

2007 HPC Actions

Minneapolis Heritage Preservation Commission

Regular Meeting

March 20, 2007

4:30 p.m. - Room 317, City Hall, Minneapolis, Minnesota

Commissioners: Chair Koski, Crippen, Larsen, Lee, Messenger, Ollendorf and Selchow.
Excused: Commissioner Dunn

Committee Clerk: Rose Campbell (612) 673-2615

Call to order

Approval of the Agenda

Commissioner Messenger requested that verbiage on Item 4. be amended to read:

4. 25 West Island Avenue, and 201 Island Avenue East, St. Anthony Falls Historic District, Nicollet Island Sub-District, Ward 3 (Staff: Carol Ahlgren)

Amendment to Certificate of Appropriateness for Modified Design of Approved Design, denied by Heritage Preservation, but approved by the City Council, for construction of a football/athletic field for DeLaSalle High School, Nicollet Island.

ACTION

MOTION by Commissioner Larsen to **approve** the amended description of Item number 4.
SECOND by Commissioner Messenger. **MOTION APPROVED** with no abstentions.

Resolution

1. Todd Grover

Approval of the February meeting minutes.

1. Approval of February 13, 2007 Meeting Minutes

ACTION

MOTION by Commissioner Larsen to **approve** the meeting minutes. **SECOND** by Commissioner Koski. **MOTION APPROVED** with no abstentions.

2. Approval of February 27, 2007 Meeting Minutes

ACTION

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

Public Hearings

Introduction to the Public Hearing

Public Hearing

1. **115 West 15th Street. West 15th Street Rowhouse, Ward 7 (Staff: Aaron Hanauer)**
Certificate of Appropriateness to install new windows.

Testimony:

Kathleen Grendahl, 200 15th St. W. The Park Apartments. Owns 115 W. 15th St. She is sorry that she has spent so much time making a proposal for vinyl windows. She would have been better off if someone had told her there was a better chance for approval of a metal window. She was disappointed to get the staff report that had so many errors. Mr. Hanauer did make some corrections as he stood at the podium. One of the corrections that were not made was that she specifically stated in the application that the cladding of the frames would follow the profile of the frame exactly. Most of the windows are a simple 2 inch strip of wood. There is nothing fancy. The reason she went with vinyl windows is that she is under a federal mandate to abate lead. In 206 apartments some of them have 3 windows and some have 15 each and the vinyl was the most economical. She was going to get a heat benefit. These are old buildings. One is 121 years old and the most expensive of all her buildings to heat. Had she known that the metal was an option she would have explored that. The denial report states that she did not provide diagrams of the existing windows and proposed new windows. She sent along the manufactures brochure with cutouts showing how the window was made up. She took many pictures which included close-ups to get as much detail as she could so that the HPC could see what the window was made up of. She would have liked more guidance from the city and she is sure her tenants would like new windows. It a drafty old building. The courthouse in which we are in is not as old and all of the windows have been replaced.

In the interest of full disclosure Commissioner Koski stated that he did receive a phone call from Ms. Grendahl last week and he asked that she hold her comments until this evening's hearing.

MOTION by Commissioner Larsen to **adopt** staff findings and **deny** a Certificate of Appropriateness to install new windows. **SECOND** by Commissioner Anderson. **MOTION DENIED** with no abstentions.

2. **30 9th Street South YMCA Central Building, Ward 7 (Staff: Erik Carlson)**
Certificate of Appropriateness to replace roof.

MOTION by Commissioner Anderson to **adopt** staff findings and **approve** a Certificate of s to replace roof. **SECOND** by Commissioner Koski. **MOTION APPROVED** no abstentions.

3. **100 University Ave. SE, Pillsbury Library, St. Anthony Falls Historic District, Ward 3 (Staff: Brian Schaffer)**
Certificate of Appropriateness for replacing windows, doors, skylight and balusters, and for new construction of a rear addition, rear canopy and parking canopy.

Commissioner questions:

Commissioner Messenger questioned the materials that will be used for the doors. Mr. Schaffer stated that the materials to be used for the doors and windows will be aluminum clad wood. Commissioner Messenger stated that sometime in the 1950's the doors were copper clad wood with beveled glass.

Commissioner Lee asked to the plan of the elevator lobby. Mr. Schaffer stated that it is sheet A104 in the packet.

Commissioner Larsen stated that it appears they are going to cut out the window openings to use as the entry way and it looks like one of the bays will they maintain the frame of the door or the window? Will they leave the additional enclosure as a window? Mr. Schaffer stated that the applicant can speak to that.

Commissioner Crippen questioned are they suggesting that they tie the edge of the canopy to the façade of the ramp as opposed to the building itself? Is it your recommendation not to do that because the ramp is a non-contributing property? Mr. Schaffer stated that he has not reviewed the plans; they were just handed to him. What you are looking at is something that staff has not looked at or reviewed. Introducing any type of structure at this site would change the symmetry of the building and be detrimental to the historic character. Commissioner Crippen stated that he is looking at page 2 of the architects' response to the findings on the documents that were passed out at the beginning of this hearing item. Mr. Schaffer stated that there may be zoning issues that will need to be addressed as well. It goes across a property line and a zoning lot.

