

**Minneapolis Heritage Preservation Commission Meeting
November 5, 2012, Room 317 City Hall**

Date of Z&P Meeting: December 10, 2012

ITEM SUMMARY

- Description** Item #2, BZH #27451
1500 6th Street South, Gluek Brewing Tied House
Continued from the September 24, 2012, HPC meeting. Currie Park Development, LLC has submitted a Demolition of Historic Resource application to allow for the demolition of the Gluek Brewing Tied House at 1500 6th Street South.
- Action** The Heritage Preservation Commission adopted staff findings and **denied** the demolition of the Gluek Brewing Saloon at 1500 6th Street South, established interim protection, and directed the Planning Director to prepare or cause to be prepared a designation study.
- Roll Call Vote** **Aye:** Faucher, Haecker, Hunter Weir, Lackovic, Larsen, Tableporter
Nay: L. Mack, R. Mack
Absent: Lindberg
Motion Passed

TRANSCRIPTION

Staff Hanauer: So I'll be happy to answer any questions that you may have

Chair Larsen: Alright, questions at this time? I'm not seeing any at this time but I'm sure we might have some later. Ok, so with that we'll open up the public hearing. Is there anybody that wishes to speak for or against the application, please step forward.

Charlene Roise: Chair Larsen and Commissioners, I'm Charlene Roise with Hess Roise and Company. We are historical consultants for the developer, Fine Associates, and today we have a few people here to speak to this for the developer and the neighborhood. And I do want to say, first of all, that Bianca Fine, who is the head of Fine Associates, was called out of town today on a family emergency so she is not here today. But there are other representatives from her firm, including Bob Kueppers and Jim White. And in addition, Bob Kueppers will be reading a letter from Bianca Fine with information that she would have presented if she could have been here, including ... oh yes, absolutely, I'm sorry.

Gary Schiff: I was going to introduce Charlene, but ... I'll turn it back to her in a second. Good evening, Commissioners, my name is Gary Schiff, city council member. Thanks for serving on the Heritage Preservation Commission. About three months ago I met with a young group of talented organizers who belong to the group Ka Joog, which is a youth based arts organization rooted in the Somali community in Minneapolis and I didn't know the agenda for the meeting when I sat down with them but they were there to ask me for help in starting a new building for their organization and to give them help in finding a place for the work they do with the arts and with the youth. I was familiar with the organization, having given them an award for their leadership at an awards ceremony that I hold every year called the 9th Ward Awards. And then earlier this month they received an award from the FBI for

their work in fighting radicalism and the recruitment of young people that has been so prominently noticed internationally and has been such a terrible problem here in Minnesota. When I met with them, like I said, I didn't know what I was going, what request they were going to put upon me, but it was a request for a building and a space. And immediately this building came to mind. We drove over that day and looked at it. Since then there have been several meetings with city community planning and economic development staff about the possibilities of moving the building to a new site. So today you are going to hear about locations that have been identified. A formal application to move the building has now been prepared so what I'd like to ask you to do today after meeting with Erik Nilsson, City Attorney, and Jason Wittenberg, the head of Planning department, is to continue this application until a new Certificate of Appropriateness application to move the building to a new site may be prepared. I think we have so many historic buildings in the city of Minneapolis that are just lacking a use to find new life. And I'm confident that Ka Joog with this building can bring this building back to life to be a community asset and will be an important part of the revitalization of the Cedar Riverside neighborhood and will also help us with our important goals for youth and for the arts, particularly with new immigrant communities. So, that's my request for your consideration. If you are to deny it, the city, which is bringing this application, we will just have to start all over again from scratch, so a postponement would help us work with Fine Associates on a proposal for a site plan for the new building location for you all to consider. And so with that, I want to hand things back to Charlene Roise. Thanks.

Chair Larsen: Thank you, thanks for your time.

Charlene Roise: Thank you very much. So, as I mentioned, Ms. Fine, Dr. Fine, is in Charleston right now to deal with a family emergency, but Bob Kueppers will be reading a letter from her and then I believe that there is some neighborhood groups here. There was a mention in the staff report that neighborhood groups had not weighed in on this, and in fact neighborhood groups have weighed in on this so we will give them a chance to weigh in. And then I've got a few things to just wrap up. So with no further ado, I'll turn it over to Mr. Kueppers.

Bob Kueppers: I'm Bob Kueppers with Fine Associates, 1916 IDS Center, Minneapolis, Minnesota.

Chair Larsen: Before you begin, she mentioned about reading a letter. Is this the letter that you are talking about, from November 5?

Bob Kueppers: Yes.

Chair Larsen: Alright, we do have that before us so I don't think there is a need to read that into the record, am I correct, if we have it in front of us? So you don't need to read it. If you wish to read it, you can.

Bob Kueppers: Thank you, I appreciate that. I'd like to at least make some highlight points to call to your attention. I'll try not to read it all, but I think we reference a couple of important things. The letter primarily deals with some of the economic issues that were raised in the staff report as being not necessarily covered adequately. And so I think I would draw your attention to those issues. The historical issues, Ms. Roise I think will be more specific on that in her presentation which will hopefully be helpful.

One of the key items in the reasonable alternatives to demolition has been this discussion, as Councilmember Schiff raises here a moment ago, whom we have been working with and other city staff members about the possibility of relocating the building, moving it. There is a specific commitment in this letter which would move the building from its present location to a very short distance to a parcel we do own today, and it is on 6th Street. It would just be down a few hundred feet at 1527 South 6th Street, or 6th Street South.

Chair Larsen: Would you mind, this is an aerial map of that area. Maybe Aaron can help out.

Bob Kueppers: That will be presented in Ms. Roise's presentation, but maybe I can help.

Chair Larsen: I figured since you were talking about it, it makes sense to just kind of ...

Charlene Roise: This one, if you don't mind the elegant pointer here, is approximately the location and ...

Bob Kueppers: It would be right in this area. We own a parcel right in this area.

Chair Larsen: And so the current building is ...

Bob Kueppers: And this is the existing location. And that is a relatively simple move, because it doesn't involve crossing Cedar Avenue, it doesn't have disruption in any significant way of power lines and so forth. And Dr. Fine is committing to that, as you will see in the letter. Obviously we haven't gone through the city process to get it approved, so there would be the contingency of city approvals. But she's committed to do that and the issue is if there were better alternatives that we could work with, we are pursuing those and willing to continue to pursue with Councilmember Schiff and other parties who've expressed a possible interest in it. But in any case, what is not mentioned in this letter but is critical to us is time. Further delay of the project makes it very difficult. I'm not saying this to oppose the suggestion of Councilman Schiff, but I think there needs to be a great awareness of the timing. We have commitments for funding which have taken a year and a half to achieve. We are at the end of that, there is a gap which we think can be resolved by the city council and tax increment, and that is the last piece of the financing that is needed. But we also, as part of getting that financing, we have commitments to start the construction by the end of March next year. So that is a very tight timeframe and obviously we need to know the destiny of this portion of the site. So I think that the other things that are important in this letter are the economic consequences. Yes, it seems like a small portion of the site, or the project site, for phase one and yes there is a piece for phase two, but if we have to leave this building we would want to do a couple of things. One is, again, because of certain commitments to provide a certain number of housing units, and understand this is primarily affordable housing at the workforce level, not at the lowest level which the community has a substantial amount of already. But affordable housing for people who might be working at numerous institutions: The University of Minnesota, Augsburg College, Fairview University Hospital and so on. So it is an important element of housing, it is obviously a transit oriented neighborhood and therefore density is what has been desired by the city and Metropolitan Council and Hennepin County. And all those three agencies have, of course, been strong supporters of getting this project going pretty much as we have presented it all along to them. The consequences of leaving the building there would require us to meet some of those other commitments to build another story on top of the, make it a seven story building versus a six story building. It doesn't seem like much, however, because of codes, building codes, we'd be required to go to a different type of construction. We can now use a pre-fab concrete base with wood structure above as, which maybe you've seen or a lot of is the style of housing that is being done in multi-family around the city today. It limits it to that six stories or less because of the code requirement and the expense of going over that. Going over that, we introduce having to go to either an all concrete construction or steel frame and concrete. And the increased cost on this project would be in the range of \$10 million on an otherwise \$48 million project.

Chair Larsen: Can I ask if that is just for the building that would be increased in height or is that, would the overall building would have to be, the overall building would have to be steel?

Bob Kueppers: Yes, the overall building ... you can't mix the two. You could maybe do wood frame on top, but you can't start on the bottom with wood frame and steel on top. So it would be the full seven floors, which is what makes it so costly.

