

**preserve, protect, promote!**

**A Minnesota Guide to Community Action**  
*The Preservation Alliance of Minnesota © 2005, 2007*  
*Photography by Doug Ohman*



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# A *Minnesota* Guide to Community Action



The structural renovation of Olof Swensson's 1890 timber-framed barn, Chippewa County, MN was a 2003 Preservation Alliance of Minnesota award winner

In today's cultural and political climate, advocating for the preservation of Minnesota's historic resources is challenging; even in the best of times it is an up-hill battle. Over the past three decades that the Preservation Alliance of Minnesota (PAM) has been advocating for the preservation of the state's tangible heritage, we have learned that success in preservation advocacy relies on knowledge, communication, and action.



A renewed effort is needed to save the Waseca passenger depot, one of the Alliance's 10 Most Endangered properties in 2007

This handbook provides grassroots preservation activists with a step-by-step guide for tackling a local preservation issue – which most commonly rears its head in a crisis situation. Because knowledge is the most powerful weapon, this handbook offers a toolbox of tips and directs you to a companion document, *Preservation Crisis Handbook*, available on the PAM website. We hope these two publications will assist those “in the trenches” by providing information on the legal framework, potential partners, and systems for preventing future crises.

## 1. Do your Homework

Don't be caught with incomplete or inaccurate information.

Find out the essential information about the property in question as a basis for your advocacy:

- Identify the owner of the property.
- Answer the who, what, when, where, and why questions about the building, especially its date of construction and original use.
- Assess the significance of the property; determine if it has any "official" status, such as National Register listing or eligibility, or local designation.
- If the property has "official status" become familiar with the accepted way such properties should be treated, including the Secretary of Interior's Standards for Rehabilitation and local Heritage Preservation Commission (HPC) guidelines.
- Determine what zoning ordinances, building permits, and variances affect or are required for the proposed project.
- Assess the physical condition of the property and the likelihood of long-term preservation.
- Establish the fair market value of the property as background information.

### *Reality Check*

- If the property owner is a prominent person, he or she is likely to have influence in the community and political support for the project. On the other hand, the owner may want to avoid a high-profile conflict over the project.
- If the property owner is a public entity (city, county, state, or federal agency), then certain regulatory actions may apply.
- Lack of official designation is a drawback, but not insurmountable. You may need to focus your attention of having the property designated, if that will help the cause.
- Your preservation issues may be won through mandates in a comprehensive plan or zoning ordinances unrelated to preservation; pursue this course if it works.

- Is the property a "white elephant" or beyond the point of repair? You will need to get an independent analysis, and not rely on statements made by the owner or developer. A re-use study may be a good course of action.

## 2. Identify the Threat to the Property

The type of threat indicates what additional information is needed and suggests a course of action to pursue.

Proposed demolition (including the disturbance or destruction of archaeological sites)

- Evaluate potential replacement development.
  - Will it meet current zoning?
  - Is the property in question the genuinely best site?
  - What investment will it generate?
- Determine sources of financing for demolition and new construction.
  - Are public dollars involved?
  - Is private financing secured?
  - What is the source of private financing?
- Identify any local, state and/or federal permits needed for the project.

Neglect

- Check with existing municipal codes to verify any non-compliance.
- Review the owner's record with other properties to identify a pattern of neglect, if appropriate.
- Review the owner's property tax record for this property. Are the taxes paid?

Incompatible Use

- Review existing municipal zoning ordinance to identify whether the proposed use is permitted by the code.
- Evaluate the proposed project's impact on the neighborhood in terms of traffic, parking, commercial versus residential activity, visual character, etc.

### ***Reality Check***

- Public financing may trigger regulatory statutes, which would give you a foothold into the process. Private financing and ownership will require different tactics to influence the outcome.
- Neglect can be one of the most insidious and challenging preservation threats. Check with your municipality on ways that maintenance could be addressed. Rural properties will be a greater challenge.
- New development is often seen as an economic development stimulator. The costs of development are often unseen; the economic values of rehabilitation are frequently overlooked.

### **3. Review Regulatory Framework**

Determine what land use or other regulatory procedures are involved and might highlight the need to consider historic resources.

- Federal funding, licensing or permitting requires Section 106 Review under the National Historic Preservation Act.
  - Determine which agency is involved in the undertaking and which local agency is taking the lead.
  - Identify your organization as an interested public party.
  - Review Section 106 evaluations and recommendations under the public involvement provisions of Section 106.
  - If Section 106 work has not been initiated, lobby for its need with the agency and with the State Historic Preservation Office (SHPO).
- Inquire about the preparation of an Environmental Assessment Worksheet (EAW) or Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA) or the Minnesota Environmental Protection Act (MEPA).
  - These documents must address archaeological, historical, and architectural resources.
  - Public access to these documents is required and public comment is desired.

