



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

Date: January 20, 2011

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

Referral to: Zoning & Planning Committee

Subject:

Name of Appellant: N/A

Name of Original Applicant: Michael Bjornberg, HGA, Inc.

Property Address: 2600 Park Avenue

Ward #: 6

At their January 4, 2011 meeting, the Heritage Preservation Commission voted to recommend approval of historic variances to the Zoning and Planning Committee to vary setback, fence height, and sign height standards.

Recommendation:

The Heritage Preservation Commission unanimously adopted staff's recommendation to approve with standard conditions (listed in the staff report) historic variances for the proposed work at 2600 Park Avenue, Ward 6.

Previous Directives: N/A

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

Approved by: Jack Byers, Ph.D., Manager, CPED-Planning-Preservation and Design, 612-673-2634

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

Financial Impact *(delete all lines not applicable to your request)*

- No financial impact

Community Impact

- Neighborhood Notification: The Phillips West Neighborhood Association was notified of the application by letter, mailed on December 21, 2010
- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 60-120-day decision period: N/A

Background/Supporting Information

In addition to the historic variance application, the Applicant applied for a Certificate of Appropriateness to make interior, site, and building changes to the Swan Turnblad Mansion (American Swedish Institute). The Heritage Preservation Commission voted (5-2) to approve the Certificate of Appropriateness application with the following conditions:

1. Day-glo, light reflecting and fluorescent colors or materials on signs are prohibited, as verified by CPED staff at sign permit issuance.
2. CPED staff shall review and approve the proposed location of the stone horse's head to ensure it remains in an area readily accessible to the public during normal operating hours.
3. Sign #3 (freestanding sign) shall be mounted on an immediately adjacent nonhistoric fence segment.
4. Sign details not specified on the project plans shall comply with the Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings*.
5. All workmanship must be conducted in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.
6. Final plans, elevations, details, material selections, and finish samples must be submitted to CPED-Planning Staff for final review and approval prior to any permits being issued.
7. By ordinance, approvals are valid for a period of one year from the date of the decisions. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than January 4, 2012.
8. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.

Attachments

- A. Staff Report – A1-A21
- B. Materials Submitted by CPED – B1-B2
 - 350' Zoning map – B1
 - 350' Land use map – B2
- C. Materials Submitted by Other Parties – C1-C2
 - Public comment letters – C1-C2
- D. Materials Submitted by Applicant – D1-D72
 - Letter to Neighborhood & Councilmember – D1-D4
 - Project Scope – D5-D11
 - Plans – D12-D72
 - Bound supplement dated December 13, 2010 (numbered independently)

Historic Variances
BZH-26689

Date: December 28, 2010

Proposal: Request for Historic Variances to vary setback, fence height, and sign height at the Swan Turnblad Mansion (American Swedish Institute)

Applicant: Michael Bjornberg

Address of Property: 2600 Park Avenue

Name of Landmark: Swan Turnblad House

Project Name: American Swedish Institute Nelson Cultural Center and Turnblad Mansion Renovation Heritage Preservation Commission Application for Historic Variance

Contact Person and Phone: Michael Bjornberg, 612-758-4385

Planning Staff and Phone: John Smoley, Ph.D., 612-673-2830

Date Application Deemed Complete: December 14, 2010

Publication Date: December 28, 2010

Public Hearing: January 4, 2011

Appeal Period Expiration: January 14, 2011

Ward: 6

Neighborhood Organization:Phillips West Neighborhood Association

Concurrent Review: Site Plan Review, City Planning Commission
Certificate of Appropriateness, Heritage Preservation Commission

Attachments:

- A. Staff Report – A1-A9
- B. Materials Submitted by CPED – B1-B2
 - 350' map – B1
 - 350' map with comprehensive plan land use categories indicated – B2
- C. Materials Submitted by Other Parties – C1-C2
 - Public comment letters – C1-C2

D. Materials Submitted by Applicant - D1-D4

- Letter to Neighborhood & Councilmember – D1-D4
- Bound packet (numbered independently)



Figure 1. 2600 Park Avenue under construction, 1907, looking west, source: Minnesota Historical Society



Figure 2. 2600 Park Avenue, December 2010, looking west, source: CPED files

Department of Community Planning and Economic Development
 Planning Division

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| CLASSIFICATION: | |
| Individual Landmark | Swan Turnblad House |
| Period of Significance | 1903-1929 |
| Criteria of significance | Architecture; significant persons; cultural history |
| Date of local designation | July 26, 1974 |
| Applicable Design Guidelines | <i>Secretary of the Interior's Standards for the Treatment of Historic Properties</i> |

