a familiar, visual feature that represents local character, interest, and value of the developmental growth and the heritage of the City of Rochester during the period identified in the reports and memoranda from the 106 Group and PVN. RCO 19B.08 Subdivision 2 (A) (H).

4. By a substantial amount of the historical data, evidence and testimony presented at the January 23, 2018 public hearing, it is hereby determined by the HPC that, based upon the historical data, Michael Koop's letter to Aaron Reeves dated July 17, 2017, the local designation study, the SHPO letter, information contained in the meeting packet, the 1920-1974 period represents a period of significance for the independently owned and operated Days Inn/Carlton Hotel property located in downtown Rochester and its function in providing hospitality for visitors to the Mayo Clinic as factors supporting that the property is so essential to the historic fabric of the City of Rochester and has a demonstrated quality of significance that preservation of the property must be designated a Landmark Property pursuant to RCO §19B.08 Subd 1.

5. It is hereby determined by the Heritage Preservation Commission that the Days Inn/Carlton Hotel be recommended as a Landmark Property subject to the approval of the Common Council.

ORDER

The HPC of the City of Rochester, pursuant to RCO. §19B.08, does hereby recommend to the Common Council that the Days Inn/Carlton Hotel be designated as a Landmark Property.

Dated at Rochester, Minnesota this _____ day of _____, 2018.

E. Christine Schultze, Chair
Heritage Preservation Commission