- If the property is locally designated, the Heritage Preservation Commission (HPC) reviews the project.
  - If the project has not yet been reviewed, communicate your interest in the property and concerns about the resource.
  - If the project has been reviewed, examine the records of the meeting and learn how the issues were discussed.
- Zoning variances, building permits, other municipal regulations.
  - Determine what type of permits have been applied for and review the applications.
  - The granting of a zoning variance or other local permit requires a public hearing and vote by the appropriate municipal body.
  - If the public hearing has not yet been held, attend and testify.
  - If the public hearing has been held, review the records for the event and submit written comments, if possible.
  - Communicate your concern to the body that will vote on the permit or variance.

### ***Reality Check***

- Federal and state regulations, such as Section 106 or MEPA, are great tools to assure consideration of historic resources, but they are only processes and the final outcome is anything but assured.
- State and local regulations often only apply to designated properties (on the national or state register, or designated by the HPC). These statutes assume that if there is no designation, there is no public obligation to preserve.

### **4. Evaluate Your Position**

Have a realistic idea of what you are up against and who might help with the advocacy project.

- Evaluate the climate of opinion in your community.
  - Determine if there is any organizational support for preservation in general and/or the preservation of this property.

- Identify any neighborhood support for preservation and/or the preservation of this property.
- Assess if there is any government, community, business, or media support for preservation and/or for this property.
- Determine the timeframe for action.
  - Find out specific dates for municipal review and the permit process.
  - Determine the timeframe for state/federal review and granting of permits.
  - Determine the projected project timetable.
- Make sure you know the process for project approval.
- Identify allies.
  - Build support for your advocacy project.
  - Learn who is in support of the developer's project.
  - Identify each player's self interest in the property.

#### ***Reality Check***

- Fighting a preservation battle without allies is next to impossible; without any community support, your job will be more challenging.
- Is this the time to lose the battle but win the war? Perhaps this preservation crisis will be the opportunity to plan for future preservation efforts. Maybe you will need to start an HPC for your community.

#### **5. Identify Goals**

Make sure you understand the range of goals that can be associated with an advocacy project.

- Consider these outcomes as potential goals for your advocacy issue:
  - Save a historic property.
  - Influence a design/planning decision in your community.
  - Increase your community's understanding of preservation issues.

- Gain new members or build support for your preservation organization.
- Encourage updated land use planning in your community.
- Encourage protective legislation at the local or state level.
- What can be accomplished?
  - Relative to the specific property:
    - Is the goal to prevent demolition?
    - Is the goal to modify plans for redevelopment?
    - Is the goal to have a historic building restored?
  - Relative to the community:
    - Could the property be considered a community resource?
    - Will the advocacy project generate community awareness of preservation?
    - Will your efforts encourage new legislation?
  - Relative to your preservation organization:
    - Will this advocacy project increase public support?
    - Will this advocacy project position the organization better for the next issue?
    - Does this advocacy project have the potential for fundraising for your organization?
    - Will this advocacy project raise the profile of preservation within your community?

#### ***Reality Check***

- This is an opportunity to look at the big picture: is there something beyond the crisis that can be accomplished?

#### **6. Tell Everyone**

- Identify key stakeholders and allied organizations that would have an interest in helping.
- Invoke the public involvement provisions for the relevant regulatory processes.

- Let the appropriate agency know you are interested in the issue.
- Let the State Historic Preservation Office (SHPO) know you are interested in the issue.
- Call and write letters to elected officials of your local governments.
- Inform the staff members of local departments and agencies of your interest.
- Write a persuasive letter to the editor of the local newspaper.
- Issue a well-crafted press release to the media to raise awareness of your advocacy issue.
- Inform organizations such as the Preservation Alliance of Minnesota [www.mnpreservation.org](http://www.mnpreservation.org) or the National Trust [www.nthp.org](http://www.nthp.org) of your issue.

#### ***Reality Check***

- Sometimes your message can fall on deaf ears, both at the agency level and with the public.
- If the issue can best be “handled quietly” on the sidelines, take that approach.

### **7. Explore Alternatives with the Owner/Developer**

Request a meeting with the property owner and/or developer framed as an opportunity to consider various alternatives for the property.

- Prepare to negotiate.
  - Do not assume that the other side is determined to do what you fear most.
  - Visualize the best and worst case scenarios.
  - Research the economic advantages of preservation.
    - Historic rehabilitation tax credits
    - Preservation easement donation
    - Financial involvement of government or non-profit organization
      - Acquisition financing at below market rates
      - Construction financing at below market rates

- Grants
  - Public relations
- Prepare a short (1-3 page) position statement.
- Select a negotiating team and appoint its chairperson.
  - Keep committees small (6-8 members)
  - Select members with special skills and influence, e.g., attorneys, architects, planners, developers, etc.
- Recommend a neutral location for meeting.
- Negotiate.
  - Distinguish people from the problem.
    - Listen to the other side’s interests.
    - Treat the other side’s concerns with respect.
    - Avoid emotional outbursts and do not react to those of others at the table.
  - Establish a flexible position.
    - Focus on the desired goal, not your bargaining position.
    - Recognize each side’s multiple interests.
    - Identify shared interests.
    - Avoid debate; seek dialogue.
  - Don’t be a victim.
    - Question “phony” facts.
    - Be prepared to present alternative statements to counter those of biased “experts.”
    - Be aware that the other side might not fully disclose its plans.

