



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

**Date:** July 13, 2006

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

**Referral to:** Zoning and Planning Committee

**Subject:** Historic Variance to allow an accessory dwelling to 727 East 24<sup>th</sup> Street. Referral from the June 27, 2006, public hearing of the Heritage Preservation Commission.

**Recommendation:** To adopt the staff findings and approve the Historic Variance to allow an accessory dwelling unit above the garage and an additional 10" in height for the property located at 727 East 24<sup>th</sup> Street in the OR2 zoning district.

**Previous Directives:** N/A

**Prepared or Submitted by:** Shanna Sether, City Planner, 612-673-2307

**Approved by:** Jack Byers, Planning Supervisor, 612-673-2634

**Presenters in Committee:** Shanna Sether, City Planner

### Financial Impact (Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the \_\_\_\_\_ Capital Budget or \_\_\_\_\_ Operating Budget.
- Action provides increased revenue for appropriation increase.
- Action requires use of contingency or reserves.
- Business Plan: \_\_\_\_\_ Action is within the plan. \_\_\_\_\_ Action requires a change to plan.
- Other financial impact (Explain):
- Request provided to department's finance contact when provided to the Committee Coordinator.

### Community Impact (use any categories that apply)

**Ward:** 6

**Neighborhood Notification:** Phillips West Neighborhood Organization

**City Goals:** Consistent with "Preserve and enhance our natural and historic environment and promote a clean, sustainable Minneapolis."

**Comprehensive Plan:** Consistent

**Zoning Code:** Section 525.530 and Section 599.490 authorizes the historic variance “To encourage the preservation and reuse of landmarks and properties in historic districts by providing the commission with authority to recommend departure from the literal requirements of any of the applicable zoning regulations.

**Other:** Not applicable.

**Background/Supporting Information Attached:** The attached report summarizes the actions taken by the Heritage Preservation Commission at a public hearing on June 27, 2006. The findings and recommendations are respectfully submitted for your consideration.

**CITY OF MINNEAPOLIS**  
**CPED PLANNING DIVISION**  
**HERITAGE PRESERVATION COMMISSION STAFF REPORT**

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FILE NAME: 727 East 24<sup>th</sup> Street

DATE OF APPLICATION: May 12, 2006

APPLICANT: Joan and Mark Mullen

DATE OF HEARING: June 27, 2006

HPC SITE/DISTRICT: Landmark

CATEGORY: contributing

CLASSIFICATION: Certificate of Appropriateness and Historic Use Variance

STAFF INVESTIGATION AND REPORT: Amy Lucas

DATE: June 15, 2006

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**A. SITE DESCRIPTION:**

The Brooberg residence is located near the corner of Chicago Avenue and East 24<sup>th</sup> Street. The Classical Revival house was built in 1905 by August Cedarstrand for his in-laws, Frank and Karen Brooberg. The designation study notes that the residence is significant for “its representation of the growth and expansion of the Swedish community in South Minneapolis by the 1900s.” The two and one-half story, wood frame house has a square plan with a steep, hipped roof intersected by prominent gabled dormers. The façade is dominated by a wrap-around porch with classical detailing and a Palladian window in the front gable. The designation study notes that the house sits on a double lot and Sanborn insurance maps indicate that the original wood-frame carriage house measured 22’ by 28’ in plan, but has been demolished. Original photographs of the carriage house design have not been discovered.

**B. BACKGROUND:**

The Brooberg residence was designated by Minneapolis City Council in 1998.

## **B. PROPOSED CHANGES:**

The applicant is applying for a Certificate of Appropriateness for a two-car, two-story carriage house and historic variance to allow an accessory dwelling in the OR2 zoning district.

### Certificate of Appropriateness:

The applicant is proposing to construct a two-story, wood-frame carriage house in the location of the original carriage house. The applicant is basing the design of the carriage house on extant examples from the same era. The Brooberg house is similar in style and era to the homes in the Healy Block Historic District where original carriage houses remain. The two-car garage will have a second floor living space with a kitchen and bathroom and will be approximately 660 s.f. of living space.

