

July 13, 2018

Hennepin County Board of Commissioners  
A2400 Government Center  
300 S. 6th Street  
Minneapolis, MN 55404

Dear Commissioners:

We are pleased to inform you that the properties listed below will be considered by the State Historic Preservation Review Board (SHPRB) for nomination to the National Register of Historic Places. The Register is the official national list of historic properties worthy of preservation. The agenda is as follows:

**District No. 107 School**, 22995 County Road 10, Corcoran, Hennepin County (Author: Greg Gaut)

**Osborn Building**, 370 North Wabasha Street, St. Paul, Ramsey County (Author: Amy Lucas, Landscape Research)

**Superior Packing Company Plant**, 2103 Wabash Avenue, St. Paul, Ramsey County (Author: Amy Lucas, Landscape Research)

You are invited to attend the SHPRB meeting on Tuesday, August 21, 2018, at which the nominations will be considered. The meeting will be called to order at 6:00 p.m. State Historic Preservation Office (SHPO) staff will make an informational presentation on program activities and then the nominations will be presented. The meeting will be held in the Minnesota History Center, 345 Kellogg Blvd. W., St. Paul, MN 55102. Individuals with a disability who need a reasonable accommodation to participate in this meeting should contact the SHPO at 651-201-3287 at least two weeks in advance of the meeting or through MN Relay 711.

Listing of the properties provides recognition of their historic importance and assures protective review of Federal and State projects that might adversely affect the character of the properties. If the properties are listed in the National Register, certain Federal and State investment tax credits for rehabilitation and other provisions may apply.

Listing in the National Register does not mean that limitations will be placed on the properties by the Federal government. Public visitation rights are not required of owners. The Federal government will not attach restrictive covenants to the properties or seek to acquire them.

Enclosed please find a notice that explains in greater detail the results of listing in the National Register and describes the rights and procedures by which an owner may comment on or object to listing in the National Register. If you wish to comment in writing on whether or not a property should be nominated to the National Register, please send your comments to Secretary, SHPRB, SHPO, 50 Sherburne Ave., Suite 203, St. Paul, MN 55155, before they considers these nominations on Tuesday, August 21, 2018. Any correspondence received after the meeting, but before final action is taken by the Keeper of the National Register, will be forwarded to the National Register.

A copy of the National Register nomination will be available no later than July 19th online at: <http://bit.ly/2LqDkoF>. If you do not have internet access and would like a copy of the nomination, please contact our office.

Should you have any questions about this nomination process before the SHPRB meeting, please contact Denis Gardner, National Register Historian, at 651-201-3292, [denis.gardner@state.mn.us](mailto:denis.gardner@state.mn.us), or the address listed above.

Sincerely,



Amy Spong  
Deputy State Historic Preservation Officer

enc.: National Register Criteria  
Rights of Owners to Comment and/or Object to Listing in the National Register  
National Register Program Sheet  
Frequently Asked National Register Questions



## NATIONAL REGISTER CRITERIA FOR EVALUATION

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the lives of persons significant in our past; or
- (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) that have yielded, or may be likely to yield, information important in prehistory or history.

**CRITERIA CONSIDERATIONS.** Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that meet the criteria or if they fall within the following categories:

- (a) a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- (b) a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- (c) a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with their productive life; or
- (d) a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- (e) a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- (f) a property primarily commemorative in intent if design, age, tradition or symbolic value has invested it with its own historical significance; or
- (g) a property achieving significance within the past 50 years if it is of exceptional importance.

**RIGHTS OF OWNERS TO COMMENT AND/OR OBJECT  
TO LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES**

Owners of private property nominated to the National Register have an opportunity to concur with or object to the listing of the property in the National Register in accordance with the National Historic Preservation Act and 36 CFR (Code of Federal Regulations) 60.