Commissioner Ollendorf questioned finding #2 The pitch of the proposed pyramid skylight is 4/12 and the pitch of the existing pyramid skylight is 3/12. This results in the peak of the proposed pyramid skylight extending 1 foot 4 inches higher than the original pyramid skylight. The pyramid skylight is located in the center of the building and is not visible from the street. Would that be the same if it were 4/12? Mr. Schaffer believes that is correct. The drawings that they have provided show a proposed canopy at a square view. The building is raised up at a higher level. He believes it might be obstructed with the parapet and the angles. It is construed without knowing for sure.

Testimony:

Dean Phillips, 25 Main St. SE. Stated that he has 2 objectives; to restore it to its former grandeur and to make it accessible to all. The stained glass ceiling has not been seen in 5 or 6 decades and is in a terrible state of disrepair and they plan with GayTee to restore it to its former beauty. The property will be landscaped, fully tuck pointed and restored to the way it looked at the turn of the century. They presented this plan to the Nicollet Island East Bank neighborhood association. And they received their full and heart felt endorsement. Relative to Mr. Schaffer and staff's recommendations; starting with the canopy, he concurs with Mr. Schaffer in that it does go to far beyond the existing building. He proposes; with his architects that they reduce the length of it so that it is flush with the building. Noting that University Avenue is a one-way street, you cannot see the canopy as you are driving down it. There is an atrocious 8 story St. Anthony municipal parking lot abutting the property. The property on which this canopy will be built was not part of the library; it was acquired 50 years after. It will not be attached. Materials, quality and presentation will be thoughtful. The balusters are in terrible shape. There are 132 of them. He would love to preserve as many of them as possible. Unfortunately the property was sand blasted about 15 years ago and they are dangerous. He believes that it would be appropriate to replace them with period and design correct replications in their entirety so that the property looks restored, not patch worked. He did not find anything on what did exist for the doors, and he would love to emulate, as much as possible, anything that did exist originally and try to emulate that. Single pane and single light duly noted. The lift is a conundrum because they are a family and a foundation that is active in disability rights and have a passion about making their buildings accessible to anybody. It is not something they want to do to spend the kind of money they have to spend to add a wheelchair lift to the building. They looked at every possible alternative, ramps, which would horribly impact the front of the building. The

back of the building is at an alley that abuts a Washburn-McCravey funeral home, and is not visible from the street. They feel this is the most thoughtful way to provide access to the building. They will be sacrificing stairs already leading to the basement which they need to maintain, they would like to maintain those, adding stairs to the main level. They think it is an appropriate way to provide access to all that come to the building. He above all wants to see this building in good hands for decades to come. They are happy to work with the commission and staff to see it through.

Commissioner Larsen asked about the intention in the elevator tower section, are you planning to cut out the existing window frames but use those openings, so at some point if the addition was removed that it could be restored. Mr. Phillips responded indeed. Would one of those windows remain?

Mr. Phillips stated that the opening would be cut through the existing window opening and the other maintained. Enclosed on the interior and the other maintained.

Commissioner Larsen asked if they looked at placing the canopy across the parking lot up against the adjacent parking structure rather than so close to the building.

Mr. Phillips responded yes. What he proposed to his architects was essentially cutting the canopy in half and putting half of it on the other side. The public ramp is close by but is not a suitable option, it is a long distance from their property and as a foundation and a business they do have a lot of visitors and he thinks it is appropriate to provide coverage for them. Partially on the other side and partially on the building side, none of which would be seen driving by the University façade.

Commissioner Crippen to make the lift addition on one window bay instead of two, what will that do to the functionality of the addition?

Mr. Phillips responded it will compromise the stairwell. They looked at all types of options and thought this was the most thoughtful way to approach it. There is no way to provide the access to both levels by making it just one window bay long. They will preserve the integrity of the façade of the building. And this is in an alley and not visible from the street.

MOTION by Commissioner Koski to **adopt** and **approve** a Certificate of Appropriateness for replacing windows, doors, skylight and balusters, and for new construction of a rear addition, rear canopy and parking canopy.

Keeping conditions #1, #2, #4 and #5, not #3. Modify finding #7 The main entrance is on the north side of the building. A secondary entrance and egress is located on the south façade of the building. The proposed rear addition contains stairs on either side of the lift. The stairs in the new addition are not required by the building code. The width of the lift and stairs results in an addition that requires the removal or damage of two window bays. The proposed width of the addition does comply with the Secretary of Interior Standards for Rehabilitation for New Additions which recommends constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed. Deleting the last sentence of finding #7. Add condition #6. Cleaning of the exterior will be limited to methods prescribed by the Secretary of the Interior Standards. **SECOND** by Commissioner Messenger. **MOTION APPROVED** with no abstentions.

4. 25 West Island Avenue, and 201 Island Avenue East, St. Anthony Falls Historic District, Nicollet Island Sub-District, Ward 3 (Staff: Carol Ahlgren)

Amendment to Certificate of Appropriateness for Modified Design of Approved Design, denied by Heritage Preservation, but approved by the City Council, for construction of a football/athletic field for DeLaSalle High School, Nicollet Island.

Commissioner questions:

Commissioner Ollendorf asked if there is a diagram in relation to finding #3. Ms. Ahlgren stated that she does not have a diagram of the stone markers. She does not know their approximate location.

Tom Meyer, representing the applicant. Stated that there is a marker at the point where Grove Street is terminated and the proposal is to use the markers that line the heritage trail as the basis of the design.

Commissioner Selchow asked how much is actually excavated with the modified design?

Ms. Ahlgren the new design will require going down an additional 5 feet from the existing grade. The earth will go to part of the berm. There will be a big ground disturbance.