Chair Larsen: Of the other six story portions, would be the concrete with the stick?

Bob Kueppers: No, the base floors, 1-6, would be steel frame and concrete. Because whatever system you use, you use from bottom up.

Chair Larsen: And throughout from ...

Bob Kueppers: And throughout ...

Chair Larsen: Including different building envelopes?

Bob Kueppers: Well, if you are talking about a phase 2, we might not in phase 2. But staying with phase 1 which is all the economics that we are dealing with, because that's the known project, phase 2 is not, we have an idea of what might be done there but we don't have any specific plans at this stage. What we are talking about is phase 1 and yes, the entire structure would be steel and concrete. And those costs, it isn't simply the construction costs because it has ripple effect to finance, there is interest costs, which when you are spending more for construction your interest costs go up and we don't get any further, any greater return, because we would just be providing the same number of units. So the economics for the income side stay static while the construction costs and the total development costs become quite a bit more. That is noted in the letter, and I obviously want to point that out because it really makes it economically unfeasible. The other is, as I said, where I guess we pointed out, where we could commit to, and have, she is committing to in this letter, to move that building there to property we own today. It is reasonably close so it makes it reasonably feasible for us to make that extra stretch and do that. It will cost us more than just demolishing it, but we think we can get it down to a point where we can justify it. The other is, I think she wanted to make a point out, and I think this was maybe pointed out by Ms. Roise, so I apologize if I am repeating, but there was a reference in the report that there wasn't any response from the community, and the West Bank Community Coalition, which is the neighborhood organization that is represented by the city, did, we did submit in September a letter of support which, essentially they are saying, in fact they are saying, that in the event that relocation isn't feasible, the West Bank Community Coalition strongly supports demolition of the building. We are doing everything we can to see if we can get it relocated and moved, but if we can't we have to have the ability to have it removed from this site to proceed with this phase 1. Apart from that, it is important to know that Fine Associates and its related entities are a major property owner in the Cedar Riverside West Bank area and have been for the last 7 years. We own, obviously, some of the adjacent properties that were shown a moment ago and some along Cedar Avenue as well. And we've had a strong, long commitment to the city and to that part of the city, and I think those of you who may know of Fine Associates history in the past, they are long-term holders of property. They don't just build them and run, they stay with them. We have significant properties in downtown Minneapolis which I think attest to that, so I think you get a quality development in an area that needs quality development, in a transit oriented area. We have the density and we think we do need to move on this. So I appreciate your attention. If you have any questions, I'd be more than happy to try and answer them.

Chair Larsen: Any questions at this time? Commissioner Hunter Weir.

Hunter Weir: I'm just curious, have you consulted with an engineer, what are they saying about the feasibility of moving ... it doesn't look like an easy task.

Bob Kueppers: No, it is feasible. We have, in fact, yes, no, we've been looking at that for some time and certainly the interests of Ka Joog and others who have some interest in either having a building, which we would be providing free to the Ka Joog group if, and we could do it at this location that we are proposing. I mean that may meet their needs. They could possibly be the tenant. There are other possibilities of Dania Hall site as being one that was being considered. There is another party, a private party, who is interested in the neighborhood who would move it to what we think would be a very desirable, we would expect it to be a desirable location, they are just looking at it now to see if the economics work but I think that it is probably a reasonably feasible for them. So there is probably a good possibility out there, but we need to move on this matter, so Dr. Fine is willing to put a commitment out there for the one site so there is no question about that. Yes, there are the contingencies of the approvals but apart from that it is an unequivocal suggestion. Any other questionings?

Chair Larsen: Commissioner Mack?

R. Mack: One of the maps showed phases one, two, and three, and it is my understanding that you own the land in those other phases. Phase three also has potentially, a potentially historic building. This is, I understand, a ways out, but are we going to be having this same conversation in a few years about that building?

Bob Kueppers: I don't believe so, at least hopefully not because we have been anticipating that corner building across the street at 1501. We've understood that. Dr. Fine is, she's, her heritage is Italian and she appreciates older buildings more than we do in this country. So she's not adverse to recognizing a valuable property, valuable buildings, so she's done a lot to try and make this work and certainly recognizes the value of the 1501 6th Street

South. We've been supportive of Mixed Blood, in terms of trying to work with them, and in fact we're trying to work out a land swap with them that might help them, so there's been a lot done in the neighborhood to try and help.

Chair Larsen: Thank you very much.

Abdulkadir Walsame: Good evening, Commission, my name is Abdulkadir Walsame, I'm the executive director of the Riverside Plaza Tenant's Association. Basically we represent the 4,000-5,000 tenants that live in the Riverside Plaza. Fine's building is going to affect our neighborhood, it is going to change, it is going to make it, we'll have more concrete, less open space. However we do support the development, we have nothing against it. The issue that I have is in terms of the building that is either going to be preserved or demolished or moved to another site within the Cedar Riverside neighborhood. What we would like is, we have a problem in our neighborhood, and the biggest problem we have is space. We don't have enough space in the neighborhood and we have one of the highest density populated areas, anyway, in the state. And one of the acute problems that we face is with regards to our youth. We don't have enough, we don't have any space for a youth program. We don't have a space for even a reference library or anywhere for our youths to use in the winter or summer. We have no issue with regards to Ka Joog and their organization, however we do believe that priorities should be given to the Cedar Riverside's Youth Council and to the Cedar Riverside youth itself. Out of the 4,000 tenants of our building, around 2,000 are under the age of 18 and we don't have an adequate space for our youth. This causes a lot of problems, it causes problems with safety even though we are dealing with (?), it makes the neighborhood look bad because they are just standing around doing nothing. And what we would like is some sort of space. We are always thinking about getting space, and now we hear that this space might be available and it would be given to an entity that is not part of the neighborhood. Yes, they are an East African organization, just like the councilman mentioned, he mentioned ward 9. But this is ward 6 and the priority should be given to the people that live in our neighborhood and to our youth. And many different organizations, neighborhood organizations, are actually partnering in this. The West Bank Community Coalition, the Riverside Plaza Tenant's Association, the Cedar Riverside Youth Council, Somali Public Radio, so a lot of organizations are interested in using this space if it is available for our youth. So that is one thing I wanted to bring to the commission here. We don't mind preserving it, and if it has to be demolished, then it has to be demolished. But if that space is made available, it should be made available to the most needy, most at risk, and it should be a space that is safe, open, welcoming and all inclusive. And it should be a space that is not dominated by any single entity but be given to the Cedar Riverside youth, which needs the space. If you have any questions ...

Chair Larsen: That was well said. Thank you very much. Alright.

Janet Curiel: My name is Janet Curiel, I'm also on the West Bank Community Coalition and I have to say that I was the one vote that opposed supporting the demolition of the building. I said at that time that I did not believe that the neighborhood residents were aware of this possibility, and so when they had the vote I was the one nay vote. In the past week and a half I have gone around talking to people in the neighborhood asking them what they think of the idea of demolishing this historic building, in the event that it need to be to carry on the building of the Currie Lofts. And I brought with me today a petition of some signatures, a couple pages of signatures, which I could easily have gotten many more. Virtually every person I spoke with was not aware of the possibility, neither were they supportive of the idea of demolishing an historic building. So I think that we could and need to explore options. I believe there are options and I do think that the moving would be a good option. I want to say also that as you know probably, we are the, I believe, the most highly dense population, Cedar Riverside, where we have the high rises. And I think we really need to think about supporting the youth there so that we will have healthy young people that have places to go. And I do agree with the speaker before me who said that we do need to give priority to the residents who live, I think upwards to 5,000 people, in the high rises and I think we need to supply them with a place to be. I think the fact that the neighborhood really was not aware is something to be concerned about. Even if notices went out, we have to be aware that this is a population of people that English is not their first language and many of them do not speak English well or read it at all. So information has to be done in such a way that people know. Again, that is it. We're not opposed to the Currie Lofts per se, but we do want the consideration to keep that building.

Chair Larsen: Thank you very much, is there anybody else that wishes to speak, please step forward. State your name and address for the record.