Any owner or partial owner of private property who chooses to object to listing may submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property and objects to the listing. Each owner or partial owner of private property has one objection regardless of the portion of property the party owns. If a majority of private property owners object, a property will not be listed. However, regardless if a majority of the private property owners object to the listing, the State Historic Preservation Office shall submit the nomination to the Keeper of the National Register of Historic Places requesting a determination of eligibility for the property.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their actions on historic properties listed in the National Register, determined eligible by the Keeper of the National Register, or determined eligible for the National Register by the agency and the State Historic Preservation Office. Regulations of the Advisory Council on Historic Preservation, an independent Federal agency, guide this consultation process, which assures that the value of the historic property is considered in project planning.

If you choose to object to the listing of the property, the notarized objection must be submitted to the State Historic Preservation Officer, c/o Amy Spong, Deputy State Historic Preservation Officer, 50 Sherburne Ave., Suite 203, St. Paul, MN 55155. Any correspondence received after the State Review Board meeting, but before final action is taken by the Keeper of the National Register, will be forwarded to the Keeper of the National Register.

If you wish to comment on the nomination of the property to the National Register, please send your comments to the address below. A copy of the nomination, the criteria used for evaluation, and more information on the National Register program are available from the State Historic Preservation Office.

State Historic Preservation Office  
50 Sherburne Ave.  
Suite 203  
St. Paul, MN 55155  
651-201-3287  
[www.mn.gov/admin/shpo/](http://www.mn.gov/admin/shpo/)

The National Register is maintained by the National Park Service in the U.S. Department of Interior and administered in each state by the State Historic Preservation Office. For online information about the National Register program go to <http://www.nps.gov/nr>

9/2004; 6/2005; 11/2008; 1/2012; 1/2014; 4/2018



## THE NATIONAL REGISTER OF HISTORIC PLACES PROGRAM

The National Register of Historic Places (NRHP) is the official list of historic properties recognized by the Federal Government as worthy of preservation for their significance in American history, architecture, archaeology, engineering or culture. The NRHP was created in 1966 and is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our significant historic places under the provisions of the National Historic Preservation Act. The National Park Service (NPS) provides oversight for the program under the Secretary of the Interior. The program is managed by the professional staff of the National Register in Washington, DC, State Historic Preservation Officers, and the Preservation Officers in Federal Agencies. Contact the State Historic Preservation Office (SHPO) for information describing the National Register program ([MNSHPO@state.mn.us](mailto:MNSHPO@state.mn.us)). For online information go to:

[http://www.nps.gov/history/nr/national\\_register\\_fundamentals.htm](http://www.nps.gov/history/nr/national_register_fundamentals.htm)  
<http://www.nps.gov/history/nr>  
<http://mn.gov/admin/shpo>

For further information on National Register Federal Program Regulations refer to the Code of Federal Regulations (CFR) 36 CFR60. For online information go to:  
<http://www.nps.gov/history/nr/regulations.htm>

### **LISTING IN THE NATIONAL REGISTER PROVIDES BENEFITS TO HISTORIC PROPERTIES:**

**Eligibility for Federal Tax Provisions:** Since 1976 the Federal Internal Revenue Code has contained a variety of incentives to encourage capital investment in historic buildings and to spur revitalization of historic properties. These incentives include a 20% investment tax credit to encourage the preservation of historic commercial, industrial, and rental residential buildings listed in the NRHP by allowing favorable tax treatments for rehabilitation. Owners of NRHP properties who choose to participate in the preservation tax incentive program must follow the Secretary of the Interior's Standards for Rehabilitation and receive approval by the NPS of the rehabilitation project in order to receive the tax credit. For online general information go to: <https://www.nps.gov/tps/tax-incentives.htm>

For further information on building certification requirements refer to 36 CFR67. For online information go to:  
<https://www.nps.gov/tps/tax-incentives/taxdocs/36cfr67.pdf>

