

MEMORANDUM

TO: Zoning and Planning Committee, Minneapolis City Council
Hilary Dvorak, Principal Planner, CPED-Development Services

FROM: Curt Gunsbury, Solhem Companies, Developer
Charlene Roise, Hess, Roise and Company, Historical Consultants

RE: 721 North First Street Apartments
Response to Appeal to Minneapolis Heritage Preservation Commission Approval
For Zoning and Planning Committee Hearing, June 9, 2016

DATE: May 31, 2016

Background

Curt Gunsbury proposes to construct a new apartment building on a vacant site at 721 North First Street in the Saint Anthony Falls Historic District. The site, once railyards, is now used as a surface parking lot. In recent decades, most of the railyards have been filled with new construction including the Minneapolis Star Tribune printing plant, which is directly north of the proposed development site, and the River Station Condominium complex to the south.

HPC Review

On May 3, 2016, the Minneapolis Heritage Preservation Commission (HPC) considered our application for a Certificate of Appropriateness. The Commissioners used the *Saint Anthony Falls Historic District Design Guidelines (SAF Guidelines)* to evaluate the proposal and, following those guidelines, approved the project subject to the following conditions:

1. The trees along 8th Avenue North shall be arranged so they are not located in front of any building entrances.
2. The proposed HVAC equipment shall be allowed on North 1st Street and 8th Avenue North as long as it is incorporated into the window openings and covered with grilles.
3. The primary exterior material for the façade facing North 1st Street shall be brick. Brick and metal shall be allowed as primary exterior materials facing 8th Avenue North.
4. Historic images, including images showing the tunneling of Bassett Creek and the railyard, shall be included as part of the interior design.
5. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approved is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than May 3, 2018.
6. By ordinance, all approvals granted in this certificate of appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed.

Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.

Only one commissioner did not vote in favor of the conditional approval. That commissioner felt that approval should be granted without Condition 3.

We agreed to comply with the conditions and are modifying the project's design as needed for staff review.

Appeal Filed

Matt Janzen filed an appeal on May 13, the last day that an appeal could be submitted. The statement of appeal contended that the HPC's approval did not conform to the guidelines that it was required to follow. Specific guidelines cited in the appeal are in *italics*, followed by the findings included in the staff report to the Commission and additional analysis:

SAF Guideline 9.9: The overall height of a new building shall be compatible with the character area.

- a. A building height that exceeds the height range established in the context will be considered when:*
 - It is demonstrated that the additional height will be compatible with adjacent properties, within the character area as a whole, and for the historic district at large.*
 - Taller portions are set back significantly from the street.*
 - Access to light and air of surrounding properties is respected.*
 - Key views are maintained.*

HPC Staff Findings:

In the Warehouse Character Area, the guideline for new infill development says that buildings should be within the range of heights seen historically in the area with a maximum height of six stories. It further states that mid-rise (7-9 stories) and low-rise (4-6 stories) are most appropriate for this area. The proposed development will comply with the above guidelines for building height. Per the zoning code definition, the proposed building is technically seven stories in height with six stories of residential and one story of mechanical equipment. The seventh story occupies a very small percentage of the overall building footprint. The seventh story is classified as a story because the elevator overrun exceeds 14 feet in height; if the elevator overrun was less than 14 feet in height the building would be six stories in height. The mechanical story of the building is set back 34 feet from the primary façade facing North 1st Street and 32 feet from the primary façade facing 8th Avenue North. The additional story will not diminish access to light and air of surrounding properties nor will it block key views.

The HPC concurred with the staff findings, and we agree that this is the appropriate conclusion.

SAF Guideline 10.33: [For the Warehouse District Character Area,] New infill shall be within the range of heights seen historically in the area with a maximum height of six stories.

HPC Staff Findings:

The proposed development will comply with the above guidelines for height. Per the zoning code definition, the proposed building is technically seven stories in height with six stories of residential and one story of mechanical equipment. The seventh story occupies a very small percentage of the overall building footprint. The seventh story is classified as a story because the elevator overrun exceeds 14 feet in height; if the elevator overrun was less than 14 feet in height the building would be six stories in height. The first floor of the building is approximately 20 feet in height and the upper floors are approximately 11 feet in height.

The historic buildings across North 1st Street from the site are six stories in height with taller mechanical enclosures located on the roof. The historic buildings further south along North 1st Street range in height between one and six stories. The new buildings along North 1st Street range in height between three and eight stories.

The HPC concurred with the staff findings, and we agree that this is the appropriate conclusion.