Mohamed Jama: My name is Mohamed Jama and I live at 1600 South 6th Street. I am the co-founder of Cedar Riverside Youth Council. The organization was started in 2007. Those guys sitting in the back, those three guys, are the board of directors. I have started the organization in 2007 as a 14 year old so today our organization operates on zero dollars. We don't get money from the city, that's why we don't know a lot of politicians, but what we do is we engage the community. We engage the youth in the Cedar Riverside plaza. We do tutoring, we do mentoring, but we don't have enough space. We have the Brian Coyle Center in Cedar Riverside neighborhood, but the Brian Coyle Center, there are about 300 kids per day. So there are not enough staff for youth in the Cedar Riverside neighborhood. So we were hoping to get this building so we can do more things for the youth in Cedar Riverside community. Especially teen and plus because they are the vulnerable ones in our community. There are no programs for them. They have nothing to do. So what we want to do is get them a place that they can come in as a hub, build a library for them, tutor them, and get them educated. Get them a high school diploma so they can go back in the workforce center. We don't have a space in our neighborhood like that, and we want to use that building for that. I am the Vice President for the West Bank Community Coalition. I approve the plan for Fine Associates. I took the motion, But we did not know enough about this building in the neighborhood. The West Bank Community Coalition supports Fine Associates, we support the city, but the community needs to be prioritized. The 6th ward needs to be prioritized and we hope from you guys, the commissioners, that you guys will help us out. Thank you.

Chair Larsen: Alright, is there anybody else that wishes to speak either for or against, please step forward.

Hussein Ahmed: Good afternoon, good evening, respected commission members, my name is Hussein Ahmed, I'm the Executive Director of West Bank Community Coalition, a Cedar Riverside neighborhood organization, Cedar Riverside West Bank Community Coalition. I've got a couple of ...

Chair Larsen: If you could just give me, if you could just give your address for the record, that would be wonderful, thank you.

Hussein Ahmed: I'm at 420 15th Avenue South in Minneapolis, Minnesota. I've got a couple of points that I want to make, broad points, and one is that the neighborhood of the West Bank supports the heritage of the 1500 building. We do support the preservation of such building. We also are aware of the neighborhood, we are aware of the historical importance of such buildings, I myself being a big fan of, if I may use that word to describe, big fan of the baroque music and baroque era and certainly love old buildings, so we do have that consent for that. The other thing that I wanted to talk about is the neighborhood has been informed about the process of Fine Associates, the developer's building, but we weren't very much sure about what would be the end result of this building, whether it should be demolished in the event that it cannot be moved as was mentioned before by Bob and other groups that spoke. One thing that we were looking for is that if the building cannot be moved because of financial or any other reasons, that we support the Fine Associates that it be demolished. That was the other thing, and we wrote a letter to the developer as a last resort if it cannot be moved that it should be demolished. And we certainly support the developer to go ahead on the building, develop those buildings and Currie Lofts, because when we were talking with the developer, we had several talks with them, one of the things that we notice as a neighborhood is that the new development would bring much needed jobs, much needed empowerment in the community and the young people over there. Cedar Riverside youth and Cedar Riverside neighborhood has the lowest per capita of the city, if not the nation ... like \$14,000 per year per capita income. It certainly is not much. There are over 2,000 youth between the ages of 14 and 24 in the neighborhood, most of which were brought here as toddlers, some of them as young boys and girls who live in those high rises in the buildings. The neighborhood group, there is a tremendous effort that the youth, particularly the Cedar Riverside Youth Council, with which I've worked many times, they volunteer with the West Bank Community Coalition, they have done a wonderful job when it comes to civic engagement, for example Get Out the Vote. That's why we have a few of them here today, of course most of them are out there knocking on doors trying to get the people to vote, Get Out the Vote. They are the instrument that powers this and fuels this election, the process that we have in this great country of ours. And certainly we are proud of them as a neighborhood group and as an organization the West Bank Community Coalition has always sought and got the help of the Cedar Riverside Youth Council. Other things that they do is working with improving the relationship between the residents, the youth residents in the area and the police. They also do graffiti removal, trash collection ... I've seen them do that, we organize with them. And they work with the Safety Center, they are a constant group that

participates there. And we are also working with elders and youth to develop, 3rd parties to develop, what do we call ... restorative justice in the neighborhood, because we thought it was essential that people, before going into long protracted course in court they should at least try to resolve the issues in the neighborhood and that creates an atmosphere of better understanding within our neighborhood and community. Last but not least, one thing that they also do is that they work hard at putting the word out that our youth, between the ages of 14-16 to 24 most likely are the ones who are standing out on the street, they have idol hours, we call it, and those are the ones most prone to radicalization and criminal activity. So the Cedar Riverside youth has been the prime front group that was combatting that by trying to get the youth together to create programs. One of the issues that we have, however, has been space as was echoed earlier. Since its inception in 2007 they are being the voice of West Bank Youth. Their efforts will be of little avail if we do not try to give them a space of their own as was earlier talked about, Cedar Riverside has Brian Coyle, that is overcrowded. I have an office there, it is like very small, I couldn't get a bigger office. The other thing I wanted to mention is about a year ago I was volunteering at West Bank, and we put a proposal, I and other groups from different neighborhoods in Cedar Riverside and the Youth Council as well as the Riverside Plaza, proposal to the University of Minnesota to create a youth empowerment program, whereby youth would be learning the literature, arts, and empowerment when it comes to education, science, and library because the library closest to what we have is Augsburg and that is for students, and then there is the library at Franklin, which closes early. If you are a family of 6 or 8 that lives in a cramped space of a 2-bedroom apartment with another 5-6 brothers of yours, and you are a teenager, it is a totally difficult to study. So our point was to develop space where young people can hang out off the streets, they can learn debating, they can learn discussion, we can get philosophy discussions there, they learn a lot about (?), that's what our target is as a group. We want to fit into this neighborhood. For all these efforts will be to little avail or wasted if you do not assign this youth a space of their own. We spoke with the developer, Fine Associates, and one of the things that we've talked about over and over was if that building cannot be moved we would like to see it demolished so that way you can go ahead with the development. We certainly welcome the development, but since I am hearing now it can be moved, that is one of the things, the best way to preserve that is to put it to good use. And to put it into good use for the future in the sense of education and empowerment and used for employment and knowledge. That's what I think and I also wanted to tell you that youth in the Cedar Riverside will also use this building as a library, youth empowerment center, a center for education and cultural heritage of East Africans because we have a large concentration of East African neighborhood there and since we cannot build, we do not have the funding to build now, the old Dania Hall, that would have been a perfect spot for our East African heritage where an entire nation can come and learn our beautiful culture and how we fit in this great nation of ours. We thought this would be a substitute in the meantime, but we can use this building to put it in to a good use in the years to come for our youth and our future. Thank you for your time, I appreciate this.

Chair Larsen: Thank you, alright, is there anybody else?

Russom Solomon: My name is Russom Solomon, 320 Cedar Avenue South in Minneapolis, I am the treasurer of the West Bank Coalition and the vice president of the Business Association in the West Bank. I think most of my colleagues have articulated most of the points but I would just summarize the three items that I wanted to talk about. I think it has become clear from the conversation that space is very important for our youth. The youth is a very vibrant community, but without space I think you cannot do much. And I really appreciate Gary Schiff, our city councilmember and Robin from our ward, Cam Gordon. They have done a very good job articulating this immigrant population. As they grow, the youth are taking responsibility that is not theirs. Their parents should be doing it, but these guys are taking the responsibility of finding space. The youth should be concentrating on school, this should have been made ready for them by their parents, but instead they are engaged in productive activity, looking for space for activities. And this has to be commended. When fellow city councils are really doing more and above to help this immigrant population. That being said, the board, West Bank board has approved in our board meeting that the development of Fine Association, that it continue. But it is a possibility for this space, since we need space, it can be moved, we need it for our youth. But we don't want to be in the way of development of Fine Associates. We have been engaged with them for a few years. We have approved their projects. They think, we feel, Janet is a part of us, a part of the committee, but she says she (?). This is a country of votes, we vote. Somebody might differ, but overall the work that (?), let's support this development because these guys have done a good job and something good will come out. But in the event there is the possibility this can be moved, can it be given to our youth or to somebody who can use it for that. That's what we are talking about, but we don't want to be in the way of this

project and we feel that the neighborhood is part of this architectural heritage. But we have also enough of those ties buildings in the Cedar area. If you are familiar with Nomads, Palmers, Whiskey, Arcadia, are similar kinds of buildings that we have enough. So, we like to preserve but if that is not possible, we don't want to be in the way of development. We are here to definitely support for the project to continue, and since this is in the way of their project, if there is money enough, if there is space enough, (?). If it has to be demolished, that's how it is. And that's the feeling of the coalition that represents the population in this area of Cedar Riverside.

Larsen: Thank you, is there anybody else that wishes to speak?

