

**Excerpt from the  
HERITAGE PRESERVATION COMMITTEE MEETING  
Community Planning & Economic Development (CPED)  
250 South Fourth Street, Room 300  
Minneapolis, MN 55415-1385**

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The following actions were taken by the Heritage Preservation Committee on May 17, 2016. The Heritage Preservation Committee's decisions on items are final subject to a ten calendar day appeal period.

Commissioners: Mr. Paul Bengtson, Ms. Laura Faucher, Mr. Chris Hartnett, Ms. Susan Hunter Weir, Ms. Ginny Lackovic, Ms. Linda Mack, Mr. Dan Olson, Mr. Ian Stade and Ms. Constance Vork

Commissioners absent: Ms. Laura Faucher, Ms. Ginny Lackovic and Mr. Dan Olson

Committee Clerk: Fatimat Porter 612.673.3153

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#### **ITEM SUMMARY**

##### **Description:**

##### **Item #6**

**4401 Lyndale Avenue North, Ward 4  
Staff report by [Hilary Dvorak](#), BZH 29074**

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt staff findings for the applications by Atomic Recycling for the property located at 4401 Lyndale Avenue North in the potential C.A. Smith Lumber Historic District:

##### **A. Certificate of Appropriateness.**

Action: The Heritage Preservation Commission **denied** the certificate of appropriateness application to allow for demolition of the Mereen Johnson Office Building, and the 32-foot by 48-foot "brick pattern vault" addition constructed on the northeast end of the Mereen Johnson Factory Building but **approved** the certificate of appropriateness to allow for the demolition of the Mereen Johnson Garage Building.

**Absent:** Faucher, Lackovic, Olson

**Aye:** Bengtson, Hartnett, Hunter Weir, Mack Stade, Vork

**Motion passed**

##### **B. Certificate of Appropriateness.**

Action: The Heritage Preservation Commission **denied** the certificate of appropriateness to allow for an addition to the Mereen Johnson Factory Building.

**Absent:** Faucher, Lackovic, Olson

**Aye:** Bengtson, Hartnett, Hunter Weir, Mack, Stade, Vork

**Motion passed**

## TRANSCRIPTION

**Staff Hilary Dvorak presented the report.**

**Vice Chair Bengtson:** Thank you. Commissioners, questions for staff? Commissioner Mack.

**Commissioner Mack:** Not sure if this is a fair question but can, I feel like we don't have much information about how the truck access is going to work and so forth. That's really their responsibility. It shows that, I'm wondering if the office building were maintained if the property owners would have potential to make some adjustments to their property that allowed them to use their property in the way that their proposing. As I guess, as I say, that's kind of their responsibility to show to you.

**Staff Dvorak:** Correct. I don't have a truck turning plan but the overhead garage doors on the addition are on this side. And so they do have access onto the property here and then one here. And then they can also come in off of Camden which is a one block stretch of public right-of-way between the site and the McDonalds that's located here. And so vehicles can come in and do this, they could come in and do this without ever needing to go to that location. And to be fair they do also have a curb cut on 44<sup>th</sup> but there are other options for access to this site if that building were to remain.

**Commissioner Mack:** I guess maybe my comment would be it seems important to keep the office building at that corner. The rest of the property has been characterized as we see by these additions and changes over time. And as we're thinking about design guidelines and the need to be flexible we might consider that as part of the history really. But again we don't have, they haven't presented something that staff feels is acceptable.

**Vice Chair Bengtson:** Other commissioners? I have one question for you. They look like large storage tanks maybe through where the rail spur plant, is that a part of this proposal as well?

**Staff Dvorak:** Those are there. Those were done prior to the interim protection, the nomination of interim protection being placed on these properties.

**Vice Chair Bengtson:** Thank you. Would the property owner like to speak? State your name and address for the record please.

**Mark Kaster (50 S 6<sup>th</sup> St):** For Dorsey and Whitney, with me Kathy Osbourne for the property owner. I think, Mr. Vice Chair, members of the commission, what you Mr. Vice Chair said earlier is poignant and that is utilitarian. This is a utilitarian property. It has been added to and added on over the course of its history, most recently, the largest additions in 69 outside the period of significance. I want to make one comment regarding the historic aspect here of the prior owners. They had such a sense of history here that they moved their operations to Webster Wisconsin. And we don't think it's appropriate to designate it or give historic accolades to a company that didn't even see fit to maintain its operations