The proposed garage will measure 22' by 30' and will be 25' at the ridge of the hipped roof. The cupola is centered on the ridge and is an additional 8 feet tall. The garage/carriage house will have wood siding, asphalt shingles, heavy wood cornice and wood windows that will match the Landmark. The east elevation (front elevation) features two separate wood garage doors with a wood door between them. There are two gables; one has a Palladian window that resembles the Palladian windows of the residence. The north elevation (right side) has three wood, double-hung windows. The south elevation (left side) has a wooden door, three fixed windows on the first floor and one wood, double-hung window on the second floor. The west elevation (back elevation) has one wood, double-hung window centered on the elevation to light the interior staircase.

### Historic variance:

Section 525.530 of the Minneapolis Zoning Code and section 599.490 of the Minneapolis Heritage Preservation Regulations authorize the historic variance "to encourage the preservation and reuse of landmarks and properties in historic districts by providing the commission with authority to recommend departure from the literal requirements of any of the applicable zoning regulations."

The applicant is applying for an historic variance to allow an accessory dwelling in the zoning district including variances of height standards.

The applicant lives directly across the street from the North Phillips Overlay District (see map) which was established to create additional housing with accessory dwellings. An accessory dwelling is a single-family dwelling that is detached from the principal residential structure on the same zoning lot, and that is located entirely above a parking garage with not less than two (2) accessory parking spaces. The applicant is proposing to construct a garage with a dwelling unit

above and the proposal follows all of the conditions of the North Phillips Overlay District except the overlay limits the height of the accessory dwelling to thirty-five (35) feet. With the cupola, the garage is 35'10". The design of the cupola is compatible in design and scale with historic examples.

#### **D. GUIDELINE CITATIONS:**

*The Secretary of the Interior's Standards for Rehabilitation* recommend:

##### Building Site

-Identifying, retaining, and preserving buildings and their features as well as features of the site that are important in defining its overall historic character. Site features can include driveways, walkways, lighting, fencing, signs, benches, fountains, wells, terraces, canal systems, plants and trees, berms, and drainage or irrigation ditches; and archeological features that are important in defining the history of the site.

-Retaining the historic relationship between buildings, landscape features, and open space.

-Protecting and maintaining buildings and the site by providing proper drainage to assure that water does not erode foundation wall; drain toward the building; nor erode the historic landscape.

-Minimizing disturbance of terrain around buildings or elsewhere on the site, thus reducing the possibility of destroying unknown archeological materials.

-Surveying areas where major terrain alteration is likely to impact important archeological sites.

-Protecting, e.g. preserving in place known archeological material whenever possible.

-Planning and carrying out any necessary investigation using professional archeologists and modern archeological methods when preservation in place is not feasible.

-Protecting the building and other features of the site against arson and vandalism before rehabilitation work begins, i.e., erecting protective fencing and installing alarm systems that are keyed into local protection agencies.

-Providing continued protection of masonry, wood, and architectural metals which comprise building and site features through appropriate surface treatments such as cleaning, rust removal, limited paint removal, and re-application of protective coating systems; and continued protection and maintenance of landscape features, including plant material.

-Evaluating the overall condition of materials to determine whether more than protection and maintenance are required, that is, if repairs to building and site features will be necessary.

-Repairing features of buildings and the site by reinforcing the historic materials. Repair will also generally include replacement in kind - with a compatible substitute material - of those extensively deteriorated or missing parts of features where there are surviving prototypes such as fencing and paving.

-Replacing in kind an entire feature of the building or site that is too deteriorated to repair-if the overall form and detailing are still evident-using the physical evidence to guide the new work. This could include an entrance or porch, walkway, or fountain. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.

#### Design for Missing Historic Features

-Designing and constructing a new feature of a building or site when the historic feature is completely missing, such as an outbuilding, terrace, or driveway. It may be based on historical, pictorial, and physical documentation; or be a new design that is compatible with the historic character of the building and site.

#### Alterations/Additions for the New Use

-Designing new onsite parking, loading docks, or ramps when required by the new use so that they are as unobtrusive as possible and assure the preservation of character-defining features of the site.

-Designing new exterior additions to historic buildings or adjacent new construction which is compatible with the historic character of the site and which preserve the historic relationship between a building or buildings, landscape features, and open space.