Sakariya Ali: How are you guys doing today? My name is Sakariya Ali, 1601 South 4th Street. And I'm a member of the youth council. Today I wanted to say that us, the youth, we don't have that much of youth programs because the space, there's not that much space. And I think that Fine Associates should have a lease so that we could have the building to have some more space, to have more libraries and teen nights because us teens don't have that much to do. And every time I come out of school I at least go to a high school sports or something because I don't have, at the community there is nothing to do. And every time I come there is not that much of people around and how it used to be fun. So, I think the building should have space for the youth. Thank you.

Larsen: Thank you. Alright, is there anybody else, please step forward.

Mohamed Farrah: Good evening, Commission members, my name is Mohamed Farrah and I am the Executive Director for Ka Joog, a nonprofit. We are the folks that are working alongside Fine Associates in terms of the feasibility of moving the building.

Larsen: If you could just provide your address, either for your organization or for yourself.

Mohamed Farrah: 1420 Washington Avenue. I kind of want to make a comment. Ka Joog, we are in the business of making a difference every step, every dollar, every space that comes along before the organization, we make sure that a bigger difference comes back within the community. We started in 2007 and actually the Riverside area is, that dates back to the founding of the organization. So we believe in working together. One organization and one entity cannot make the difference in the community. It has to be done collectively, so the folks before me, you know, I agree with the fact that there is a lot of need in the community, especially with the younger folks. There needs to be ... (gap due to changing cassettes) ... the youth organizations within that neighborhood. So I kind of want to reiterated the fact that it is not Ka Joog in the building, it's not just for our services, but it is for the services that are needed in that neighborhood and for the community as well. Thank you.

Larsen: Thank you. Alright.

Charlene Roise: Charlene Roise again from Hess Roise. It is, listening to everyone talking, it is kind of a continuation of my immersion in the Riverside neighborhood. I was in Spokane last week at the National Trust conference where George Sherman and I presented on the rehab of the Riverside Plaza project. And it makes me think it would be really interesting, I think for the commissioners to hear that story about how they rehabbed 1300 units over 19 months with people living in them, the complex, the entire time. So I would encourage you, if you have an opportunity, I could do it with George but George always steals the show, so I could just have George do it. I could talk the history part. But to bring it back to why we are here tonight, the community and the needs of the community are unquestionable, but the real issue before you tonight is whether 1500 South 6th Street, regardless of what it could hold or anything else, whether it is eligible for local designation. And the HPC staff suggested a survey of all of the tied houses in the city as a way to get to that. I don't think that is necessary. For example, we don't have to evaluate every church in the city to know, to start being able to make some, at least discrimination, about which might qualify and which might not. And frankly, doing a citywide survey of tied houses seems to me like placing an undue burden on the developer. I mean, it's more money for me as a consultant, but it didn't seem completely fair. I also did not ignore the commission's request, I simply was physically unable to do it. But that's another issue. So first of all, National Register potential. We know the SHPO has determined, the State Historic Preservation Office, has stated that this property is not eligible for the National Register. As a result, to rehab the building there will not be any historic tax credits available. So I just wanted to make sure that go out. The building across the street, which

was mentioned earlier, 1501 South 6th Street, has been determined eligible for the National Register and so regardless of whether you believe Fine saying they are going to keep that building in place, it will go through a Section 106 review assuming there is some Federal funding when they get to that point. And it is pretty hard to do any apartment buildings these days without any kind of Federal funding or HUD guarantees, loan guarantees, so I think it is pretty likely that there would be a Section 106 process when that phase comes up.

We did do a fair amount of research on the big picture and did a lot of research on, it is kind of marked up, I didn't put it in the presentation, we did find a couple, there are a couple of articles out there about tied houses from the era. And it was, the brewing companies tried to hide how many tied houses they had because it was basically a way of getting around the laws. So there is always a bit of a question about how many there were, but it is pretty obvious that there were a lot of them and they were distributed in the liquor patrol limits, that was theoretically the distance that a horse patrol could ride from city hall on a night shift, for a policeman. So those were two very interesting things that we, we were able to do a fair amount more research. We also looked at the neighborhood context, and because there were only a certain number of wards that had ties houses, basically they kept it out of south Minneapolis, that is kind of the way this worked, but it seemed justified to look at two wards that had a particularly high concentration. And a lot of these districts, each of the wards have their own characteristic, because if you go up by Stand Up Franks, which I think is a zombie bar now, that area had a big concentration of bars but it didn't have as much residential as this neighborhood did at the time. So we have a good understanding, and it was in the report that you got most recently about where the tied houses were. We know a fair amount about which ones are still standing. I've got a historic photo up on the screen of the building right at the corner of Cedar Riverside which is now the Acadia, another saloon. That was a Golden Grain Belt saloon. I believe that Palmers was also a Golden Grain Belt. We were trying to mostly focus on Gluek's but we did look at some of the other types of tied houses. And given the amount of research that we did, as somebody that has been doing this for more decades than I'd care to discuss, we concluded that there were better examples. Now, you don't necessarily just need one sterling example to be designated, but you do tend to weigh things when you are doing an evaluation. And just taking one example, the building that is now Nomad's World Pub, which was a Gluek's Tied House, you can see that it is in a better state of preservation. On the exterior it still has the doors, it still has the storefronts, I guess if you had to put them side by side, it is a slightly more interesting building, architecturally, certainly a larger building, and on the interior also there is a comparison here between the existing building at 1500 South 6th Street on the left, which does have some historic floor tiles in place but not the complete floor. The ceiling has been removed, it is sitting in panels on the floor, nobody is sure how much of it is down there and how much of it could be put back up, but it is not in place now and there have been a number of alterations to the apartment on the second floor has been completely stripped as has the basement. This was, well, there are also better examples of exteriors that have been preserved. My favorite is the Joint, which is up by the Cabooze, and it actually has the start of Gluek's in its façade. Sure, the colors have been a little bit jazzed up, they didn't have screaming flames coming out of it, the sign is a little wilder than anything they probably would have imagined in the late 19th early 20th century, but it is a very well preserved Gluek's Tied House that continues to function as a saloon. There are a lot of examples. And one that I know, the staff felt it was a different context, but I think it is worth considering that the downtown Gluek's, which was the flagship, where the headquarters was, has been determined eligible for the National Register and is also locally designated. So there is that tied house that is already in place.

What I discovered this morning is that Dr. Fine does have a commitment, the Fine Associates, to relocating this building and the site is shown on this map. Up to the top left across 6th Street is where Riverside Plaza is. And I've got a few photographs here. The one on the top is looking straight at the site from 6th Street, the one to the right is looking, 1500 South 6th Street is on the left and down the street to the right is where the site is located, just to give you a better idea. It is a parking lot now, so this would be moving a building and filling up a parking lot, or at least partially filling up a parking lot. So just going back to the question, this is the question, and I strongly feel that the property does not meet the landmark criteria. I guess that is your thing to judge based on the evidence that you have, and I think you have sufficient evidence to make that decision. There was a request by Councilmember Schiff to continue this. It has been continued. The developer is experiencing the pain that all developers experience when their projects are continued. And I'm wondering, and I'm not familiar if this is possible, but if it is possible to, if you do agree to approve the demolition permit, to do it on a condition of trying to move the building for a certain period of time or something, if there is some creative way to do that so that they can go ahead and get moving on their development, finalize the plans to move the building if they can and it is entirely feasible to move this building that

distance. Heck, they moved the Fisher Theater a couple blocks, so it is all possible. I won't take any more of your time, I feel like I've made my case and you can either believe that or not, but I strongly feel that the property does not qualify for local designation and I'm happy to answer questions.

Haecker: Hi, SHPO's comment was, and I'm just wondering if you can comment on this, that it wasn't worthy of designation just like you outlined, but that due to its proximity to Cedar Riverside, that they would have to go under their review and meet their standard for that, I mean, is that, does the, or maybe this is a question for staff, but is that true? Is this property actually part of a historic district that is nationally registered that I am unaware of?

Charlene Roise: No, no, I can explain that I think. The Section 106 process, when you do a Section 106 process, and because this project is getting a HUD loan guarantee, there is a Section 106 process required. You develop an area of potential effects, and so the area of potential effects for archaeology might just be the ground that is getting disturbed. But for above ground properties, it is a larger area. So the design will be subject to a Section 106 review by the State Historic Preservation Office so that it is not having an adverse effect on Riverside Plaza, aka Cedar Square West, which has been listed in the Register, the building across the street, which has been determined to be eligible, and a few other eligible properties in the neighborhood. So that is what the Section, but they're not opposed to having this building torn down. They just want to make sure that what gets built is compatible with the other historic properties in the area.