**Eligibility for State Tax Provisions:** The Minnesota Historic Structure Rehabilitation Tax Credit was signed into law in April 2010. The state rehab tax credit mirrors the 20% federal historic preservation tax credit and must be used in conjunction with the federal credit. Property owners who are undertaking a historic rehabilitation project are eligible to receive a state income tax credit up to 20% of qualifying rehabilitation expenses. Owner may elect to receive a grant in lieu of a credit equal to 90% of the allowable credit. For online information go to:  
<http://mn.gov/admin/shpo/incentives/state>

**Easement Donations:** The Federal Internal Revenue Code also provides for Federal income, estate, and gift tax deductions for charitable contributions or partial interests in real property (land and buildings). Taxpayers' gifts of qualified interest may be "exclusively for conservation purposes." For online information go to:  
<http://www.nps.gov/tps/tax-incentives.htm>

Because tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. Colleen Gallagher is the IRS representative who serves taxpayers in Minnesota. She can be contacted at 763-347-7361.

**Consideration in planning for Federal, federally licensed, and federally assisted projects:** Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their actions on historic properties listed on or determined eligible for the NRHP. Regulations of the Advisory Council on Historic Preservation, an independent Federal agency, guide this consultation process, which is intended to assure that the value of the historic property is considered in project planning. For online information go to: <http://www.achp.gov>

For further information on the Advisory Council refer to 36 CFR Part 800. For online information go to:  
<http://www.achp.gov/regs-rev04.pdf> and <http://www.achp.gov/citizensguide.html>

**Qualification for Federal grants for historic preservation:** Presently, funding levels are inadequate for these grants to be available.

**Consideration in planning for State, state licensed, and state assisted projects:** Minnesota Statutes Chapter 138 requires that state departments, state agencies, and political subdivisions of the state (counties, townships, cities, etc.) have the responsibility to protect the physical features and historical character of properties listed in the NRHP. The



relevant public agency is required to consult with the SHPO before carrying out any undertaking, or funding, or licensing, or permitting an undertaking by other parties, in order to determine appropriate treatments and to seek ways to avoid and mitigate any adverse effects on NRHP-listed properties. For further information, refer to Minnesota Statutes Chapter 138.665 and 138.666. The statutes are online at:

<http://www.revisor.mn.gov/statutes/?id=138.665>

<http://www.revisor.mn.gov/statutes/?id=138.666>

**Consideration before demolition:** The rules of the Minnesota Environmental Quality Board (EQB) require preparation of an Environmental Assessment Worksheet (EAW) by the responsible unit of government for any proposed demolition, in whole or in part, or moving of a property listed in the NRHP. For further information on the Environmental Quality Board refer to Minnesota Rules Parts 4410.0200, 4410.1000 and 4410.4300 subpart 31 or call 651-201-2477. For online information go to:

<https://www.revisor.mn.gov/rules/?id=4410>

<https://www.revisor.mn.gov/rules/?id=4410.4300>

**ADDITIONAL INFORMATION ABOUT THE NATIONAL REGISTER PROCESS AND THE MEANING OF LISTING:**

Owning a property listed in the National Register does not automatically impose a regulatory burden on an individual property owner. Listing in the NRHP does not mean that the Federal Government wants to acquire the property, place restrictive covenants on the land, or dictate the color or materials used on individual buildings. State and local ordinances, local historical commissions, or laws establishing restrictive zoning, special design review committees, or review of exterior alterations, are not a part of the NRHP.