-Removing nonsignificant buildings, additions, or site features which detract from the historic character of the site.

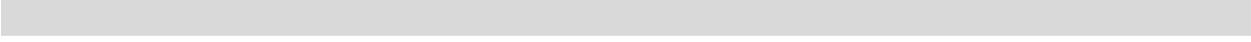
**E. FINDINGS:**

1. The building is an individually designated Landmark.
2. The proposed design of the garage follows the recommendations of *The Secretary of the Interior's Standards for Rehabilitation*.
3. The original carriage house associated with the Landmark was demolished prior to Landmark designation. The applicant would like a two-car garage and is proposing to place the new garage on the site of the historic carriage house.
4. The applicant is proposing to construct a carriage house in the style of the original Landmark property, Brooberg residence.
5. The applicant is directly across the street from the North Phillips Overlay District which allows for accessory dwellings above the parking garage.
6. The garage is 25' tall at the ridge and the cupola is 35'10" at the top. The North Phillips Overlay District allows for garages to be 35' in height. The additional 10" of height will maintain the historic aesthetic of the carriage house design.
7. The proposed variances are compatible with the preservation of the property and alleviate undue hardships.

**F. STAFF RECOMMENDATION:**

Staff recommends that the HPC **adopt** staff findings and **approve** the Certificate of Appropriateness as proposed.

Staff recommends that the HPC **adopt** staff findings and **forward** to the City Council a recommendation to approve the historic variances to allow for an accessory dwelling unit above the garage and an additional 10" in height.



# Minneapolis Heritage Preservation Commission

## Actions

Regular Meeting  
Tuesday, June 27, 2006  
5 p.m.

Room 317, City Hall  
350 South Fifth Street  
Minneapolis, MN 55415-1385

### Call to Order

### Roll Call

### Approval of Minutes

1. Approval of May 9, 2006 Meeting Minutes

#### **ACTION**

**MOTION** by Commissioner Larsen to approve the minutes. **SECOND** by Commissioner Messenger. **MOTION APPROVED** with Commissioner Lee abstaining.

2. Approval of May 23, 2006 Meeting Minutes

#### **ACTION**

**MOTION** by Commissioner Larsen to approve the minutes. **SECOND** by Commissioner Dunn. **MOTION APPROVED** with Commissioner Lee abstaining.

## Old Business

## New Business

## Permit Public Hearing

## Approval of the Consent Agenda

### ACTION

**MOTION** by Commissioner Larsen to move Items 1,2 and 3 to the consent agenda. **SECOND** by Commissioner Messenger. **MOTION APPROVED** with Commissioner Grover recusing himself on item #2.

## Items for Public Hearing

1. 727 East 24<sup>th</sup> Street, Frank and Karen Brooberg Residence, Landmark, by Joan and Mark Mullen, for a Certificate of Appropriateness to construct a two-story, two car garage. (Staff, Amy Lucas)

### ACTION

**MOTION** by Commissioner Larsen **adopt** staff findings and **approve** the Certificate of Appropriateness to construct a two-story, two care garage on the consent agenda. **SECOND** by Commissioner Messenger. **MOTION APPROVED** with no abstentions.

2. 206-10 Main Street Southeast, 30 Third Avenue Southeast, 10 Fourth Avenue Southeast (Hennepin Island), St. Anthony Falls Historic District, by Xcel Energy, for a Certificate of Appropriateness to demolish a one-story storage building and construct a park. (Staff, Greg Mathis)

### ACTION

**MOTION** by Commissioner Larsen **adopt** staff findings and **approve** the Certificate of Appropriateness to demolish a one-story storage building and construct a park on the consent agenda. **SECOND** by Commissioner Messenger. **MOTION APPROVED** with Commissioner Grover recusing himself.

3. 1624 Harmon Place, Harmon Place Historic District, by Lawrence Sign for D'Amico & Partners, for a Certificate of Appropriateness for an illuminated, projecting sign. (Staff, Amy Lucas)

### **ACTION**

**MOTION** by Commissioner Larson to **adopt** staff findings and **approve** the Certificate of Appropriateness for an illuminated, projecting sign on the consent agenda. **SECOND** by Commissioner Messenger. **MOTION APPROVED** with no abstentions.