and grow its operations here in Minnesota. You know, that's not a headline I think the City wants. You know its historic designation for a company that moved its operation to South Dakota. Maybe that's good for South Dakota; I don't think that's good for Minnesota. With that said, we put in a request for a certificate of appropriateness to expand the operations. As I said before and I think you saw it, there's been significant numbers of demolitions and expansions on this property. Including additions as late as 69, large addition in 62 by 120 foot, more than what we're proposing here and changes to, significant changes to the property. In addition you know that the tanks let me show you a picture prior to any designation discussion, the City approved \$650,000 project for the construction placement of those tanks. There they are in the back there. In reliance on that, the owner made a significant investment in this property. He wants to be able to maximize and use that investment and now he can't. This is a particular interesting picture because you can see the truck and you can see the recycled wood that is used in environmental stewardship here. That recycled wood is used and turned into kitty litter. And right now what you have is that wood, that recycled wood being deposited outside, moved through its air handling systems and then converted, dried and converted into the kitty litter. The recycling operation from a to z. and when you can't utilize the inside storage or maximize your inside storage, you get moisture and have a significant additional cost expense in having to dry this material and to make it into its final product. And so by virtue of the change that we request, the addition that we request this area where the truck is and where the sawdust, where the wood right now is, the chipped up wood, that would all be undercover and that's going to add a significant benefit not only to the company but to the community. We're not going to have to use as much energy to dry this material. We're not going to have dust and other materials spread around the neighborhood. And so all of this would be under cover, and let me show you a picture that you saw before of what's being proposed here. Again, not really different in any great respects from additions that have previously occurred on this property. The original office building was over in this corner here and the shed and then this extension to the building. Here are the existing tanks and right now here's where the trucks are parked right in front of those tanks. What we're proposing to do is to have an enclosure that would allow the trucks to off load right in the building, inside. And to do that we need access. We need that access to include this area out in front where trucks can pull in and can be utilize to facilitate the recycling operations. You know I find it a little bit, it's just incongruent to me that staff could say well I know we think that there's some other configuration. They don't know the first thing about this business or this operation. Or the other operations that are in this property. And for them to simply say without any back up well go ahead owner just reconfigure your operations. That's just not something that is feasible. In addition the property, the building up front, the small office building and the garage, there's no utilities to those right now. We've submitted significant records from real estate appraisers from independent third party contractors that've said that the cost to renovate or to bring these properties up to scope would be in excess of one million dollars. What do we propose instead? We propose certainly a rain garden up in front. We propose to but undercover the off-loading operation. We propose to utilize additional barriers, fencing, landscaping to brighten up this area. And it's all very consistent with any kind of ongoing use of a utilitarian piece of property, commercial, warehouse, machine shop type of property. So we ask that you approve both the certificates of appropriateness for the

demolitions and for the addition to the property. If you have questions, Kathy's here and she can answer some of the more details if you have any.

**Vice Chair Bengtson:** Commissioner Hartnett.

**Commissioner Hartnett:** I have a question if you could put the plan back up and ask either yourself or the owner to explain, I'm struggling to see how the location of that office building impacts the ability of the truck to back into the proposed addition.

**Kathy Osbourne (4401 Lyndale Ave N LLC):** One of our operations is Atomic Recycling. We have 30 trucks. They're roll off trucks for construction and demolition material that we recycle. Not at this facility. There are no trucks that have any material in them but the empty, just the trucks themselves and empty containers are stored at the site. The trucks are parked along this side back behind McDonald and along the side along Lyndale. So by moving those parking spaces, or losing the parking spaces if you can't have this building removed, then we still need to have places for those 30 trucks to park. And have trucks, room for the semi-trucks to be able to access this area. So if this office building is here, we lose some of those parking spots for the roll off trucks.

**Commissioner Hartnett:** And to clarify, so it's not the ability of the truck to back in but it's the ability to have the storage of other trucks that without that storage would impede that truck backing in. And those roll off trucks are they in support of the operations on this property?

**Kathy Osbourne:** We're all owned by the same...

**Commissioner Hartnett:** But are you supporting, are you storing trucks that are supporting this, these facilities?

**Kathy Osbourne:** The roll off trucks are with Atomic Recycling and as a business one of the things we can do with recycled truss wood products so it's a clean wood. Those are hauled by Atomic Recycling and that is sorted at our Broadway transfer station, brought over to this property in semi-trucks.

**Commissioner Hartnett:** So those trucks then are actively...

**Kathy Osbourne:** In directly yes.

**Commissioner Hartnett:** They're bringing product to this...

**Kathy Osbourne:** The roll off trucks do not bring the product because we have to chip it first. And we chip it over at our Broadway facility and then they're hauled over in our semi-trucks. And that's because the semi-truck, the way that we're set up right now we need the walking floor trailer to be able to unload the chipped wood into our process for the pelletizing. The roll off truck is not shaped to do that.

**Vice Chair Bengtson:** And are the roll off trucks stored on this site today?

**Kathy Osbourne:** Yes. If you drive by, during the day you may not see the trucks but at night they're all parked there.