Historic properties of national, state, or local significance under private or local/state government ownership may be nominated by the SHPO. Property owners, historical consultants and SHPO staff may prepare nominations. A Federal agency's Federal Preservation Officer nominates properties under Federal ownership to the NRHP. For online information go to: <http://www.achp.gov/fpoagencyinfo.html>

Tribal Historic Preservation Offices (THPO) perform the same type of preservation activities as those performed by SHPO's. These activities, however, are associated with historic properties located on Tribal Lands. Contact the SHPO for a list of THPO's in Minnesota. For online information go to: <http://www.achp.gov/thpo.html> and [www.nps.gov/THPO](http://www.nps.gov/THPO)

In recognition of the importance of local actions to historic preservation, the 1980 amendments to the National Historic Preservation Act established the Certified Local Government (CLG) program that required each State preservation program to develop a mechanism for the certification of local governments in the State. As a CLG the mayor and the heritage preservation commission have the opportunity to comment on a property being nominated in their city. If both the mayor and the heritage preservation commission determine that the property does not meet NRHP criteria, the nomination will not be considered unless an appeal is filed with the SHPO. For a list of certified local governments, contact the SHPO.

State Historic Preservation Office  
50 Sherburne Ave.  
Suite 203  
St. Paul, Minnesota 55155  
651-201-3287  
[mnshpo@state.mn.us](mailto:mnshpo@state.mn.us)  
<http://mn.gov/admin/shpo>

Updated 4/30/2018

The following are the most frequently asked National Register questions. The answers are brief and are intended to address a wide range of questions. You may direct more specific questions to the State Historic Preservation Office.

#### **NATIONAL REGISTER GENERAL PROGRAM QUESTIONS:**

##### **What does it mean to me to have my property listed in the National Register?**

It means that your property has been documented and evaluated according to federal standards and listed in the National Register because it is significant in American history, architecture, archaeology, engineering or culture.

##### **When my property is listed in the National Register, is it preserved forever?**

Listing a property gives it recognition and may change the way people or communities view historic properties. The National Register is sometimes criticized because it does not bring greater protection. Listing does not interfere with an owner's right to alter or dispose of their property if they use their own money.

The Preservation Office encourages owners of historic properties to contact the office if they have questions about changes they are thinking of making to their property. Staff would like to work with them so that the changes respect the historic character of the property.

##### **Does listing in the National Register protect my property during Federal or State projects?**

Projects undertaken, funded, licensed, or permitted by Federal agencies are reviewed by the Preservation Office to determine if they will affect properties which are listed in the National Register or eligible for listing in the National Register. The Preservation Office also reviews projects undertaken, funded or licensed by State departments and agencies which may affect a property which is listed in the National Register. It is the responsibility of the Federal or State agencies to notify the Preservation Office of proposed projects. Ways are then discussed to protect the property or mitigate the effects of the project.

##### **Is additional maintenance required once a property is listed in the National Register?**

No. The property owner may maintain the property as they choose following local requirements.

##### **Am I required to open my property to the public when it is listed in the National Register?**

No

#### **CHANGES TO NATIONAL REGISTER PROPERTIES:**

##### **Are covenants put on the deed when the property is listed in the National Register?**

No



### **Are low interest loans or mortgages available if my property is listed?**

The Preservation Office does not manage a low interest loan or mortgage program. It is important to check with local housing assistance programs or financial institutions to determine if low interest financial assistance is available.

### **THE NATIONAL REGISTER AND GOVERNMENT:**

#### **If a property or a historic district is listed in the National Register, does this require the local government in which the property or district is located to form a Heritage Preservation Commission (HPC)?**

No. The decision to create an ordinance which would establish a preservation commission rests entirely with the local government and its residents.

#### **If my property is listed in the Register are there provisions in building codes which affect my property?**

A property listed in the National Register is not exempt from state and local building codes. The local building inspector may allow some variance for significant historic building features that do not meet modern building codes provided the features do not pose a health or safety hazard. Interpretation is at the discretion of the local building official.

#### **How does the American with Disabilities Act affect National Register properties?**

If a National Register property is open to the public, ADA calls for the building to meet basic levels of accessibility for people with disabilities. While the law requires the removal of certain barriers, it does have special provisions for historic structures where changes would destroy a building's significant historic features.

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November 2004; June 2005; November 13, 2009; August 13, 2010; April 11, 2011; April 24, 2018