

**CITY OF MINNEAPOLIS
CITY COUNCIL
ZONING AND PLANNING COMMITTEE**

In Re: Appeal from decision of Minneapolis
Heritage Preservation Commission approving
Certificate of Appropriateness at 419 Washington
Avenue North

**FINDINGS OF FACT
AND
RECOMMENDATION**

The above-entitled matter came before the Standing Committee on Zoning and Planning of the Minneapolis City Council for a public hearing on Thursday, October 27, 2016, in Room 317, City Hall, 350 South Fifth Street, Minneapolis, MN 55415. On September 27, 2016, the Heritage Preservation Commission (HPC) approved a Certificate of Appropriateness application by DJR Architecture (Applicant) for a proposed new office building located at 419 Washington Avenue in the Minneapolis Warehouse Historic District. The decision of the HPC was appealed by Jerrit Bromley to the City Council pursuant to Minneapolis Code of Ordinances (MCO) § 599.190. Having held a public hearing on the appeal, the Committee now makes the following findings:

FINDINGS OF FACT

1. The Applicant is proposing to construct a new office building at 419 Washington Avenue North in the Warehouse Historic District. The building would consist of eight levels of parking and seven levels of office space. Proposed new construction in a local historic district is reviewed by the City through a Certificate of Appropriateness application.
2. In order to approve a Certificate of Appropriateness, the HPC must make the following findings:

- (1) The [new construction] is compatible with the designation of the landmark or historic district, including the period and criteria of significance.
- (2) The [new construction] will ensure the continued integrity of the landmark or historic district.
- (3) The [new construction] is consistent with the applicable design guidelines adopted by the commission.
- (4) The [new construction] is consistent with the applicable recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.
- (5) The [new construction] is consistent with the spirit and intent of the preservation ordinance, the applicable policies of the comprehensive plan, and the applicable preservation policies in small area plans adopted by the city council.

MCO § 599.350(a)

3. The height and scale of the proposed office building is not compatible with surrounding property and is not consistent with adopted design guidelines for the Warehouse Historic District. Guideline 3.25 states that the “height of buildings shall be between two (2) and ten (10) stories.” Guideline 3.26 states that “the first floor height shall be between 14 and 21 feet and upper story height between 10 and 14 feet.” The proposed building is not consistent with either guideline. Although the Appellant argues that the building appears to be 10 stories when viewed from the exterior, it is a 15-story building for purposes of further regulatory review according to the Zoning Code. There are 13 stories in the main structure and two on the rooftop.
4. Even if it is assumed to be an actual 10-story building, Guideline 3.26 would allow for a maximum building height of 147 feet. This proposal is 168 feet tall, including the rooftop mechanical elements and elevator overruns. The proposed height of the first floor also does not meet this Guideline.
5. The proposed 15-story, 168 ft. tall building (arguably appearing to be 10 stories from the exterior) is also not compatible with surrounding property in the historic

district. There are no buildings in the surrounding area that are 10 stories. The proposed building would exceed the height of every building in the surrounding area.

6. The proposal for above-grade parking along the principal façade is also not consistent with Guidelines 3.13 and 3.14.
7. As proposed new construction on a vacant surface parking lot, the Applicant could have designed a building that is consistent with the design guidelines and surrounding context. The Applicant's own design choices created the incompatibility.

Therefore, based on the foregoing Findings of Fact, the Committee makes the following recommendation:

RECOMMENDATION

1. That the City Council grant the appeal and deny the Certificate of Appropriateness.
2. That these Findings of Fact and Recommendation be adopted by the City Council as their official Findings and be made part of the official record.