**Mark Kaster:** We've added landscaping, we've added cedar fencing so there's a screen between what you might observe from Lyndale or from the streets surrounding.

**Vice Chair Bengtson:** Ok, any further questions?

**Kathy Osbourne:** These are the containers. I do have some other, just because I have this one here, one of the historical ?? that we were proposing to put on the outside along Lyndale so that you can see it. And that would then help represent the history. This is some of the landscaping that we've done. We put these in last fall. So this is on the side, you can still see the windows of the old manufacturing building. And then we've tried to make it look nice. Any way you can mainly see the trucks along Lyndale. I don't have that in a nice big photo.

**Vice Chair Bengtson:** Alright thank you. Is there anyone else that would like to speak to this item? Seeing no one, we'll close the public hearing and open it up to the commission for deliberation or motions. Commissioner Hartnett.

**Commissioner Hartnett:** I think this collection of buildings, their importance is telling a story. It's not the architecture; it's the story of an industry and some important leaders within that industry. And how that effected and created an important portion of Minneapolis. And I think to lose the office I think is a significant degradation of that story or would really adversely impact the integrity of that story and of the property. It surely would be easier for me to understand the demolition of that if it were something other than storing trucks and other equipment and it were directly impacting your ability to do the work within that. And I think that, you know we're always trying to interpret the pros and cons and the benefits and the cost. And I just feel like the cost of losing that to the story that we're trying to tell with property is larger than the benefits of storing some equipment on that. That's my comment.

**Vice Chair Bengtson:** Commissioner Mack.

**Commissioner Mack:** I actually came prepared to suggest that we approve the proposed addition while denying the demolition of the office building. But I find myself unconvinced of the way this is being configured or just I haven't been convinced. I am convinced by the staff report let me put it that way. And so I think we all on this commission have a great desire to see this property used and used well. And that's part of its history and that's something that we hope to see incorporated into the design guidelines. But I think we'll have, well I would suggest that we accept the staff recommendation and then we'll see how this works out that the owners can work with the staff to develop an acceptable approach.

So I guess I would move that we deny the certificate of appropriateness for the demolition and approve the certificate of appropriateness to allow for the demolition of the garage building. I'm sorry I tried to short cut that didn't I? And it never works. Can I just say we'd like to accept staff recommendations and follow that?

**Vice Chair Bengtson:** Can we just have the clerk read the motion.

**Clerk Porter:** To deny the certificate of appropriateness application to allow for demolition of the Mereen Johnson Office Building, and the 32-foot by 48-foot "brick pattern vault" addition constructed on the northeast end of the Mereen Johnson Factory Building but **approve** the certificate of appropriateness to allow for the demolition of the Mereen Johnson Garage Building and to **deny** the certificate of appropriateness to allow for an addition to the Mereen Johnson Factory Building.

**Vice Chair Bengtson:** That is the motion that Commissioner Mack is making do we have a second?

**Commissioner Vork:** I'll second that.

**Vice Chair Bengtson:** Second by Commissioner Vork. Any further discussion? Commissioner Hunter Weir.

**Commissioner Hunter Weir:** No I was just going to agree with Commissioner Mack that I would really like to see something work out whether its reconfiguring what is. And it seems like the two pieces, what the staff has is the knowledge of kind of what's permissible and sort of what's going to fly and what wont; especially when it comes to things like demolition. And of course the owners know what their business needs so somehow getting those two folks together to make this work.

**Vice Chair Bengtson:** Commissioner Vork.

**Commissioner Vork:** I'd just like to add too that I've heard from a number of residence of Camden who are in support of this district and opposed to the demolition and I saw a few more of them out in the audience at the beginning today but they left. I don't think they could make it to this hour. So I think there's a lot of public support of the reuse of this and opposition to the proposed demolition.

**Vice Chair Bengtson:** And I agree staff findings for these items are appropriate and I encourage the property owners to work with staff to work on those design standards as well as coming up with something that's sensitive to the historic nature of this site. So will the clerk call the roll?

**Absent:** Faucher, Lackovic, Olson

**Aye:** Bengtson, Hartnett, Hunter Weir, Mack, Stade, Vork

**Motion passed**

**Item #6**

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**Absent:** Faucher, Lackovic, Olson

**Aye:** Bengtson, Hartnett, Hunter Weir, Mack Stade, Vork

**Motion passed**

**B. Certificate of Appropriateness.**

Action: The Heritage Preservation Commission **denied** the certificate of appropriateness to allow for an addition to the Mereen Johnson Factory Building.

**Absent:** Faucher, Lackovic, Olson

**Aye:** Bengtson, Hartnett, Hunter Weir, Mack, Stade, Vork

**Motion passed**