SAF Guideline 9.21: Contemporary materials that are similar in character to traditional ones will be considered.

- a. Generally, one primary material should be used for a building with one or two accent materials. Accent materials should be used with restraint.*
- b. A second material may be used on side or rear walls in a context in which such a tradition is demonstrated historically.*
- c. A glass curtain wall will be considered as a principal material.*
- d. Contemporary, alternative materials should appear similar in scale, durability and proportion to those used traditionally.*
- e. Cementitious-fiber board, with exemplary detailing, will be considered in lower scaled residential settings. Other imitation or synthetic siding materials, such as plastic, aluminum or vinyl, are inappropriate in the lower scale residential contexts.*

HPC Staff Findings:

The exterior materials for the proposed building include brick and metal. On the south façade, rockface concrete block is also being proposed as an exterior material on the first floor of the building. Brick is characteristic of the historic buildings in the surrounding area. The metal panel is proposed to be ribbed and applied in a vertical orientation. This will provide a contemporary element to the building. Both of the proposed building materials are appropriate.

On the North 1st Street and 8th Avenue North façades both brick and metal are proposed as primary materials. Along North 1st Street the first five stories of the building will be brick but the sixth floor will be metal. Along 8th Avenue North the building has been

designed with two stair towers that extend past the roof of the building. On the outside of the stair towers the building material is primarily brick except the sixth floor is metal. In between the stair towers the building is brick on the first floor and metal on the upper floors. By utilizing two primary building materials along these two façades they help define the base, middle and top and they help to break up the building façade along 8th Avenue North. CPED is recommending that only brick and metal be allowed to be used as primary exterior materials facing both North 1st Street and 8th Avenue North.

In conclusion, staff felt the design met the intent of the *SAF Guidelines*, namely: “to protect the integrity and character of the district and to ensure that new development occurs in a manner that is sensitive to the historic character of this unique place” (page 1).

The *SAF Guidelines* indicate that “the degree to which alternative materials may be used successfully on a new building . . . will be influenced by the degree of consistency or variety in materials that already exists in the particular context” (page 112). The context of 721 North First includes several colors of brick, as well as metal and concrete, on historic buildings, as well as a variety of materials on new structures.

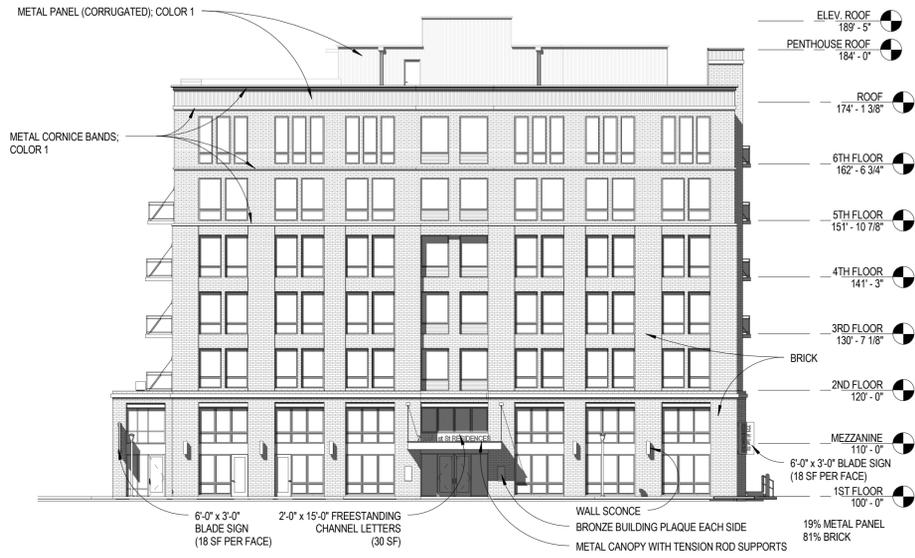
It should be noted that the *SAF Guidelines* are very selective in the use of specific words:

- **Shall:** “Where the term ‘shall’ is used, compliance is specifically required, when the statement is applicable to the proposed work.”
- **Should:** “The term ‘should’ is frequently used in the guidelines. This indicates that compliance is expected, except in conditions in which the City finds that the guideline is not applicable, or that an alternative means of meeting the intent of the guideline is acceptable.”
- **Will Be Considered:** “The phrase ‘will be considered’ appears in some guidelines text. This indicates that the City has the discretion to determine if the action being discussed is appropriate. This decision is made on a case-by-case basis, using the information specifically related to the project and its context.”