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|-----------------------------|----------------------------|
| PROPERTY INFORMATION | |
| Current name | American Swedish Institute |
| Historic Name | Swan Turnblad House |
| Current Address | 2600 Park Avenue |
| Historic Address | 2600 Park Avenue |
| Original Construction Date | 1903-1910 |
| Original Contractor | Numerous |
| Original Architect | Boehme and Cordella |
| Historic Use | Single Family Residence |
| Current Use | Institutional |
| Proposed Use | Institutional |

BACKGROUND:

The subject property is a residence turned house museum constructed between 1903 and 1910 for Swan J. Turnblad. A Swedish-American immigrant, Turnblad moved to Minnesota when he was a young boy. He made his fortune by acquiring a floundering Swedish-American newspaper called the *Svenska Amerikanska Posten* and transforming it into one of the most widely circulated Swedish-American newspapers in the United States. As a tribute to his success, Turnblad commissioned Minneapolis architects Boehme and Cordella to design a stylish Chateau estate on Park Avenue. The 33-room house cost nearly \$1,500,000 to construct and took seven years to complete. The three-story mansion, built of Bedford limestone, is designed in the Chateausque (French Chateau) style. Other notable features of the property include a massive porte-cochere with a solarium above, a two-story carriage house, and a decorative stone and iron fence that surround the property.

In 1929, just nineteen years after the house was completed, Turnblad donated the house to the Swedish American Institute. The Institute has used the mansion and carriage house as a house museum ever since, preserving the mansion and sensitively altering it when institutional needs changed. In 1974 the Minneapolis Heritage Preservation Commission designated the mansion as its first Landmark. In 1983 the Institute added a sizeable, half-story (ground floor-basement) addition on the western side of the residence, connecting the carriage house to the mansion. In 2006 the Institute's restoration of the solarium on the southern side of the property won a Minneapolis Heritage Preservation Award. With success comes visitors. Those visitors have strained the fabric of the historic mansion, and the Institute seeks to alter the property to ease the strain on the historic residence and improve access to both the mansion and site.

The purpose of the Historic Variance is to consider and review proposals that may need a zoning variance for properties that are locally designated. The City's Heritage Preservation Regulations stipulate that the Heritage Preservation Commission shall hold a public hearing on each complete application for a Historic Variance. Following the public hearing, the commission shall make findings with respect to the proposed Historic Variance and shall submit the same together with its recommendation to the zoning and planning committee of the City Council. The City Council shall make the final decision on all Historic Variances.

SUMMARY OF APPLICANT'S PROPOSAL:

On behalf of the American Swedish Institute, Michael Bjornberg of HGA, Inc. seeks Historic Variances to:

1. reduce the front yard setback along Oakland from 15 feet to 11 feet;
 2. increase the height of a fence located in the front yard setback along Park Avenue from 3 feet to 9 feet; and
 3. increase the height of a building mounted wall sign from the permitted 14 feet to 20 feet;
- at 2600 Park Avenue, the Swan Turnblad House, a Landmark. The property is located in the OR2/High-Density Office Residence District.

The Applicant has provided a bound packet illustrating these changes.

This proposal also requires Site Plan Review by the City Planning Commission and A Certificate of Appropriateness from the Heritage Preservation Commission.

The subject property occupies an entire city block. The minimum required front yard along Oakland Avenue South is 15 feet for the addition to the principal structure. The maximum height of a fence in the required front yard is 3 feet; the height of the fence may be increased to 4 feet if the fence is constructed of open, decorative, ornamental fencing less than 60% opaque. The maximum height of a wall-mounted sign in the OR2 High-Density Office Residence District is 14 feet.

ANALYSIS:

The proposed work complies with the City of Minneapolis' Zoning Code in all areas but the required front yard area standards, sign height standards, and fence height standards.

PUBLIC COMMENT:

Staff has received two comment letters (see attachment C) from members of the public against the project in general, not specifically against the variance request.

FINDINGS REQUIRED FOR A HISTORIC VARIANCE:

Before recommending approval of a Historic Variance, the commission shall make findings that the variance is:

- a) compatible with the preservation of the property and with other properties in the area, and;**
- b) that the variance is necessary to alleviate undue hardship due to special conditions or circumstances unique to the property and not created by the applicant.**

Though the application type includes the term “variance,” it is important to note that the historic variance was established 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. In short, this entitlement is primarily an incentive for preserving historic properties, though its findings are very similar to those of a zoning variance, where hardships are generally the first and foremost consideration. Additionally, the historic variance can be used to vary any Zoning Code standard, not just one of the Code’s enumerated variances, making this entitlement as much a conditional use permit or certificate of nonconforming use as a variance.

