



Request for City Council Committee Action from the Department of Community Planning & Economic Development - Planning Division

Date: September 30, 2014

To: Council Member Lisa Bender, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning & Planning Committee

Subject: Appeal of two conditions of approval applied by the Heritage Preservation Commission in their August 19, 2014, action to approve a Certificate of Appropriateness to structurally stabilize the southeast corner; repair and replace masonry; repair and replace windows and doors; install new window openings; install signage; replace the south wall; replace the roof; install exterior and interior aluminum storm windows; and replace the HVAC system at 400 2nd ST SE, the Pillsbury "A" Mill Machine Shop.

Recommendation: The Heritage Preservation Commission approved the Certificate of Appropriateness application, with conditions, on August 19, 2014.

Previous Directives: N/A

Prepared by: John Smoley, Ph.D., City Planner, (612) 673-2830

Approved by: Jason Wittenberg, Planning Manager, (612) 673-2297

Presenters in Committee: John Smoley, Ph.D., City Planner, (612) 673-2830

Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification: The Marcy-Holmes Neighborhood Association and property owners within 350 feet of 400 2nd ST SE were notified of the Zoning and Planning Committee meeting.
 - City Goals: See staff report
 - Comprehensive Plan: See staff report
 - Zoning Code: See staff report
- End of 60-120-day decision period: On June 19, 2014, following City extension of the decision period, the applicant further extended the City's decision period to no later than December 31, 2014.

Background/Supporting Information

On April 21, 2014, Amanda Janzen of Schafer Richardson submitted a complete application for a Certificate of Appropriateness to structurally stabilize the southeast corner; repair and replace masonry; repair and replace windows and doors; install new window openings; install signage; replace the south wall; replace the roof; install exterior and interior aluminum storm windows; and replace the HVAC system at 400 2nd ST SE, the Pillsbury "A" Mill Machine Shop. She simultaneously submitted a complete application for Historic Variances to install rooftop and ground-mounted mechanical equipment with no screening; and to amend application # BZH-27254, a Historic Variance to reduce the number of parking spaces required by the Zoning Ordinance for the properties located at 301 Main Street SE, 413 Main Street SE, 300 2nd Street SE, 400 2nd Street SE, and 100 3rd Avenue SE from 290 spaces to 260 spaces, by now increasing the required parking for the Machine Shop from 0 spaces to 26 spaces, with the difference to be made up by reducing the required residential parking from 260 to 235 spaces and utilizing one additional space provided on the originally approved site plan.

The applicant initially requested a continuance to the July 8, 2014, meeting to complete Part II of their National Park Service review of their proposed federal and state historic preservation tax credit application. This date extended beyond the end of the 60-day decision period during which local governments must process written requests related to zoning or other governmental approval of an action pursuant to state statute 15.99. The statute allows the City to extend the time frame up to 60 additional days by providing written notice of the extension to the applicant, which staff did on June 4, 2014.

The applicant subsequently requested a second continuance to the August 19, 2014, Heritage Preservation Commission meeting to permit additional time for tax credit application processing. This date coincides with the end of the 120-day decision period during which local governments must process written requests related to zoning or other governmental approval of an action pursuant to state statute 15.99. The statute allows the applicant to extend the City's decision period. In accordance with this statute, the applicant has requested in writing an extension of this time limit to December 31, 2014, which the City of Minneapolis has granted.

On July 31, 2014, the applicant submitted revised plans along with an approval with conditions of Part II of their federal and state historic preservation tax credit application (Attachment D). While state and federal historic preservation tax credit reviews consider alterations to both the exterior and interior portions of the building, the local designation applies to the exterior of the building only.

On August 19, 2014, the Heritage Preservation Commission approved the applicant's requests with conditions. On August 29, 2014, Amanda Janzen with Schafer Richardson submitted a complete application to appeal two conditions of approval applied by the Heritage Preservation Commission (HPC) in their August 19, 2014, approval. Those two conditions are:

5. Retain the existing second floor cargo door on the north side of the building.

13. The proposed removal of historic foundation masonry and installation of three new windows and one light well that extends out into the sidewalk on the western side of the building is not approved.

The applicant requested CPED issue building permits unrelated to the subject of the appeal. CPED granted this request. The CPED staff report is attached, as are HPC meeting minutes and a statement submitted by the appellant.

Supporting Material

- A. August 19, 2014, HPC Staff Report with Attachments
- B. August 19, 2014, HPC Meeting Minutes
- C. Statement Submitted by Appellant