Commissioner Crippen wanted clarification of some of the legalities of the HPC's considerations. Staff stated that the Preservation Commission cannot overrule the City Council and yet the modified design includes light towers that do not comply with the City Council's actions. How do our actions fit in context? In terms of the project being in litigation, is there staff recommendation or clarification about how any actions tonight would be fitting?

Jack Byers stated that the HPC has an amended Certificate of Appropriateness before you that is by ordinance similar to a new Certificate of Appropriateness. It is an application that is before you and the commission does have the obligation and the right to make a decision on it. Any legal case about the project is proceeding on its own course. That does not prevent the commission from making a decision about this proposal. The commission will have to take into account what is in this proposal in its entirety including what has previously been considered as part of the old design and what is now considered part of the new design. The amendment is a new proposal and it is an amended Certificate of Appropriateness.

Commissioner Larsen asked if the commission chooses to deny the application would the applicant would not necessarily be required to appeal the HPC decision for this particular amendment could they seek to use the existing application that was approved by the City Council, is that correct?

Mr. Byers stated that the applicant has a durable approval from the City Council for the original Certificate of Appropriateness. That is not an approval for the entire project. That is an approval based on the Certificate of Appropriateness. The project has not yet been through the Planning Commission. The HPC has jurisdiction over the Certificate of Appropriateness. The applicant has a durable approval of the Certificate of Appropriateness from the City Council based on last summer's decision from the appeal of the HPC. The HPC has always, with every Certificate of Appropriateness, by ordinance, has the right and obligation to make findings and either deny a project, approve a project or approve it with conditions. The HPC should make its decision based on balancing the staff recommendation with public testimony. That is the point of the hearing. Any decision by the commission can be appealed to the City Council by any interested party.

Commissioner Larsen asked but the approval that they have, if it is denied, then they still have the approval based on the previous submission. The over turn of our previous denial. Mr. Byers stated that the applicant currently has an approved Certificate of Appropriateness for the design that was originally proposed. And that Certificate of Appropriateness is durable for a period of one year if progress is being made on the project. Then it is routine, if requested in writing that they are extended, which is currently approved by City Council.

Commissioner Koski had a question related to finding #15 concerning the surface material for the field. Have you done any research or familiar with any other historic landscape that uses artificial turf as some kind of medium? Or if that has been consider by the Secretary of the Interior? What guidelines are in place for those kinds of surfaces?

Ms. Ahlgren stated that her concern is if there are studies done, how long does it last, how do you get it to stay there, and what is it sealing up, what are the alternatives in terms of different types of grasses. That is something she would consider carefully because that was also one of the conditions of approval by the City Council.

Commissioner Koski asked is it customary in considering new synthetic materials that imitate a natural material, whether it is a landscape or a building component. One of the things that we consider is whether or not using historic material represents an unreasonable financial burden for the applicant or continuing to use such a natural material would represent a danger or compromise the integrity of the building. Those are our measures. Wondering what proof would be given to this commission to allow any synthetic material to be used whether it is landscape or building in nature.

Ms. Ahlgren stated that in her finding that decision is going to be determined by the Minneapolis Park and Recreation Board in conjunction with the City Planning staff.

Commissioner Koski said then we are not being given the opportunity to approve or disapprove any particular material. Ms. Ahlgren stated no, maybe she did not write that clearly enough, she was using this to state that if we are to be working with the Minneapolis Park and Recreation Board to determine the best possible material and what the options are it is why she wrote: This consultation should consider available options most appropriate for the district and must consider preservation, surrounding resources, containment or mitigation of the potential archeology on the site. Commissioner Koski stated he thinks that staff could make a pronouncement now about what the best material would be for the field. A natural turf or live material for the field would be the appropriate solution. If there are other criteria involved, they are perhaps not germane to our consideration. Ms. Ahlgren stated that staff will be working with the Minneapolis Park and Recreation Board. She stated that she is not up to speed with what those materials are. Commissioner Koski stated if we were to approve this we would let the decision lie with other people. He appreciates that staff would be involved but it could end up being a "chia" pet material. His concern is that the HPC would not be involved.

Commissioner Ollendorf with regard to finding #12 on page 7 removing the wood timber retaining wall would expose existing limestone retaining wall; is the HPC to consider that part of the historic fabric of the area. Ms. Ahlgren responded she believes limestone retaining walls maybe misleading. She thinks it is more of a curbing. As far as she knows it is still part of the historic fabric. The snow was too deep to get a good look at it.

Commissioner Ollendorf also questioned the overall height of the proposed lights, finding #14 70 foot tall mass lighting poles, is the 70 foot tall masting the same height we started with in the original proposal. Ms. Ahlgren responded that the lights are going to be the same as originally proposed, the retractable or other design alternatives were to costly and would not provide good light. This can be found in appendix A. They will still have a visual impact and be permanent structures.

Commissioner Selchow asked in the finding #6 in regards to the press box not meeting the district guidelines and not being aligned with the street, as well as in item #16 the historic alignment was discussed, but under the conditions there is not a statement made about that proposed alignment and the destruction of that. Ms. Ahlgren responded that she did not include that in her conditions. She stated several times in her report that this is still an adverse effect to a historic resource. It was not her purpose in analyzing this material to revisit that because that decision has been made the approval to remove and vacate that street.

Commissioner Selchow asked if staff felt there were any additional items of mitigation that could have been done? Ms. Ahlgren responded that her emphasis on archeology is what she was most concerned about, no matter what design is built or surface material is put there.