4. 401 Eighth Avenue Southeast/729 Fourth Street Southeast, Fifth Street Southeast Historic District, by Schafer Richardson, for a Certificate of Appropriateness to construct a five-story. (Staff, Greg Mathis)

### **Findings:**

1. The property located at 401 Eighth Avenue Southeast / 759 Fourth Street Southeast was a contributing property to the Fifth Street Southeast Historic District until the church on the property was razed in 2003.
2. The Fifth Street Southeast Historic District is mostly comprised 2 and 2½ story frame residences interspersed with several brick residences, a few brick apartment buildings and a stone church.
3. Four of the five non-contributing brick apartment buildings in the district are two stories or two stories with a raised basement. The height, width and scale of these buildings generally respect the overall height, width and scale of the historic district. The fifth building, terms of height and scale is a visual intrusion that ranges from three to five stories in height.
4. Although the dimensions of the proposed building are less than the largest non-contributing brick apartment building that is a visual intrusion in the district; the height, width and depth of the proposed building is substantially larger than the contributing historic residences and all of the non-contributing brick apartment buildings that are compatible with the height, width and scale of the district. The massive dimensions of the proposed building will overwhelm the historic buildings. Therefore, the proposed design does not comply with the guidelines for dimensions.
5. When combined, the height, width and depth of the proposed building will overwhelm the scale of the nearby historic buildings and will diminish the visual prominence of the historic buildings. For these reasons, the proposed design does not comply with the guidelines for scale.

6. Along 8<sup>th</sup> Avenue, all of the houses on this block and the block to the north have a relatively uniform setback that varies only slightly. The proposed building projects out beyond this uniform setback. It will disrupt the continuity of the block and will destroy the view corridor along 8<sup>th</sup> Avenue. In addition, the proposed building does not comply with the zoning for the property, which requires a 25' front yard setback. Therefore, the proposed building does not comply with the guidelines for setbacks.
7. The proposed building complies with the guidelines for spacing.
8. The guidelines for building plan states that there are no uniform plans for buildings in the district, so this area is open for discussion. The proposed building plan does not reflect the pattern of any building in the district and will be substantially larger than all of the buildings in the district, except for possibly the remaining church and the large non-contributing brick apartment building that is a visual intrusion in the district. Given the indifference of the proposed building plan to the historic buildings in the district, the proposed building does not comply with the guidelines for building plan.
9. In the district, stone is typically limited to the foundations of the residential buildings, as an accent/detail on the non-contributing brick apartment buildings and as a primary building material only on the one remaining church in the district. The proposed use of cast concrete (cast stone) on the proposed building is not in keeping with the use of stone in the district and will compromise the visual character of the district. For these reasons, the proposed cast concrete does not comply with the guidelines for materials and stone, or with the general façade guideline, which discourages the use of fake stone.
10. While the proposed brick is more compatible with the industrial areas of the nearby St. Anthony Falls Historic District than it is to the residential buildings in the Fifth Street Southeast Historic District, it is acceptable in this instance because the building is located at the edge of the district where it will have a lesser effect than if it was in the heart of the district.
11. The hardie plank siding proposed for parts of the proposed building complies with the design guidelines for clapboard. ~~However, the combination of brick and lap type siding on the proposed building is not compatible with the historic buildings in the district.~~
12. ~~Storefronts are not a type of window arrangement that is found in the district and such a system would typically detract from the visual and architectural character of the district. However, the proposed storefronts may be acceptable in this location because they do not face into the district and they relate to existing commercial building with storefronts across the street.~~
13. ~~The proposed anodized metal finish for the doors, windows and other metal details on the building complies with the guidelines for windows, which allow the use of anodized metal windows.~~
14. The highly metallic, champagne colored finish proposed for the metal on the building is not compatible with the colors found on historic buildings in the district and does not

comply with the guideline that require window colors to blend or with the guideline that requires minimizing the shiny quality of aluminum.