Haecker: I mean, maybe again this is a question for staff but where are they in the process of reviewing. We are getting this sort of timing pressure idea and having been through some SHPO reviews I know that that's not a really expedient process.

Charlene Roise: Well, I think we were waiting for this HPC part to get done because it is a little, you know it is kind of a chicken and an egg and so we've started the 106 process with them and I mean we could go into the design review at any time but I think we were kind of wanting to get this hurdle over with.

Larsen: Commission Faucher.

Faucher: My question is, I guess I think there is a little bit of confusion because it is the 501 Cedar Avenue South that they determined to not be eligible for designation, and your argument is that that one has more significance, or has more of its original character defining features, is better preserved, or am I misunderstanding?

Charlene Roise: No, they determined that 1500 South 6th Street, the subject building, was not eligible for the National Register.

Faucher: I didn't see that when I was reading through so I just wanted to clarify that. My other point or question I guess, and I think is just that at our last hearing we were interested in the overall context and while I understand that your argument that it is unreasonable or unfair for the developer to bear the cost of a study of the whole thing, I guess as far as SHPO's comments, I'm wondering if they were considering it in the context of all the tied houses. Because I think that's what we were talking about, that we thought it had significance in a group. And not that that's not necessarily, I don't know that we can establish a district out of that, but our interest in it was that it was one of a group. So I'm just curious about SHPO's, you know, if they were just weighing in on it individually.

Charlene Roise: I don't know, but I would have to say based on my experience, that there is no way this building is going to qualify for the National Register regardless of context.

Faucher: That's not my question. What I'm saying is, as a group, not context immediately at its site, but if the city were to establish and not necessarily National Register context, but we were talking about that it could be significant if it were grouped with other tied houses around the city and not necessarily in a district that is in its immediate physical surroundings. And so I guess the question was whether or not SHPO had looked at it from that perspective or if it was more individual and the local, immediately surrounding context.

Charlene Roise: Well, SHPO is only looking at National Register. They're not looking at local designation. So...

Faucher: No, I know that.

Charlene Roise: Yeah, but I don't think that a bigger context would have made a difference. For me, you can't save everything. You have to discriminate about what rises above and if there are other better examples that you know of, it is easier to say this one does not make the cut. Even if you're looking at, you know, if you are looking at the whole context, if you are looking at two wards, in this case I think you could make that determination looking at two wards. And I don't think that the decision would change, from my perspective, if you looked at the entire universe. We did, you know, we did a random sampling of things but we couldn't look at everything.

Larsen: Alright, other questions. Commissioner Lackovic.

Lackovic: Glad to see you up and standing. For the, you said Dr. Fine, they have 1527, is available, they own the parcel, and if there was interest in moving this that that might be an option. Do they own just that property or out to the corner? I mean would it, I'm thinking if it were moved, could that building still retain a corner position?

Charlene Roise: Oh, I see what you are asking.

Bob Kueppers: The other corner that we own is 1501 6th Street South which is the building that we all recognize as one that is probably going to be preserved. We do not own down to the corner to 16th Avenue, which would be the next intersection within that block, but we own that large tract which is parking and part the 1501 building.

Lackovic: So you have 1501 and 1507?

Bob Kueppers: Yes, and then 1527. There is a little gap between us and the 1501-1527.

Lackovic: But then between 1527 and 16th, the corner, that's not yours.

Bob Kueppers: That's not owned by us. Some of the other alternative sites, I mean Dania would be a corner, there is another possibility of another corner, but not that we own but the city or other private parties. Nobody has asked me this question, but I must comment if I may about the commitment to youth. Fine Associates has made available what space we do have in the way of structures. Across the street in that 1501-1507 building there is essentially a community group of sorts. I mean it isn't a specific group but they are providing training for youth in computers and English language and a health commons facility which is for women to use as well. So there is, there has been a major commitment of resources to the community. We wish we could solve all the problems, we haven't quite figured out a way to do it, I'm not asking the HPC to do it, but I think we are doing a great deal to try and address and be sensitive to those needs. And when we do the construction, we are focusing, one of the things we are focusing on in the jobs related, is for construction training but at a level where youth could, it won't be many, but we will provide a scholarship and that's a commitment we're making when we do the construction to have them go through the training so they come out with a real professional ability. And its not one where we say come in and push the wheelbarrow around for six months and then when the job is over, good luck. So there is a strong commitment to youth and we will continue that whether this space gets used specifically for a youth program, we don't know that, and as you can see there is a lot of competition wanting it. We hope it can be made available for that, but we can't guarantee it at this stage. What we can do is keep the process moving and get the development going so that we can be viable entity in that neighborhood, we need to move the project and I can't emphasize that enough and the timing of that. We would be open to a provision by the HPC where if we were given to, say March 1 of next year, to pursue diligently, which we have and would continue to do, a move, but if we can't we'd like permission to demolish. But we need some kind of cut off and clear commitment on commission's part as well because it, the delays are very expensive and we've been at this for quite a long time already. Appreciate your consideration. Thank you.

Larsen: Alright, seeing no further comment, correct?

Janet Curiel: I do feel badly in some ways to be the opposing force, but I do not feel that the community has weighed in actually. I don't think they have known about things and I don't think it is anybody's fault, per se, but I don't think that, as I said I had a petition and the people I spoke with had no idea of what was going on. I think that as soon as we put a deadline, say by March 1, then there is not necessarily the same effort made to move the building. And I think, again, it is an historic building at least in so far as we know it is historic, and I am just going to say that not just myself but I do think there are many other people in the community that would not want to see that building destroyed. And if we can have the time, then perhaps we can find a way to move the building. Thank you.

Larsen: Thank you, ok, I'm going to close the public hearing. And I know Commissioner Haecker has to leave so I'd love to hear his thoughts.

Haecker: I apologize ... I think the, really, isn't it fascinating that we're the HPC and we're dealing with some global things, but you know finding a reuse of this building seems ultimately for me that's what it is all about. I think that the argument has been laid out that it doesn't quite rise to the level of historic resource and I would support the effort of getting it reused in some fashion. I mean I hate to see buildings getting torn down, it would have been nice to have seen some effort to try to reuse this within the development, a footprint, I understand the issues of height and cost and all that, but it just seems like that small of a percentage it could have been more aggressively pursued. Let alone the fact that, I mean, there is across the street there is a historic resource, it looks like, and taking away this other side is going to be like removing a tooth. So it is going to really not hold that corner, but it kind of delves into a deeper story, what is historic context and fabric and what is not. So, I don't know if that is a motion, it is not a motion, but I find that having it reused is the bottom line in my mind.

Larsen: Ok, thank you. Alright, Commissioner Hunter Weir.

Hunter Weir: I have a lot of random thoughts on this one. I would agree that this might not meet the standard for the National Register, but nobody asked me to do that. And I think when it comes to local designation, I think a pretty reasonable case could be made for that. One of the things I've spent a lot of time thinking about, I have to tell you that the story after the last time that we met, my mother called me at 8 o'clock in the morning and said you are in the paper, look at the headline, and it said "bar fight." That was how the story came out and it's like, oh, good. But I've been thinking a lot about what it means to be a neighborhood and if I were to say to you Cedar Riverside 1960s, I think we all know what I'm talking about. There is no architecture, necessarily, that went with that, but it certainly was a very particular type of community. The liquor patrol limits, I think maybe what we've gotten a little stuck on is the idea of tied houses, or tied saloons. The fact of the matter is Cedar Riverside just about every other building was a saloon, legal or otherwise, or what was euphemistically called a resort. And if you look at the crime statistics, you'll see where they are. That's what that was, for the city, whether we like that part of our history or not it is part of our history. So I think that, to me, if you look at that map of the liquor patrol limits, the gap that's missing is the Washington Avenue which got taken out in the 1960s. So you can look at it as a concentration of saloons, meaning we don't need any more or we can look at it as a concentration, a clustering of saloons that defines a community. And I think I mentioned last time I grew up in south Minneapolis, south of Lake Street, where saloons were not allowed. And consequently I grew up in the church-y-est neighborhood on the planet. So instead of a 3/2 joint on every corner, we had a church. And I would argue that it is not the individual saloon or the individual church that defines the community, it is the clustering piece of that that tells you the history of that neighborhood. You can see there's a need, and I think that the heartbreaking thing here is that you have so many good organizations who want this space. And it speaks to the fact that we probably shouldn't have knocked down so many saloons in the 1960s, but there you have it. And I'm also never persuaded by the argument that you only need one. I mentioned that last time as well, that to have a warehouse district, you don't need just one warehouse; to have Milwaukee Avenue, you don't just need one railroad worker's house. And so while this might not rise to the level of district, I think that a case can be made for neighborhood significance and I think you could even make a case for it as city significance as part of that liquor patrol limit.