Commissioner Larsen asked that Ms. Ahlgren repeat the piece that talked about the grass and purview of the Park Board. Ms. Ahlgren responded that this would be under her findings #15 The modified design of their application called for the final decision about the surface of the field to be decided in conjunction with the Minneapolis Park Board and our staff. Commissioner Larsen asked if this was in a document provided by the applicant or was it in a document provided by the City Council that indicated that the field material was to be reviewed. Ms. Ahlgren responded that this was in the application. Commissioner Larsen stated then that the applicant is requesting that they work with the Minneapolis Park and Recreation Board. Ms. Ahlgren stated that the applicant is addressing the condition set by the City Council and that is how she interpreted that.

Jack Byers stated that in the City Council's decision of the appeal of the original design; the City Council stipulated that it would be natural turf. This is a separate application; it is an amendment that is treated as a new Certificate of Appropriateness and the applicant is responding by saying it will be explored further. It is not appropriate for the staff to design it for the applicant. At this point staff is presenting that information to the commission; the commission should hear in the public hearing what others think about that and you can make a decision to accept that proposal from the applicant or modify it as you see fit.

Testimony:

Brother Michael Collins, President of DeLaSalle High School, 1 DeLaSalle Drive. He represents a group of Christian brothers who have lived there for 107 years on Nicollet Island with great respect and appreciation for Nicollet Island. His primary purpose is to simply reinforce what he has heard from his attorney and the city staff person, that we are here not because we feel an obligation to return, but they feel they could to a better job in view of some of what was said the last time, in view of what many stake holders have said to us with regard to a more appropriate field edifice. They are convinced that this is better. It would be easy for them and quite candidly he would save money had they not gone to a new architect to do a better job. It is a sign of their commitment to do the best job they possibly can. Not only for the kids but for history.

Victoria Ames, she is here on behalf of Tom Nordyke Commissioner of the Park and Recreation Board. And he is the Park Board appointment to the City Planning Commission. She read from Mr. Nordyke's letter. He has reviewed Meyer, Scherer, Rockcastle's new design for the shared and DeLaSalle and Minneapolis Park Board and Recreational playing field on Nicollet Island. He offers his unconditional support. He believes the improvements; particularly the creation of the bleachers built into the berm, the focus on historical markings and plantings and the introduction of markers to recognize the historic alignment of Grove Street will bring the field into harmony with the surrounding historic environment. DeLaSalle is to be committed for the additional effort and expense invested in creating a design solution that balances the needs of all stakeholders including the island neighbors. He urges the preservation commission to grant a Certificate of Appropriateness given the significant improvements to the field design. She read another letter from Tom Fisher, Professor and Dean at the College of Design at the University of Minnesota. He thinks the design goes along way towards mitigating any negative effect of the field on the island. The lowering of the field and placing the seating on an earth berm and minimizing the size of the above grade structure to a nicely designed press box and heavily planting of the west side of the berm all greatly reduced the fields impact on the neighborhood. The historical pylon and trace of Grove Street on both sides of the field allow the memory of the street to remain and the press box manages to be respectful of its historical setting while remaining well proportioned and a thoughtfully detailed modern structure. He commends DeLaSalle for hiring one of the best architectural firms in the city. It shows how far sensitive design can go to resolving potential conflicts and meeting divergent needs. This will be a very functional field for the school in the

city, while also providing a very attractive landscape based solution to the site. Victoria Ames stated that history is a small thing compared to what good the field could do and helping our youth could bring a positive effect on the community as a whole.

Tom Meyer, 710 S. 2nd St. Architect with MS&R Architects. This is a project they thought long and hard about. It is controversial. Their condition for getting involved was once the project was approved they were convinced of the school's sincerity wanting to make it a better project. If it was going to happen it should happen as good as it could. The essential concept of the new structures is to be taken from garden structures; brick covered with vines, the idea is that they will merge with the landscape, as well as being significantly lower and dispersed from the original design. The island has a series of metal structures attached to masonry in many cases that they looked at for inspiration. The detailing will be appropriate in the historic context. They are not proposing a historical style to these structures but a modern style that will stand in contrast. And they think that is consistent with the Department of Interior standards. The mitigation measures of Grove Street where Grove Street meets other streets pavers will be taken from the street as well as an interpretive monument proposed to be modeled on the heritage trail monuments for the sake of consistency along the river front. They are open to work with staff and others for improvements or other ideas.

Commissioner Ollendorf asked for clarification about the lighting. It is not clear to her how many alternatives were looked at for the lighting in terms of the style and the vertical height.

David Braslau 1225 LaSalle #1703. The lighting consultant and manufacture examined different types of poles. One is a collapsible and one is a movable tower set up like a truss that moves into place and then is extended. Musco Lighting will not guarantee their fixture or lighting design under those circumstances, they need a fixed pole that is precisely pointed. They put each of these elements in the light fixture to design it as to where the light is supposed to be on the pole. So that it specifically directs the light on the field. The lighting shades that are put up, each light is pointed and set with very limited lighting off the field. The reason the pole is 70 feet high is because the lighting is projected down on the field. If the poles were lower the lighting would have to be pointed at an angle. The reason it is pointed down is to keep the lighting on the field. The lighting is shielded so that they use 40% less energy. The light that would normally be spilled is now directed on to the field.

Commissioner Selchow asked when siting the press box were there any other options discussed as far as moving it off the alignment of Grove Street.

Tom Meyer responded that they discussed how far off of dead center the standards for press boxes are and given how tight everything is the to observe the plays on the field, it did not meet the requirements for the press.