15. The proposed one-over-one windows proposed for the residential portions of the building windows are compatible with the district and comply with the guidelines for the district.
16. The proposed casement style windows and the fixed windows with awning style transoms above are not compatible with the historic buildings in the district and therefore, do not comply with the guidelines that require new construction to be compatible with the nature of the preservation area.
17. The proposed flat roof is not compatible with and does not relate to the contributing buildings in the district, all of which have pitched roofs. Instead of trying to relate to and be compatible with the contributing historic building in the district, the proposed roof design does the exact opposite and tries to relate to the roof design of the non-contributing buildings in the district. Consequently, the proposed roof design does not comply with the guidelines for roof design.
18. The proposed through-the-wall HVAC units are a design feature that is not found on the historic buildings within the historic district. These units are not visually compatible with the architectural and visual character of the district and will detract from both the architectural character of the proposed construction and from the architectural and historical character of the historic district.
19. When combined, the height, scale, dimensions, setbacks and use of materials on the proposed building create a building that is not compatible with the nature of the preservation area. Therefore, the proposed building does not comply with the guideline that requires new buildings to be "compatible with the nature of the preservation area."
20. When combined, the height, scale, dimensions, setbacks and use of materials on the proposed building create a building that will materially and architecturally impair the architectural and historic value of the district. Therefore, the proposed new building does not comply with the design guidelines for the district that state, "proposed new buildings shall not materially impair the architectural or historic value of buildings on adjacent sites or in the immediate vicinity within the preservation district."
21. ~~The property is zoned R2B, which allows for one single-family residence per 5,000 square-foot lot or one duplex per 10,000 square-foot lot.~~ The property is just under 22,000 square feet, therefore under the zoning code, the property could accommodate two duplexes or up to four single-family residences. The proposed building does not comply with the zoning code and could not be built on this property without the property being rezoned to a higher zoning class. In order for the proposed building to be constructed, the property must be rezoned to either R5 or R6. If the property were rezoned to an R5 zoning classification, the zoning would allow for a four-story or 56' tall building, whichever is less. R6 zoning would allow a six-story or 84' tall building, whichever is less. Rezoning to R5 or R6 would result in development pressure on the property that would encourage the construction of a building that would be incompatible with the height, scale, massing and overall architectural character of the district and would likely constitute an adverse affect to the historic district. Therefore, rezoning the

property to a higher zoning class is not consistent with the preservation of the historic district.

22. A series of single-family residences or duplexes, which is allowed by the zoning for the property, would be more compatible with the overall scale and visual and architectural character of the historic district than the proposed building, which is not allowed by the zoning code.
23. The proposed building does not comply with the Master Plan for the Marcy-Holmes Neighborhood, which calls for single-family or two-family residences on this property (see Attachment 2).

#### **ACTION**

**MOTION** by Commissioner Larsen notwithstanding staff recommendations to **deny** the Certificate of Appropriateness to construct a five-story, with changes to findings 11, 12, 13 and 21. **SECOND** by Commissioner Lee. **MOTION DENIED** with no abstentions.

#### **ACTION**

**MOTION** by Commissioner Koski to recommend to the planning director to explore whether this property could be decertified from the existing historic district. **SECOND** by Commissioner Anderson. **MOTION APPROVED** with no abstentions.

5. 610 West 28<sup>th</sup> Street, Salem English Lutheran Church, Historic Resource, by Common Bond Communities, for a Wrecking Permit for the Demolition of an Historic Resource. (Staff, Greg Mathis)

#### **ACTION**

**MOTION** by Commissioner Larsen **notwithstanding** staff recommendations to **postpone** the public hearing to July 25, 2006 **SECOND** by Commissioner Messenger. **MOTION APPROVE POSTPONEMENT to July 25, 2006** with Commissioner Ollendorf opposed and Commissioner Grover abstained.

6. 1000, 1010, 1028 2<sup>nd</sup> Street South, St. Anthony Falls Historic District, by Oslund and Associates, for a Certificate of Appropriateness to construct a park. (Staff, Amy Lucas)

**ACTION**

**MOTION** by Commissioner Larsen **notwithstanding** staff recommendations to postpone the public hearing to July 25, 2006. **SECOND** by Commissioner Messenger. **MOTION POSTPONE** to July 25, 2006. Commissioner Ollendorf opposed and Commissioner Grover abstained.

**MOTION to adjourn** by Commissioner Ollendorf at 7:35 p.m.