



Request for City Council Committee Action from the Department of Community Planning and Economic Development – Planning Division

Date: December 4, 2012

To: Council Member Gary Schiff, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning and Planning Committee

Subject: Appeal of the decision of the Heritage Preservation Commission to approve the Certificate of Appropriateness with conditions for Mill and Main Phase II (413 and 425 Main Street Southeast).

Recommendation: The following actions were taken by the Heritage Preservation Commission on October 23, 2012 (BZH-27416):

2. 413-25 Main Street SE, St. Anthony Falls Historic District (BZH #27416, Ward: 3) ([Hanauer](#))

Continued from the September 11, 2012, Heritage Preservation Commission meeting. Kelly Doran, with Doran Development LLC, submitted a Certificate of Appropriateness application to allow for a new apartment building at 413-425 Main Street Southeast, Phase II Mill & Main project, located within the St. Anthony Falls Historic District.

Action: The Heritage Preservation Commission adopted staff findings and **approved** the Certificate of Appropriateness for the new construction at 413-425 Main Street Southeast subject to the following conditions:

1. The Certificate of Appropriateness approval shall expire if it is not acted upon within two years of approval, unless extended by the Planning Director in writing prior to the two-year anniversary date of approvals;
2. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval;
3. All glass must be clear, non-tinted, non-reflective glass. One coat of Low-E glazing is permitted on the interior surface of the windows;
4. The proposed 'mill & main' wall sign is not approved;
5. The height of the building shall be one story lower on Envelope 4.

Ward: 3

Prepared by: Aaron Hanauer, Senior City Planner, 612-673-2494 Approved by: Hilary Dvorak, Interim Planning Manager Presenters in Committee: Aaron Hanauer, Senior City Planner
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Community Impact:

Neighborhood Notification: Notice of the Heritage Preservation Commission hearing was mailed on August 21, 2012, and notice of the appeal was mailed on November 19, 2012.

- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 120-day decision period: N/A
- Other: Not applicable

Background/Supporting Information:

Kelly Doran, on behalf of Doran Development LLC and Doran Main II, LLC, has filed an appeal of the decision of the Heritage Preservation Commission (HPC). The appeal is regarding the decision of the HPC on October 23, 2012, to approve the Certificate of Appropriateness application with conditions for Mill and Main Phase II (413 and 425 Main Street Southeast). Specifically, condition number five was appealed. "The height of the building shall be one story lower on Envelope 4."

The minutes from the September 11, 2012 and October 23, 2012 HPC meeting are attached. On September 11, the HPC unanimously voted (6-0) to continue the application two cycles to allow the applicant time to revise their drawings and accommodate Commission feedback. On October 23, the Heritage Preservation Commission voted 4-3 to approve the application with conditions.

The appellant's complete statement and reasons for the appeal are attached.