Guideline 9.21 notes that “contemporary materials will be considered.” Furthermore, in a chapter titled “Understanding the Content of a Design Guidelines,” the *SAF Guidelines* state: “In this document the term ‘guideline’ is a criterion with which the City will require compliance when it is found applicable to the specific improvement project. In this sense it is a standard, albeit one that is subject to some interpretation when determining compliance” (page 15).

Conclusion

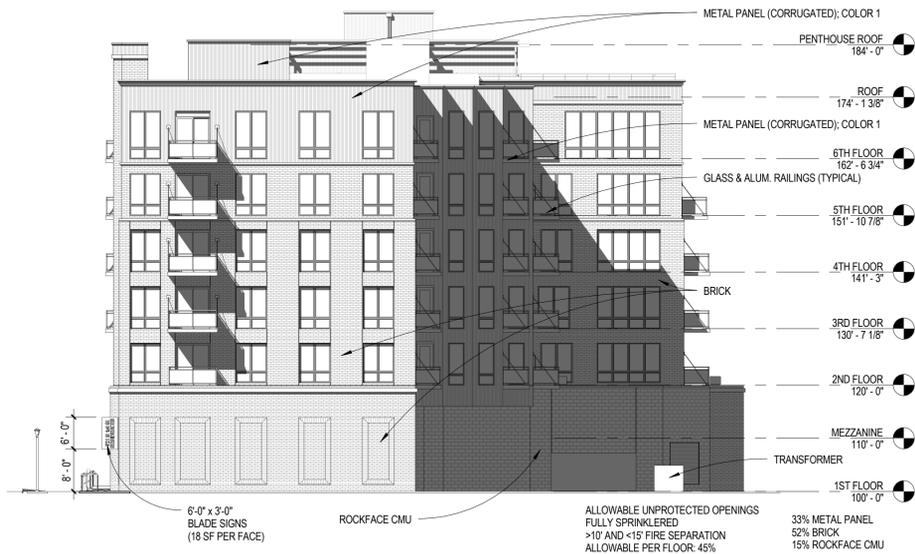
The design that the HPC has approved for 721 North First conforms to the *SAF Guidelines*. The Commissioners have used their expertise to interpret the guidelines, and have added conditions to ensure conformance with the intent of the guidelines.



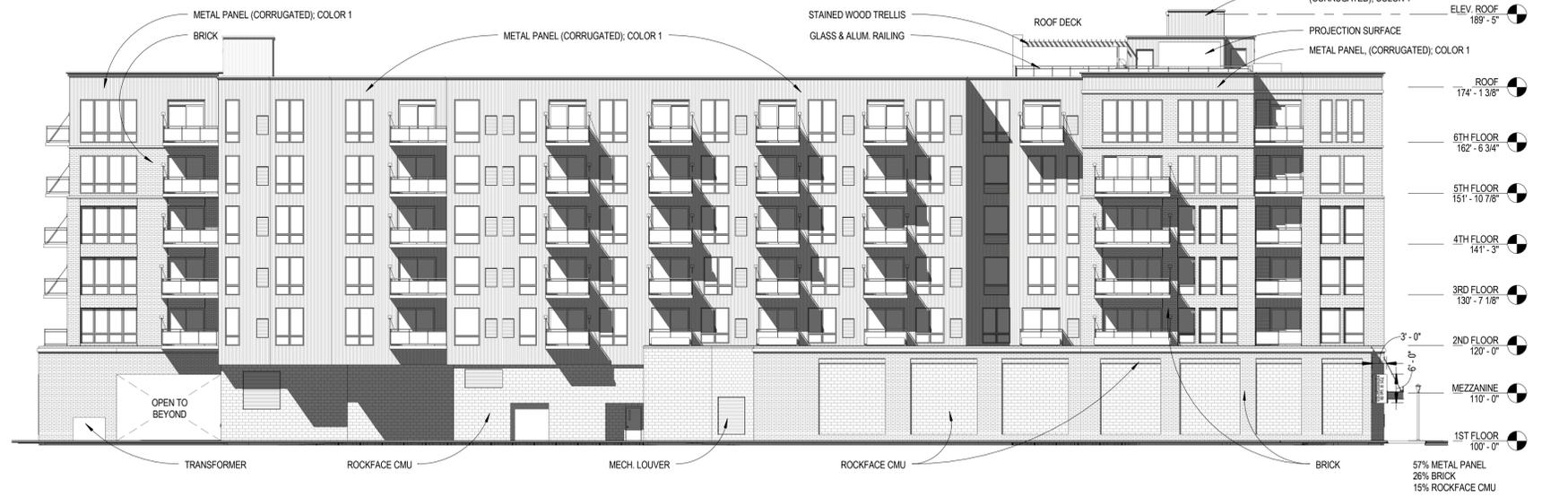
NORTHEAST ELEVATION
1/16" = 1'-0"