Commissioner Selchow asked about the elements of mitigation which are the pylons, markers and pavers was it looked at as well as mitigating and observing the alignment from Grove Street within the football field, so that if you were on the field looking back that you could also see original alignment.

Tom Meyer stated that they did talk about that and it would be possible to put something in the field that might represent some kind of marker like that. They would negotiate with any confusion about line work on the field. The field will be re-stripped for soccer and football. He thinks it is a possibility. The press box from Groveland looking east and then looking west the box itself covered with vines. They thought it did represent the geometry of where the street has been. The landscape would change from a wild prairie landscape into a more kept landscape at the street alignment. There is a window in the press box which lightens the massing of the box further. Collectively those things have some effect to mitigate the loss of the street.

Commissioner Larsen stated while those mitigations are very subtle it may be lost on most people but something a little more fixed that could indicate visually where that alignment would provide a visual connection from one end to the other.

Tom Meyer stated they were thinking along those lines and can see if they can take it a bit further. The press box does break the normal rhythm of the bleachers at the point of the street. They could take those bleachers and have them be a different color or in some way mark the edges on the bleachers to represent more of a presence at that point. On the east island side they could look at modifying the landscape more completely.

Commissioner Larsen stated looking at the site plan the treatment is on the exterior of the field enclosure, there is a dashed line that represents where the street was but in the contained area there is no visual indication. If you are in the bleachers looking out and wondering what was here before there is no visual indication.

Tom Meyer stated there is a potential to have a more significant marking. He pointed out where the home team and visiting teams would be placed. And showed where the enhanced visual of what was once there could be placed.

Jay Palmroy, Landscape architect with Anderson Johnson Assoc. He showed pictures of elevation and locations of where the field could be placed. They did look at several alternatives of where to put the field, it was requested of them by the Park Board and the Citizens Advisory Committee. Dropped 3 feet from its current condition and that is subjective, taken from the Grove Street alignment and then they went back and dropped it an additional 2 feet to allow them to get down further and eliminate the walls along the railroad track and from East Island Road at the railroad all the way down to a spectator entrance will be. Then they pick up the walls again and they will be terraced. They did commission soil borings at the site to review the depth of bedrock it is about 4 feet down in front of the bleachers. Every where else it is 5 feet, 11 feet, 10 feet, 7 feet it drops off as you get to closer to East Island Road. They will be right over the bedrock, maybe scraping it. They will berm it up where it is most shallow. The goal posts will be permanent H style to double as soccer nets.

Commissioner Selchow asked if there is a reason why the field is not parallel with Grove Street.

Jay Palmroy responded that it is a balancing act. They have a dimension from the North side of the gym wall to the railroad tracks it is at its maximum distance for playing and fitting in the pedestrian trails from the North and South ends to link the Grove Street Bridge.

David Braslau stated that cost was not a factor for the lighting; it is the best available system to do the job. The sound system had to be redesigned because the bleachers were redesigned. To keep the sound away from the neighbors to the north and to the east. They did not want reflected sound to go back to the north. The speaker on the pole is about 40 feet above the ground. Trying to keep the sound level for the nearest residents down to 60 dba.

Barry Lieske 5921 12th Ave. S. Principle. The motivation of the school. They currently rent fields at Fort Snelling for the soccer program and end up all over the metropolitan area to play the football games and sometimes in the suburbs because of the lack of availability of fields. They looked at their 1983 agreement and there was a call for a field on Nicollet Island and they began to explore the feasibility. It is a field they would see used for intramural and physical education classes during the school day they see a lot of advantages of keeping the proximity adjacent to the school.

Nikki Carlsen 4035 Sheridan. DeLaSalle parent. She showed photos at the Zoning and Planning meeting and now is showing them to the HPC. These photos may have been persuasive. As this project has been debated over the last 2 ½ years, everyone is in agreement that this is a good thing for the children and families at DeLaSalle. Is this good for the Island? She thinks the island is a gem and she thinks it is a huge study in contrast. She

pointed out her pictures that show that contrast. The beauty and strength of Nicollet Island is its diversity and inclusively and in its willingness to change; not in the uniformity or the exclusively and its resistance to change. At one time she had a meeting with a professor at Madelyn College at Oxford at the University, at her first meeting the building was 400 years old; she told him, this building is so beautiful and we do not have anything like this where she comes from in Minnesota, it must be so cool to work here. He said, indeed it is cool to work here; it is because of the learning, knowledge and wisdom that is shared here to pass on to future generations. It is not about looking at the old things. As a DeLaSalle mom she loves the school and it is an historic institution that gives a lot to the city. The history of that needs to be honored as well.

Judy Blasic, parent of DeLaSalle and member of the CAC. Commends the school for taking the steps with the changes the new architects brought forward. They explored other things like alternative sites, which she thinks was a positive experience. No alternative sites were available. The original design passed the CAC. The changes only enhance. The enhancements are perfect.

Eric Galatz, 150 S 5th St. Leonard Street and DeInard. There is a specific proposal before you and he appreciates the HPC's serious consideration of it. You have heard about the alternatives and the investigation of those. Although the city has already found that offsite alternatives are defacto and not reasonable alternatives. This is an athletic facility that is part of the curriculum and part of the program; it needs to be with the school. They did look at specific alternatives with the CAC process. The city's findings with the appeal of the first Certificate of Appropriateness, pointing to finding #11 which the city found there were no reasonable alternatives on or off-site to the closure of Grove Street. Ultimately that is the key question to the HPC. With the submittal of the application for the amendment includes a letter from Two Pines Research which discusses the three phase mitigation. The staff report states that they need to do more. They have committed to do more. It is a three stage process that cannot go further than the written survey until they are actually out there.