Larsen: Commissioner Tableporter.

Tableporter: I'm just wondering if that argument for significance, could we make that and would that be made for these properties and would it be equal if it stood in its place or if it moved – is there a difference between those two options?

Larsen: Are you asking Commissioner Hunter Weir?

Hunter Weir: I don't know, and frankly since we just got this today, I think this probably would have been a good question for us to have gathered some information about whether relocating that within, it would still be within the liquor patrol limits for sure, but the setting question, I don't know. But that's also the troubling part with the phase 3 with the 1501 property – part of the argument for demolition for this one was well what the heck, the context is gone anyway, so if you remove one more of the four remaining buildings, you have that much less context. So then it becomes very easy in phase 3 to say hey, there's no context here. So I think it is a question that needs to be talked about. And I guess I'm leaning towards what councilmember Schiff asked of us, which is a continuance. I'm also thinking about making a motion about a study. So, I'm not there yet – persuade me.

Larsen: Commissioner Mack.

L. Mack: I'm first in the alphabet. Well I feel like maybe I missed something because I wasn't here last time this came up, but just looking at the big picture, so, we're thinking about historic buildings in the city and we are thinking about saloons. And they don't have to be Gluek saloons, but maybe we're thinking about Gluek saloons. What is the reality of this, we would maybe at some point designate one or two as locally significant. I can't imagine that this one would ever be part of that because there are, there has been found that there are many other surviving examples of these saloons that are still preserved quite well. They are actually in use as saloons, and they have more interest architecturally, they are by and large designed by the same architects, they are in more prominent locations on Washington Avenue and Cedar Avenue, and I think we could spend a year studying all of these and we would come up with the same conclusion. This is the most modest, it is the least well preserved on the exterior and the interior, it is in a very out of the way location, and so I feel like the question is, is this a historic resource or not? I guess I really come down on the basis that it isn't. I'm really glad there are people who really want to reuse this building, that is fantastic and it sounds like we need two or three more and it makes me so sad that Dania Hall isn't here, because that, indeed, was what was going to be the neighborhood place for all groups. And so I think it is wonderful if this building gets a reuse. But I really feel strongly that it is not dependent upon its historic significance and, how do I make a motion that wouldn't fail? I could do that if you like, or I could make a motion that might say we approve the demolition after a time period has been established for finding a possible reuse. But it is hard for me to do because I don't think it is a historic resource. Maybe somebody else can make that.

Larsen: Commissioner Bob Mack.

R. Mack: I have a question that is more for staff than specifically here, but it is my understanding that as a Certified Local Government, we are expected to have the same designation standards as the National Register, is that correct?

Hanauer: Chair Larsen, Commission Mack, I, to be honest, I do not know specifically the answer to that. I just know looking at our designation criteria, there is seven criteria that we have and they do go well with the four National Register criteria but, in that we have additional flexibility, but I don't know the specific answer to your question.

Chair Larsen: Commissioner Tableporter?

Hanauer: Could I add one other thing, if I may. I do want, this is in your packet, it is in the back, the review of this property by the State Historic Preservation office. It is before the drawings, it is an addendum item, the letter from September 5. So this letter, I could read this to you in a second, but I do want to read Mary Ann Heidemann's Manager of Government Program and Compliance email, and she says ... so they did review this property, they did not see a compelling reason to require such a study for the Currie Park project based on the National Register criteria, and "*the local designation criteria in the Minneapolis ordinance give you greater flexibility, particularly under criteria #3, (distinctive elements of city or neighborhood identity). I see why you have recommended the*

study, but I believe in this case there is no reason that national and local designation criteria have to reach the same conclusion. Given the information we have in hand at present, we do not see sufficient reason to change our review letter dated September 5, 2012.” So I hope that better answers your question.

Larsen: So, I think we’ve got a couple options. So I’m not sure where everybody falls, and that’s good, but one is that you think it is historic, potentially, but yet not worth saving at the moment but yet you’d like to see it saved or the opportunity for it to be saved. So one of the options that we have is a demolition delay which allows the commission to stay the release of the building, wrecking, or demolition permit for up to 180 days, or as a condition of approval for the demolition of an historic resource, the resource has been found to contribute to a potential historic district to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it. The release of the permit may be allowed for emergency exceptions as required in the ordinance. So that is one option. The option number 2 is to allow for the demolition of the resource and where we are making findings that it is necessary to correct an unsafe and dangerous condition, where there is no reasonable alternatives, and that’s where feasibility and economic usefulness come into play. And then the other is nomination, and so I think that kind of leads to Bob’s question about what the difference between National and local. So I think as you consider that, I think one of the things that occurs to me is that there is, I would argue that this building is missing a sign, it is missing some windows and a door that would make it probably equally as beautiful as the building that Charlene was referring to as a better example, and so in any kind of rehabilitation you will find some improvements to be made. So, is it the most ornate? No. Is it in good condition? Yes. Do we typically approve or designate interiors of structures? No, we don’t. And so I think that it would be unlikely that if we were nominating other buildings of the like that we would probably not be nominating the interior. In fact the Gluek’s headquarters is sort of a bastardization of the interior and I would say wouldn’t rise to the level of meeting any kind of high standards. So I think the argument they are using, that the interior doesn’t fit, is a false one and sort of misleading. But, that being said, you’ve got a grouping, you’ve got a grouping of buildings that are out there that are tied, not just to the Gluek’s brewery but to that neighborhood identity piece. And I think that is really the bigger question at hand. Is this structure, is the brewing, which is enjoying a resurgence now, is that an important piece of our identity? Is it specifically Gluek’s? Is it sort of all other major Minnesota breweries, and so does that, the breweries and their tied houses, rise to the level of something that we want to look at and less upon the strict preservation of all of their details but more to the context within which they sit and they serve within the city, so that we can encourage development. I don’t think that we want to take any tied house and say, you know what, you have to save that interior, it can only be used as a restaurant . . . that just seems silly, I don’t think that is necessary but at the same time, the goal might be to say, look, this is what this amalgamation of buildings is important for. And that’s why we are looking at that. And if you, so that’s an option is to say, ok, do we want to look more at these collections of buildings? If we do that, we can make a motion today to nominate an historic district based on those kinds of buildings, and with that you can then say, you know what, but I don’t think that this particular building is going to rise to that level and so we would, we approve the demolition of this building. You could say that, or you could say that, you know what, we’re going to put it under interim protection and along with then the ability to identify others. However we encourage useful adaptation of the building. I think there are alternatives that have not been explored, in terms of the ability to incorporate this building. What we’ve seen so far is leaving it alone. Leaving the building alone, creating the setbacks that wrap around it so that it is sort of sitting there and then they said, ok, well we have to modify the building to fit around it but not look at how to incorporate the building. It could be the front door to the entire project and it could be front lobby, or it could be wrapped around all the way to the top, because I think it’s significance could actually still survive that. So where we could encourage the applicant to look at how to come forward with a different proposal that works to incorporate it. And that would fall under the Secretary of Interior’s Standards, and we would look at that through the interim protection process. So, or you can say, you know what, it doesn’t meet any of those things and it is not worthy of designation, not worthy individually, not worthy . . . which I would agree. I do not think it is worthy of individual designation, it doesn’t rise to the level of an individual landmark. But as a collection of a whole, I think you can make an argument. Or you can say, you know what, it doesn’t rise to any of those things so let’s demolish. Commissioner Hunter Weir.

Hunter Weir: Well, I’d love to make a motion, but I think I’m going to need some help with this. What I’m inclined, what I am concerned about is how do we best protect the building until we know for sure what we are dealing with because this came up kind of today. And so, I take Councilmember Schiff’s request that we go for a continuance pretty seriously partly because I haven’t had time to think about this as much as I would like to.

Everyone may not agree with me, I am of the mind that this liquor patrol limits is something worth looking at. That's the piece I'm not quite sure how to phrase, since it wasn't really part of the original ... you know, we were talking about tied saloons and we're talking about a particular building and a particular group of architects, and now I think we are talking about something a little bit different. Or at least I am. We, I like that we, we are talking ... so if someone can help me ...