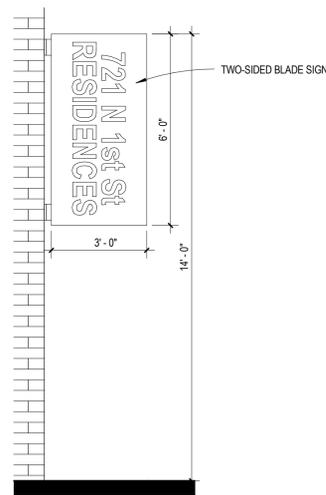
NORTHWEST ELEVATION
1/16" = 1'-0"



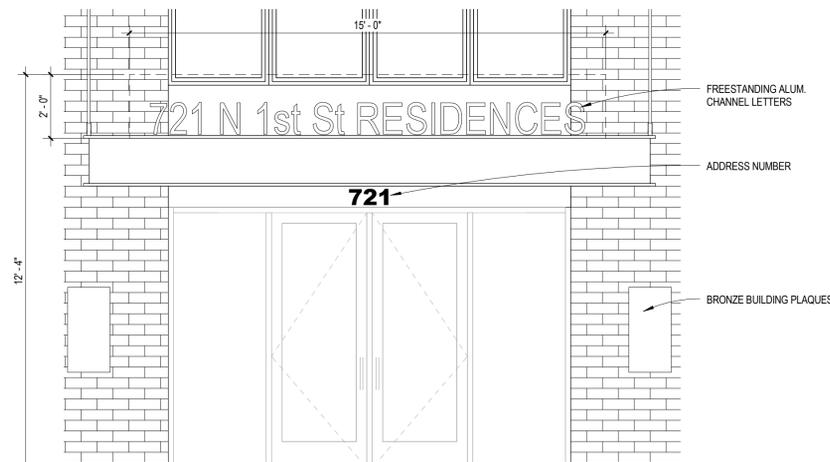
SOUTHWEST ELEVATION
1/16" = 1'-0"



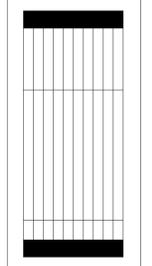
SOUTHEAST ELEVATION
1/16" = 1'-0"

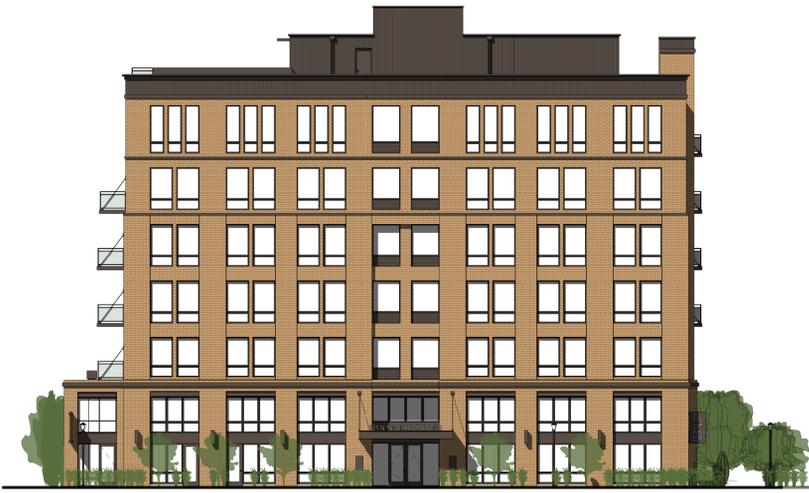


TYPICAL BLADE SIGN
3/8" = 1'-0"



FRONT ENTRY SIGNAGE
3/8" = 1'-0"





1 NORTHEAST COLOR ELEVATION
SCALE 1/16" = 1'-0"



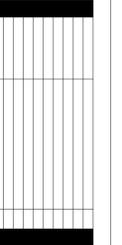
2 NORTHWEST COLOR ELEVATION
SCALE 1/16" = 1'-0"



3 SOUTHWEST COLOR ELEVATION
SCALE 1/16" = 1'-0"



4 SOUTHEAST COLOR ELEVATION
SCALE 1/16" = 1'-0"



NOT FOR CONSTRUCTION