Jack Perry, Briggs and Morgan law firm. He stated that you have before you an important question that simply an oral response from legal consul is appropriate, he thinks this is something that the HPC needs to dig into; that is what is your charge right now? Are you simply supposed to accept the findings before and then add on to that? Only looking at the change to this? He does not think that is what the ordinance says. Ordinance 599.370b Only give deference to the prior approval if it is a minor change. Here under b other changes; operative language is the requirements for application of approval of a Certificate of Amendment shall be the same as the requirements for original approval. The significance of that is in the staff report on the bottom of page 1 and onto page 2. The present application is there for subject to the same review and public hearing process as a Certificate of Appropriateness. That is important to the HPC because you received from Lisa Hondros a notice of intervention under MN statue 116b.09. That is the Minnesota Environmental Rights Act. Judge Rosenbaum ruled on the district court action that by intervening in the first instance, that meant that these MERA standards, that you have to deal with the MERA standards which expands what your charge is. No longer are you looking at historical impacts; but by law you are obligated to look at the MERA standards and apply them to your decision making. Once find there is a destruction of an historic resource, when they ordered the mandatory EIS, because this was a destruction of an historic resource. That decision which was not appealed within 30 days was a final decision. One thing that we know for sure is this project is a destruction of an historic resource. Once there is a destruction of an historic resource MERA requires you to find "there is no feasible or prudent alternative" that "does not itself create extreme hardship", Minnesota Supreme court in the Archibald decision. Because this is a brand new application and you have to apply that standard and look on your own whether there are alternatives to this project. When you look at the alternatives, DeLaSalle would ask you to hang your hat on the adjacency requirements and the problem is that it is exactly what Hennepin County argued in the Archibald case when they wanted the jail next to the courthouse. There were reams of arguments on why they needed that jail. The other requirement of MERA is that you must also look to find out if any environmental quality

standards have been violated by the proposal. In this case there is a host of different protections on this island. It is phenomenal to look at how many rules and regulations that apply to this island and to this project. Because you are commissioned by the notice of intervention you now have to look at all of those regulations to find out if this project is in conflict with those regulations.

Commissioner Koski stated that based on the recommendation that the HPC has received from staff today they are not going to include those requirements, we are not familiar with them, and he has not been personally directed by any judge in the state of Minnesota to do otherwise.

Jack Perry responded that the staff recommendation was prepared before the notice of intervention was filed last night at 11:16 p.m. The staff could not have advised you to look at the environment of quality standards. He cautioned the commission to look at what Judge Rosenbaum said even though she ruled against the opponents and stated that the review must be in the court of appeals. She did state that MERA standards apply to this proceeding once intervention is filed. That is a procedural issue.

Paul Labovitz, 111 Kellogg Blvd., St. Paul. Superintendent of the Mississippi National River and Recreation Area. The mission of the National Park Service is it preserves unimpaired the natural and culture resources and values of the National Park System for the enjoyment, education and inspiration of this and future generations. The National Park Service previously submitted its comments on the Environment Assessment Worksheet for the proposed athletic facility to the City of Minneapolis on November 23, 2005. The National Park Service also provided testimony at a previous HPC hearing on the proposal. They have conducted a preliminary evaluation on the proposed project changes and though they know it is several minor improvements to the design of the complex, the proposed project is still largely inconsistent with the goals and policies of their comprehensive management plan for the Mississippi National River and Recreation Area. It represents a significant adverse impact on nationally significant resources. Even with the proposed changes the project does not uphold our quarter management plan policies that call for preserving river front areas within their corridor for river related or river dependent uses. The project still represents a loss of public open space for an essentially private purpose with limited public access. It represents a significant impact on the nationally significant resources of the St. Anthony Falls historic district. They continue to recommend that the DeLaSalle High School and the Minneapolis Park and Recreation Board work to identify an alternate site to meet the needs of their athletic programs. They recommend that the commission deny the Certificate of Appropriateness for the proposed project modifications.

Irene Jones 360 N. Robert Street, St. Paul. Representing Friends of the Mississippi River. Requests that the HPC deny this application. They did make some changes in response to things that she specifically said. She expressed concerns about the height of the wall at East Island Ave.; she acknowledged that it was changed. It is a minor modification compared to their major concerns. They are still not in favor of seeing this go forward at this site. They do support DeLaSalle's interest in an athletic program and hope that they can find an alternative to the site on Nicollet Island. Concerns are the failure of DeLaSalle to explore alternative locations for the project; inconsistency with the Nicollet Island Park master plan, the Minneapolis Mississippi River critical area plan, The Mississippi National and Recreational area comprehensive plan and the Metropolitan Parks and Open Space policy for river front regional park plan. They are also concerned about irreversible impacts to the historic and scenic character of Nicollet Island and loss of public river front open space for nearly exclusive private use. It is not what is envisioned for this site in the Nicollet Island Master Plan and other documents. It is not river dependent for its use and does not need to be on this island.

