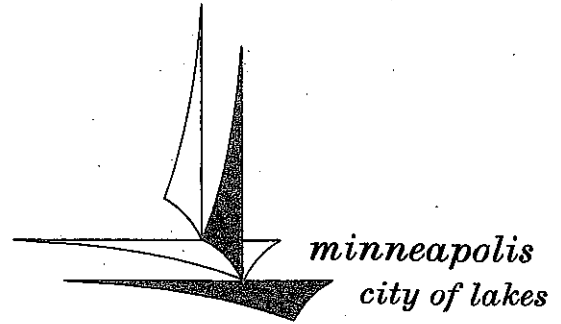


**HERITAGE PRESERVATION COMMISSION**

Room 210 - City Hall  
350 South Fifth Street  
Minneapolis MN 55415-1385

(612) 673-2422



18 September 1998

The Honorable Lisa McDonald, Chair  
Zoning and Planning Committee  
Room 307 City Hall  
Minneapolis, MN 55415-1383

RE: heritage designation

Dear Council Member McDonald:

The Minneapolis Heritage Preservation Commission (HPC) is seeking local heritage designation of the First Universalist Church (formerly Adath Jeshurun Synagogue) located at 3400 Dupont Avenue South. The property owner now favors designation after the attached design guidelines were adopted.

The Minneapolis Heritage Preservation Commission held a public hearing on March 17, 1998. At the public hearing, the HPC forwarded a recommendation to the City Planning Commission and City Council for designation. The City Planning Commission held a public hearing on August 24, 1998 and forwarded a recommendation in favor of designation to City Council.

This matter is being forwarded to the Zoning and Planning Committee of City Council for consideration on September 22, 1998.

**Recommendation: Based on the findings and recommendations of the Minneapolis Heritage Preservation Commission, the City Planning Commission and the Minnesota Historical Society, staff recommends local designation of the First Universalist Church.**

Sincerely,

A handwritten signature in black ink that reads "Paul Farmer". The signature is written in a cursive, slightly slanted style.

W. Paul Farmer, AICP  
Planning Director

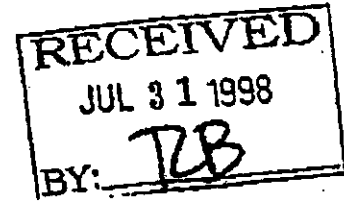
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# ATTACHMENT 1

5109 Emerson Av. S.  
Minneapolis, MN 55419  
July 30, 1998

Michael Norton, Esq.  
Office of the Minneapolis City Attorney  
300 Metropolitan Centre  
333 South Seventh Street  
Minneapolis, MN 55402-2453



Re: First Universalist Church

Dear Mike:

Thank you for forwarding the draft agreement last week. Our Board has discussed this matter, and I submit the following revision for the City's consideration. As you will note, it includes some language about the spirit of our understanding, and clarifies a few issues as well. (Please also note that the name of the church was incorrect in your draft.)

1. The City of Minneapolis, through its Heritage Preservation Commission ("HPC"), has recommended First Universalist Church, located at 3400 Dupont Avenue South, for heritage preservation designation. The City's recommendation is based upon its interest in preserving buildings of historic significance, a goal which the Church acknowledges and respects.
2. The Church has expressed a number of concerns about potential designation. These concerns are based upon the Church's interest in preserving and protecting its constitutional religious freedoms, a goal which the City acknowledges and respects.
3. In a mutual spirit of good will, and from a desire to accommodate these goals, the City and the Church agree to exclude from any designation the following items:
  - a) Front doors. The front doors may be removed at the Church's sole discretion, at any time. If and when the Church decides to remove the doors, it will advise the HPC of its plans for the replacement doors. The HPC's approval of those plans will not be unreasonably withheld, and will not in any event be withheld on the basis of any aspect of the planned replacement which is of religious significance to the Church.

Michael Norton, Esq.  
July 30, 1998  
Page Two

b) Windows. The stained glass windows may be removed at the Church's sole discretion, at any time. If and when the Church decides to remove the windows, it will advise the HPC of its plans for the replacement windows. The HPC's approval of those plans will not be unreasonably withheld, and will not in any event be withheld on the basis of any aspect of the planned replacement which is of religious significance to the Church. The City has asked that the Church offer the current windows to local Jewish congregations, on appropriate financial terms, if and when the Church decides to remove them.

c) Exterior stone carvings. The exterior stone carvings may be covered at the Church's sole discretion, at any time. If and when the Church decides to cover any of those carvings, it will do so in a way that does not harm the carvings, and will limit any drill marks to the exterior mortar joints. In addition, there will be no review of any religious symbols to be placed on the exterior by the Church.

4. Based on the above accommodations, the Church agrees not to further oppose designation at this time. It is understood that this agreement does not foreclose the Church from taking action, including judicial challenge, in the event that the HPC should withhold approval of any activity requested by the Church in the future. If any such dispute should arise, however, the City and the Church mutually pledge to work with each other in good faith in an attempt to reach a resolution. They further agree to engage in an appropriate form of alternative dispute resolution (e.g., mediation) if they are unable to resolve any such dispute on their own.

Mike, I appreciate your efforts in working toward a resolution of this matter. I will be out of town from August 1 through August 14; in my absence, please contact Laura Cooper (625-4320) or Harlan Limpert (304-6165).

Yours truly,



David J. Lauth