Chair Larsen: Well let me ask a question, you said two things. First is, first you said you like the idea of the potential continuance so that it allows the developer to solidify a plan which would effectively stay the demolition by seeking and coming before us to move it, because it keeps the building. So if that is your interest, that is the motion because then at the next meeting, if they can't do it, then that would be the time to say since you haven't found an alternative, we're left with no choice but to x and we would need that decision to that point. Is that your motion?

Faucher: My only concern with that is just that, unfortunately, that means that we all have to agree that moving that building is ok.

Larsen: That's what the motion, yup, that would be the spirit of the discussion of the motion.

Faucher: Ok, and I mean staff hasn't had a chance to weigh in on that. We just ...

Larsen: Nope, that would be when it gets presented at the next meeting, that would be their opportunity to weigh in on that. Does that make sense?

Faucher: Makes sense.

Larsen: Are you making a motion?

Hunter Weir: One cycle then? So we're just moving it to the next meeting?

Larsen: Probably needs to be two cycles, because one cycle is ...

Hunter Weir: When would that come up?

Larsen: Do we have a calendar?

Hanauer: Chair and Commissioners, one cycle would be November 27, which could be tight.

Larsen: December 11 would be the second follow up meeting.

Hanauer: December 11 would be the second cycle.

Hunter Weir: So, I move that we continue the issue of 1500 6th Street South, the request for demolition for two cycles, until November 27, 2012.

Larsen: Nope, December 11.

Hunter Weir: I'm sorry, December 11.

Larsen: Ok, so there is a motion, is there a second to the motion?

Faucher: Second.

Larsen: Ok, let's have some discussion. Commissioner Tableporter.

Tableporter: If we went with that approach it seems like we would get to that cycle and we would still not have the information about the significance of this building or the area, because we're not ordering further studies for local designation or study. We're going to get there and all that is going to be determined is whether the building can be moved.

Larsen: Right, and the reason for that would be that, from my own personal perspective, would be that if we're going beyond this building, then I think the burden, should be taken off of the developer.

Tableporter: That's true.

Larsen: So in that sense, we're saying, hey look, you have an opportunity to move it and save it, and if that works out that's great but if it doesn't, we're not sure, we haven't decided yet what we're going to do, and so ...

Tableporter: I saw these done a couple times, I think the developer was exactly right in saying that there's lots of ways developers can play in the community, which I think was a big issue that was brought up today. And that is around employment, but it is also around not just providing a building but I've seen also buildings where the fit out has been done, there has been some program funding provided to help the community. So it is things like that that I've seen have worked really well, in proposals like this.

Larsen: Alright, thanks.

Lackovic: I could go back and forth on this one about a thousand times. Any one of the points that have been talked about. But I guess my initial inclination is that continuance is a good idea .. one, just to see what the possibilities are. I am of the opinion in this case that there is strength in numbers. It's not the best example, but that's not what makes this interesting or its not what tells the story, is where it falls in the spread but that it does fall in the spread. So you know I think for me I'm moving forward with the assumption that there is historic value here and that's why we're continuing the conversation. That being said, if we assume that there is value in this building, historically, that it does help tell that story, moving it is an option that I think is worth pursuing. And I guess I'm just not in favor of demolition at this point, not until all of the other options have been explored. And moving it across the street on that corner to the opposite corner, I'm a little sad that it wouldn't have a corner orientation. Because it is a corner building currently and probably should stay a corner building. But I think, moving it across the street on the same block, it still helps tell the story, how this particular building type came to be and that there was a density in this neighborhood, if not in its original location at least nearby, it still does help tell that story. So, I guess at this point I'm very much in favor of the continuance, just to explore what the options are for moving it. How realistic is that, is there money, how does that fall into play, what is the timing of that, how does that affect development ... so yeah, I am in support of the motion at this point. I don't know that a further study, I think I might agree with Charlene Roise on this, but I'm not sure that any additional information would change my mind at this point. I think that there's already been enough presented that it tells me that it does fit into this story line and that alone is enough. I don't know that an additional survey would change my mind about that, so I don't know that I would require an additional survey but I do think that exploring the options for moving it are legitimate.

Larsen: Commissioner Bob Mack.

R. Mack: I think I am going to disagree with many of my colleagues on this one, but it seems to me that the Hess Roise report really does build a pretty good case that it is not as significant, it is less intact than many of the other Gluek tied houses in the area, and it seems to me also that it has lost so much of its context by being between the freeway and Cedar Square West that, as I said, it has just lost its context. And so I would be inclined to approve the demolition with the mandate that the developer truly look at the feasibility of the relocation and at least that way the developer will have the certainty of something being able to happen so that he can get into the ground in March and not lose his funding.

Chair Larsen: Alright, just to comment on that and clarify your point, I think. You know our options, our only option to ask, or to require the developer to do just that in terms of look at, if you were going to say hey we want to approve the demolition but we want you to look at it, is the demolition delay. And so there is no other way to

provide that requirement of looking at it, that is a 180 day lag. So, in essence, the continuance here does allow that opportunity for them to look at it on an expedited level, which seems to be what they want and then if it can't be done, allows them to live another day, so to speak, for you to make, to press your argument at the next meeting. In that sense, there is no way to accomplish what you want, or what you are suggesting anyway, without the full 180 days. Alright, so we have a motion, for the discussion of the motion, Commissioner Mack. Linda Mack.

L. Mack: Well that's what I was wondering, do we have a motion and

Larsen: Yup, made by Hunter Weir and seconded by Faucher.

L. Mack: To continue.

Larsen: To continue two cycles to December 11. Any further discussion on the motion? Seeing none, we'll call the roll. Oh, yes?

Dvorak: Commissioners, just one more piece of information. We had consulted with the city attorney on the possibilities that the commission could take this evening and one of those questions is if the building was moved, what would that mean. And as you know, you cannot condition a demolition permit, you cannot condition the approval of the demolition and then condition that they move the building somewhere. So if that ultimately is where you end up, the recommendation from the attorney's office is that you would place this building under interim protection, require them to come back with a Certificate of Appropriateness to move the building, and then staff would evaluate that application at some point in the future.

Larsen: Alright, that is helpful.

L. Mack: So the motion we have is not really a viable motion?

Chair Larsen: Its viable, but at the same time if they come to us and say they want to move it, then our next step would be to deny it, put it under interim protection, and then have them come forward with an application to move it as part of their Certificate of Appropriateness. Does that make sense? So my understanding then, and that actually would add additional time onto their timeline.

Dvorak: Yes, I tried to flag you earlier, but I wasn't getting anyone's attention.

Larsen: So, we still have some discussion on the motion ... no? We still have discussion, so if that impacts your thinking, now is the time to express that. Commissioner Mack.

L. Mack: I think jet lag just got me, so is there a way to frame a motion that gets where we want to go without approving the demolition ... I would certainly second my colleague, Commissioner Mack's, statements on that. But I don't feel there is support for it, so.

Larsen: If we continue and allow them to sort of firm up their plan so that they can have some certainty that they can help provide to us that that is their intention, which then provides some certainty on all sides as to what might happen next, I think that seems to me the one benefit of the delay. And in fact, but if we feel that it rises to the significance of study as part of a group or individually, then, but yet still want them to move it and look at moving it, then moving for interim protection and putting it under study is what should be done at this time. Commissioner Mack, did you have a comment?

R. Mack: I'd like to just remind you what it says in the letter. It says that Fine Associates is committed to move the subject building to a parcel that it owns and pay for the related costs contingent upon obtaining the needed approvals from the city and neighbors. Please consider this letter a statement of commitment to that move. How much stronger can you get?

Larsen: Ok, alright.

Hunter Weir: I think I would respond to that by saying I read that too. The thing that struck me is Councilmember Schiff's request for a continuance because there are a lot of ifs here. I don't doubt that the developer is committed to doing this, but there are funding issues, there are permit issues, I'm satisfied that the structural piece is something that they have already dealt with. But I know him well enough, I think, that if he wanted to say go for it, he would have said so. So I think the continuance means there is work to be done still at the city level and with the financing. So, I don't disagree with you, but it is the contingencies that are in there, not on the developer's part but on the funding and all these other permissions have to happen.

Chair Larsen: The likelihood of that happening between now and December 11 are pretty much nonexistent. So in that sense, not all the issues are going to be ...