Bonnie McDonald, Preservation Alliance of Minnesota. The Alliance submitted their comments via email on March 13th regarding their opinion on the Certificate of Appropriateness. Speaking on behalf of the National Trust for Historic Preservation and Christina Morris could not be here. You have a letter that Christina Morris has sent on March 19th. The National Trust

and the Preservation Alliance would like to recognize DeLaSalle's amended proposal and that they do make some positive modifications and they appreciate that they have used MS&R to do those modifications; however, they still find that the current proposal is problematic on several counts. Count #2 the proposed modifications really do not negate the adverse impacts of this proposal on the historic district. The current plans continue to demolish Grove Street which is recognized as an historic resource. The plans compromise the character and the integrity of this historic district by causing the demolition of this historic resource and the newly proposed sinking of the field has the potential to disrupt not only the street grid but some very significant archeological resources. The Alliance and the National trust for these reasons must disagree with the recommendations of the staff report respectfully and they strongly encourage you to deny the application.

Sharell Benson, Sierra Club. The Sierra Club continues to believe that an athletic facility is not appropriate for Nicollet Island due to its scale and proximity to the Mississippi River. At their last appearance before the commission they hi-lighted the following issues: Most of Nicollet Island was acquired to create a regional park for the benefit of all people of Minneapolis and surrounding communities. If the publicly owned open space on Nicollet Island were restored to public habitat it would provide a conservation and recreational jewel amidst the densely populated and highly developed urban and historical area, in contrast to the new application proposals replacing prairie grass meadow with an active sports facility potentially including artificial turf. The Sierra Club is greatly concerned that the alternative building sites off of Nicollet Island were not discussed and would generate fewer environmental and social impacts and the proposed facility would ultimately strip the right to use public land from the citizens of Minneapolis. The critical area plan states that Nicollet Island shall be maintained in the manner which will provide public use and enjoyment for all segments of the population. A Certificate of Appropriateness for this project is not in the best interest of Minneapolis citizens and would limit public access to the recreational area. The Sierra Club urges you to deny this application. They have stated in their comments made on August 1, they acknowledge the outstanding reputation of DeLaSalle and the benefit they have brought to this community but they are still opposed to having the facility on Nicollet Island. They would hope that they would explore some other sites not on Nicollet Island. She read a letter prepared by Katie Simondastic. Twice already this year Richard Moe, president of the National Trust for historic preservation has publicly expressed his alarm at inappropriate development in the St. Anthony Falls Historic District. DeLaSalle's project is one that in most words threatens to destroy the historic character of the district and suggests that the tipping point has been reached. A high school stadium slated for Nicollet Island will fray the fabric of the delightful historic residential area. This proposal to close and remove a portion of Grove Street will forever compromise the historic character and integrity of Nicollet Island in the St. Anthony Falls Historic District, disrupting Nicollet Island's street grid, traffic and pedestrian movement patterns in an historic and visual relationship between the district and the Mississippi river front. The National Trust wants to insure that the city complies with Minnesota's strong preservation law by examining all of the feasible and prudent alternatives to a large stadium in this location. And it is more than Mr. Moe. Every historical preservation expert to comment, both individuals and organizations, has like wise expressed expert opinions supporting denial of a Certificate of Appropriateness. She handed a chart showing 12 expert opinions and shows they still apply to DeLaSalle's revised design.

Bob Roscoe 1401 E. River Pkwy, Friends of Nicollet Island. The new design has no effect on the findings because the new design still closes off Grove Street. It ignores the fact that Grove Street and Nicollet Island is one of the most valuable cultural landscapes in the City of Minneapolis that should not be taken lightly. It has also been stated that there has not been any alternatives to this proposed site. He also showed photos of renderings of sites near by DeLaSalle. As a worse case scenario if the alignment were to put the field parallel to Grove Street then there could be collapsible bleachers that could be put out during those game times. He then showed photos of schools in Minneapolis that have athletic fields off the school sites.

Edna Brazattis, 412 Grove Street. She spoke of Parade Stadium; this is an alternative that is being built now. This is a concept plan for the Park Board; they are on a timeline to build it. It is going to be a facility in Minneapolis that will stand out in the Midwest and the country. The Park Board has improved plans to install the artificial turf, field and lighting in 2007. It will be completed in September 2007. As Superintendent John Gurben stated this is the beginning of many good things to come. It is a phased facility and will have a training facility next to it. The city findings are in error, none of the 5 off-site alternatives are designed for spectator sports and none have adequate locker rooms, parking or space for parking on or near the sites. This is not true; Parade Stadium is being designed for spectator sports. It is being designed for pro-play. They were working with the Minnesota Thunder before we even entered into the CAC. All this work was done before we even had the opportunity to look at DeLaSalle's program. It will have pro-lighting. It will be lit to the 50 candles, an electronic score board, stadium seating with center chairs. It has lockers. Right now there are two restroom buildings on site that could be used for lockers. And the pro soccer team that is negotiating with the Park Board is negotiating to have lockers in the parade ice gardens. That criteria that the City Council stated does not exist, does exist. It has parking. And currently there is lots of parking at Parade Stadium. And there are 400 spots now, there 864 more spaces in the 21 million dollar city financed Walker Ramp and DeLaSalle plays baseball at Parade and it has parking instructions on its' website about how to use the convenient parking. Parade is accessible, it is convenient to public transportation, and they will open the Van White Boulevard to connect them with the North Side, including the bike path. It has excellent freeway connections. People, who play there, including Augsburg, talk about how it is the most beautiful scenic ballpark in Minneapolis for its skyline view of Minnesota. There are schematics that show all these things, all the things the City Council said did not exist. They do exist. If you take what Nina Archibald argued and won in the Armory case, in that case it was moving prisoners, anyone that is involved with teenagers know that there is a lot of travel. The Parade site is a reasonable alternative. It would be a beautiful site and is something that should be considered. But we never had a chance, not in the CAC or anywhere else to look at reasonable alternatives. We should be looking for the bigger good of Minneapolis residents. If we do not look at these alternatives she thinks we may lose an historic resource. An historic resource is broader than Nicollet Island. She is concerned about all of the development that is going on in the district. This will be one of the last blows.