#### ***Reality Check***

- If negotiation fails, consider if this is the right battle at the right time for you. Base your decision on the importance of the threatened property; the quality and impact of the proposed project; the ability of your organization to wage the battle and rebound from a loss; and how an enduring conflict would affect preservation in the long term in your community.

## 8. Prepare for Conflict

A contentious preservation advocacy battle requires organization and good communication.

- Review the organization and communication skills of your preservation group. Critically look at it from an outsider's perspective and improve as needed.
- Shape an advocacy message that is clear, concise, and compelling as it relates why your group is taking its position.
- Secure the support of other organizations and establish a network of allies.
- Estimate realistic time and money commitments expected of the organization and its volunteers.
- Appoint a coordinator.
- Select committees.
  - Keep committees small (6-8 members).
  - Select members for specific skills and influence, e.g., attorneys, architects, developers, planners, etc.

### *Reality Check*

- Keep high standards, but don't expect miracles from your committee. Remember they are volunteers too; pace yourself to prevent burnout.
- Organizing takes time.

## 9. Plan for Victory

Focus on knowledge and communication.

- Develop a case for your cause.
  - Prepare a short (1-2 paragraph) mission statement.
  - Review and improve the position paper prepared in the negotiation phase.
  - Gather information on successful similar preservation efforts.

- Prepare an economic case for preservation; consider downtown revitalization, heritage tourism, increased value of housing stock, etc.
- Prepare a community case for preservation; consider retaining a sense of place, forging tangible links between the past and present, etc.
- Present positive, well-researched testimony.
  - Have the facts about:
    - The significance of the building
    - The actual condition of the building, and how it got that way (e.g. Did the present owner fail to maintain it?)
    - Cost of improvements
    - Practical reuse alternatives
    - Realistic funding sources
  - Cite positive examples.
  - Prepare hand-outs.
  - Prepare visuals.
  - Secure experts.
  - Coordinate presentation.
- Generate positive media coverage.
  - Identify personable spokesperson.
  - Prepare professional-quality visuals.
  - Write professional-quality press releases.
  - Package events to be attractive to the media.
- Involve the public.
  - Circulate a petition.
  - Stage events such as tours, public meetings, and vigils.
  - Secure endorsements from influential people.
- Involve politicians.
  - Create photo opportunities.
  - Stage events.
- Consider litigation.
- Keep the public and your organization informed of progress.

### ***Reality Check***

- This work can't be accomplished with only two or three people. You will need a big support group with diverse interests and skills.

### **10. Live with the Results**

Always keep the long-term goal of better protection for historic resources and more informed land use planning in mind as you work on a preservation advocacy issue. Be prepared to lose the battle but win the war if the loss of one building results in the protection of many others.

### ***Reality Check***

- It takes energy to move on after a crisis. Keep in mind that the momentum from the work you've done will help to create protections that should prevent the next crisis.

### **11. Prevent the Next Crisis**

- Use the momentum of the crisis to continue the preservation dialogue in your community.
- Establish a local preservation non-profit group so preservationists are easily organized around the next issue.
- Start a Heritage Preservation Commission to designate and protect historic resources.
- Develop a Main Street program for your downtown.
- Work on the statewide or national level to create preservation-friendly policies and laws.
- Get involved with broader advocacy groups, such as the Preservation Alliance of Minnesota and the National Trust.

### ***Reality Check***

- Creating good, sustainable historic preservation practices is an on-going process.

### **ADDITIONAL RESOURCES**

The resources you need are close at hand. The Preservation Alliance of Minnesota offers a continually updated *Preservation Crisis Handbook* at [www.mnpreservation.org](http://www.mnpreservation.org). By downloading this document to your computer you will be able to follow links to Internet resources that will provide a wealth of information to help you through a preservation crisis.

Membership in the Preservation Alliance of Minnesota puts you in touch with preservation-minded individuals, organizations and businesses that can help you through a preservation crisis. Individual memberships start at \$40. Call the office (651-293-9047) or join online at [www.mnpreservation.org](http://www.mnpreservation.org).

The Preservation Alliance of Minnesota staff can assist you. Please call the office to inform us of a preservation crisis and to obtain personalized assistance with your project. We can provide direction, share insights from similar battles, and put you in touch with other experts.

This document was prepared by staff of The 106 Group  
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