Hunter Weir: No, I wouldn't think so but I would assume that there is a sense of urgency on their part as well to make this happen. I can't imagine that they want to hold the developer up if this isn't going to work. So that would be my take on it. I think it is everybody's best interest to get it answered, get those questions answered as soon as possible. And we don't really know where they are, in terms of exploring financing and all those kinds of things.

Larsen: Commissioner Faucher.

Faucher: I guess I just wanted to remind everyone too what we just discussed at our board retreat earlier today about, and while I understand and agree that it sounds like they are committed, that things that aren't submitted through the process, you know, aren't necessarily anything that is binding. And I sympathize with the funding and the schedule, but again, you know, we are talking about a building that has been here for a hundred years and now suddenly it came before us two months ago, and I don't like being rushed into a decision. I understand that continuing causes issues for you, but that's my concern.

Larsen: Another option is to, well, I guess, they have the option of withdrawing their request and submitting an application to relocate the property. So if they wanted to, they could request to move the property. Is that a regulatory, at this point, or would that also come before us, is moving considered a resource issue, a historic resource issue?

Dvorak: In the last 10 months, this question has never been asked of me so I would like to ask Aaron or John, who does, who has also done a lot of demolition applications, if they can help me with this. If moving a building triggers a demolition permit, I'm not exactly clear on that. It looks like they are consulting on the question right now.

Hanauer: Chair and Commissioners, the city regulatory application we have is a building wrecking and moving application. We had the, remember the blue MCAD house that was moved, that went through a Certificate of Appropriateness to move it, but in the report, I remember writing it up wrongly, that it was considered a demolition based on our definition and the moving of it does impact it. We consider this property a historic resource and the demolition, what they originally proposed, I think, the moving of it and all ... I want to be factual, so I, from just that previous example, that is the one that comes closely to mind in treating this one similarly and having some similar pieces of it.

Dvorak: Chair Larsen, just the definition of demolition in the preservation ordinance says the act of moving or raising a building.

Larsen: So to that point, actually, they are requesting the demolition or moving of the building as we speak, I mean that is the application that is before us, is that correct?

Dvorak: Um hum.

Larsen: So in that sense, we could approve the effective demolition by moving to the site on the adjacent parcel, condition that it be moved, that would be the

Tableporter: I think when the developer spoke to us, I was wondering, because it seemed like a best efforts, but if we could move it to a stronger wording where the demolition wasn't best efforts and then demolition, but it was actually the move, then I think that would support what we are trying to get to.

Chair Larsen: Yes that's where my point was.

Tableporter: So how do we word it in that way?

Larsen: We could approve the moving, and if they can't approve, if they can't do the moving, then they have to come back before us.

Tableporter: Yes, instead of just getting the automatic demolition.

Larsen: They've committed to doing it, so we are allowing them to commit to doing it. (unclear) I appreciate it, and I will get to you, but I want to explore our options first before asking. So the, if they had come with a moving and wrecking application, which really this is an off shoot of, we can do that, we can approve the building to be moved.

Hunter Weir: Ok, I'm puzzled by that. Are we then not saying, the reason it is here is it got flagged as a potential historic resource. So if they say, well, we're going to move it and we say, fine with us, we are then saying it is not a potential historic resource.

Larsen: No, that's not true.

Hunter Weir: What are we saying?

Larsen: No, it is a good question. So city staff is saying it is a potential historic resource, ok. So if they had come to us not requesting a demolition by destruction, which is what they are doing, but they had come to us with a demolition by moving, meaning they wanted to move from this point to point B, effectively the same application would be before us. Is this historic, can it be moved, and if so, if it can be moved, then you could allow it to be moved. And if you said no, it's importance is being on this particular corner and then you would deny it and you would commence a designation study. But it is still, at this point, considered a potential historic resource and ... (gap in transcription due to tape change).

Faucher: Does she need to withdraw her nomination, or her motion, in order for someone else to make another motion?

Larsen: If she, or vote to, or we would vote to vote it down. She can either remove or cancel her motion, or we can call the question, we can vote on it. Commissioner Tableporter ... Mr. Hanauer.

Hanauer: Chair and Commissioners, what Ms. Dvorak stated earlier about the recommendation from our city attorney, if the recommended course of action is if you feel that this property should be moved, that denying this demolition and commencing the designation study, that still gives them the opportunity to complete the Certificate of Appropriateness during that time, to move it, but I believe, and correct me if I am wrong, that conditioning the demolition, that the moving, that this property be moved, as part of the demolition, goes beyond what our mitigation plan would require from them. And this is 599.480B, mitigation plan, "The Commission may require a mitigation plan as a condition of any approval for the demolition of an historic resource. Such plan may include the documentation of the property by measured drawings, photographic recording, historic research or any other means appropriate to the significance of the property." I just feel that this ...

Chair Larsen: It would be overstepping our bounds.

Hanauer: That in consultation with the city attorney, that is correct.

Larsen: Alright, I'll invite the developer up to speak.

Bob Kueppers: Thank you, Mr. Chair and members, I just wanted to clarify that in terms of the funding or financing, the funding or financing for the move is totally separate and would be handled privately and wouldn't, that is not a condition of our commitment in this letter. So I just wanted to make sure there wasn't any confusion about that. So, all the other funding has to do with the new development. And moving the building, if that would satisfy the interests of the HPC, we've committed to doing that, period. It does require city approval, we know that and there is nothing we can do about that. But as to the financing of that, assuming the cost of that, that commitment is in this letter. I just wanted to make sure that was understood.

Larsen: Thank you.

Bob Kueppers: Charlene may have had a comment about something else ...

Charlene Roise: Well, I just wanted to say that I understand the legalities, but if the developer agrees to it, is that something that would be acceptable? Because I think that would get us to where everybody wants to go, if that could be made as a condition of the permit.

Larsen: Ok, based on what staff is suggesting, I think that the, unfortunately, the benefit would be probably, the most expedient thing would be for them to have submitted an application for moving through a Certificate of Appropriateness, given that it was a potential historic resource, and that is sort of likely the next step. And they could have withdrawn, in some ways, withdrawn this particular request. But we need to, in that sense it sounds like we need to act on that request. We can act on it by continuing it, at which point they could potentially withdraw, is that correct? Is that an option for them if we were to continue that they could withdraw their application?

Dvorak: They could do so, that is what would be reflected on the next agenda is that they would have withdrawn their application.

Larsen: So in that sense, they could withdraw their application, we could continue it, they could withdraw their application, they could submit an application for a Certificate of Appropriateness to move the building from one site to the other, and that is sort of a two step process. But the other is that we act on the motion as presented and if you wanted to give them the opportunity to make sure that they have the opportunity to move it, I suppose we could, then we would need to seek designation at which point they could come forward with an application.

Hunter Weir: Can you turn that into a friendly amendment? Or an unfriendly amendment, either way.

Larsen: I guess I'd rather let someone else do it.

Faucher: (unclear)

Larsen: Well, which one are you ...

Faucher: I guess my inclination is really just for you to withdraw it and that we make a motion to approve staff findings and deny the demolition permit and then they can come back next time with a Certificate of Appropriateness to move it. I think that's what the city attorney really is saying.

Hunter Weir: I'm fine with that.

Larsen: So that's your motion?

Faucher: Yes. It is.

Larsen: Ok.

Haecker: Second.

Larsen: Second, alright. So, although do we have the official withdrawal, did you withdraw your motion?

Hunter Weir: Yes.

Larsen: Ok, let the record show that the motioner had withdrawn their original motion by Commissioner Hunter Weir. So we have a new motion on the table and that is to adopt staff findings and deny the demolition. So, we have a second on the motion, discussion on the motion? Commissioner Mack.

R. Mack: The staff findings also suggest requesting a, I'm blanking out, the designation study, is that part of this motion or is the motion simply to deny?

Chair Larsen: Good question.

Haecker: Yes it does, but again I think we are suggesting that they take another path, and if they withdraw that application, then they wouldn't be needing to meet the recommendations of the staff for that particular application, is my understanding.

Larsen: That would be my understanding as well.

Hanauer: Chair and Commissioners, the denying of the demolition permit and then the commencement of the designation study go hand in hand.

Chair Larsen: You can't do one without the other.

Hanauer: Correct. So I mean if the Certificate of Appropriateness came forward, then we would act on that to potentially move the building and we likely would still have to go forward to complete that designation study process but that can be figured out later on. So, yes, denying the demolition and the commencement of the designation study would be part of that action.

Larsen: The designation study would be informed by the process that occurred.

Hanauer: Correct.

Larsen: Ok, so did that answer the questions? Alright seeing no further discussion, we'll call the roll.