Patrick Scully 167 Nicollet St. The State Legislator authorizes the Historic Preservation Commission to promote the use and conservation of historic properties for the education, inspiration, pleasure and enrichment of the citizen's of this state. It is clear from how you voted on this project last time and your considerations, deliberations and your vote that if it were up to you this is not a project that would be happening because of the location and your charge in terms of history and the importance that you place on that in the fabric of our city. Even the best intentioned of users, when space is not adequate, things do not get used well. A current shared use agreement, a small parking lot adjacent to the DeLaSalle parking lot, that is a Minneapolis Park Board lot and the DeLaSalle students, other people, and staff use it during the day time. It is a parking lot built to accommodate 15 cars. There are usually about 25 cars parked in that lot. Things not only get double parked, they get triple parked and quadruple parked. He does not think it is because DeLaSalle is malicious it is because there is not enough space to do what they want to be doing. What happens in that a student pulls in, it is 10:00 a.m., and the student parks their car in the entrance to the parking lot? What happens if someone needs to leave? They will have to drive over the lawn. This is symptomatic of the issue of what happens if we try to shoe on a project that is too big into a very limited space. Even the best intentioned of users are going to end up creating chaotic situations that are not the benefit for the nature of what we want in a quality city.

Carolyn Wolski, Leonard Street & Dienard, Lawyer. Responding to the procedural/legal arguments that council for the opponents made. This application is subject to the same review as any kind of application for a Certificate of Appropriateness. DeLaSalle is not looking for any kind of special deference. The Friends of the Riverfront did submit late yesterday an intervention under the Minnesota Environmental Rights Act and that is a statute that has some standards that go along with it. There has been no finding by the City of Minneapolis that the

project will result in destruction of a historic resource. Under a different environmental statute the city found that there would be adverse impact on the historic district, but there has not been any finding under MERA in that regard. It does not matter because under MERA, if you find that there are no feasible and prudent alternatives then this project can proceed, even if there will be destruction of a natural resource. That is similar to the standard that you are already accustomed to under the Heritage Preservation Ordinances you allow projects to go if there is no reasonable alternative. It is either a reasonable alternative or no feasible or prudent alternative. This is a project that requires adjacency to DeLaSalle. The project applicant gets to have some say on why it is doing the project and being off-site is not going to allow DeLaSalle to have competitive and inter-mural and curricular activities and to do that with the Park Board. The 1983 Nicollet Island agreement, which is a binding legal document, calls for the athletic facility to be adjacent to DeLaSalle. If we are talking about being on the Island and not busing kids away, we have looked at a number of alternatives, there is not one of them that does not have safety issues or issues relating to reconfiguration of their streets. The school finds and the Park Board believes and the City Council also found, there are not any alternatives that are going to work for this project.

MOTION by Commissioner Koski not withstanding staff recommendation to **deny** a Certificate of Appropriateness and **adopt** staff findings, modified accordingly; add findings #22-25 to read as follows: #22 Contributing properties based on NRHP criteria A & C, contributing properties in the Nicollet Island sub-district include the following, the historic alignment of Grove Street, Grove Street Flats, the Nicollet Island residential area, the St. Paul and Northern Pacific Railroad and the original DeLaSalle High School building. #23 Effects of the Grove street closure, closure of a portion of Grove Street will constitute an adverse effect on the historic district. #24 Compatibility of construction of with district guidelines; many aspects of the project including siting height and materials are incompatible with the Nicollet Island sub-district guidelines and would have a lasting adverse effect on the district. Incompatible aspects include the height of light masts, night time illumination levels, imitation stone, artificial turf and the location of the stadium on the historic street. Finding #25 Potential mitigation for Grove Street closure; the measures proposed by DeLaSalle are not sufficient to mitigate fully the adverse effects to the district of closing a portion of Grove Street: Modify findings in current report to read as follows; finding #3 Grove Street is considered to be a contributing resource to the district. Strike the rest of finding #3. Finding # 4 The Modified Design changes the originally proposed 29 foot tall press box, storage, bleacher seating structure to three one story brick structures that may have less of a visual impact on the district, but does not mitigate its impact on the district. Finding #15 The modified design provided by the applicant calls for final field surface material, grass or artificial, to be determined by the Minneapolis Park and Recreation Board in consultation with the Community Planning and Economic Development staff. Natural turf is most appropriate for the historic district. Strike the last line of finding #15. Strike finding #17 in its entirety. **SECOND** by Commissioner Lee. **MOTION DENIED** with no abstentions.

Informational

1. 215 -223 2nd Street North and 206-218 Washington Ave North; 216 2nd Avenue North, Ward 7 (Staff: Carol Ahlgren)

Informational meeting regarding "Pacific Block" new designs for new construction (hotel) on Northwestern building; and new construction/infill ten story condominium building. Certificates of Appropriateness previously denied.

Commission Business

Adjournment

Next Regular Heritage Preservation Commission Meeting: April 17, 2007

The President reserves the right to limit discussion on Agenda items.

Heritage Preservation Commission decisions are final unless appealed.

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