While the analysis below follows the framework established by the Heritage Preservation Regulations required findings, it should be noted that the historic variance request occurs in conjunction with the Applicant’s major effort to expand the historic property and reduce wear and tear on historic building materials. Staff is recommending approval of the accompanying Certificate of Appropriateness which is clearly designed to preserve and reuse this landmark, in accordance with the stated purpose of the historic variance.

1. Variance to reduce the front yard setback along Oakland from 15 feet to 11 feet.

The minimum required front yard along Oakland Avenue South is 15 feet for the addition to the principal structure. A zoning variance is authorized to reduce the required yards per 525.520(1) to vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations.

The variance is compatible with the preservation of the property and with other properties in the area. The Applicant seeks to construct an addition to the historic residence and carriage house, which sit on the rear yard property line. As the lot is a through lot, the Zoning Code requires application of the front yard setback in the rear yard. Constructing an addition that is slightly set back from the historic building will help distinguish the new construction from the old in a complementary manner.

The variance is not necessary to alleviate undue hardship due to special conditions or circumstances unique to the property and not created by the applicant. The Applicant could build the addition within the required setbacks and still distinguish the new construction from the old in a complementary manner. There are only three buildings on the lot, all of which are oriented toward Park Avenue. The historic residence and carriage house are built on the rear yard property line of this through lot. When buildings on through lots are all oriented toward

one street, staff permits adherence to the rear yard setback standard, rather than the front yard setback standard, in the rear yard. This application of the Code meets the intent of the Zoning Code by creating streetscapes with a regular appearance, especially in terms of setbacks. The required rear yard setback for two-story structures in the OR2 district is 9 feet. The proposed addition will exceed this minimum by two feet.

2. Variance to increase the height of a fence located in the front yard setback along Park Avenue from 3 feet to 9 feet.

The maximum height of a fence the in the required front yard is 3 feet. A zoning variance is authorized to reduce the required yards per 525.520(5) to permit an increase in the maximum height of a fence.

The variance is compatible with the preservation of the property and with other properties in the area. This fence will be compatible with the property's historic character. Currently, fences and/or walls surround the historic mansion and carriage house. The proposed open, black, 5' 5" wrought iron fence mounted atop a 6"-42" high stone retaining wall is a simple complement to the open, black, ornate wrought iron 5' 5" fence mounted atop a 42" stone retaining wall that surrounds most of the mansion and carriage house. The simplicity of the fence will help distinguish the new construction from the old in a complementary manner.

Staff believes that a decorative ornamental fence in the required front yard, where the subject site comprises almost an entire block, is a reasonable request and that strict adherence to the zoning code creates undue hardship. The subject property has a required front yard of 15 feet. A fence located within the first 15 feet along Park and Oakland Avenues cannot exceed 6 feet in height. A fence located outside of the required yards cannot exceed 8 feet in height. Therefore, the proposed fence would not be allowed per the zoning code anywhere on the subject property. The purpose of regulating fencing in the zoning code is to promote the public health, safety and welfare, encourage an aesthetic environment and allow for privacy while maintaining access to light and air. Staff believes that the proposed fence will protect health, safety and welfare by directing pedestrian movement in and around the property and will be consistent, aesthetically, to the existing fence. Further, the fence is open and decorative, which will allow for access to light and air.

3. Variance to increase the height of a building mounted wall sign from the permitted 14 feet to 20 feet.

The maximum height of a wall-mounted sign in the OR2 High-Density Office Residence District is 14 feet. A zoning variance is authorized to reduce the required yards per 525.520(21) to vary the number, type, height, area or location of allowed signs on the property located in the OR2 or OR3, or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs.

The variance is compatible with the preservation of the property and with other properties in the area. The proposed sign will be mounted to the non-historic addition and will help passers-by identify this very modern addition as part of the historic mansion and carriage house.

The regulations governing on-premise signs were established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the public health safety and welfare. The applicant states that the increased sign height is required due to the location of the windows of proposed addition and the lack of visibility to the proposed entry of the front of the building addition along Park Avenue. The subject property has unique identification needs based on the use as a museum and the size of the property, which is approximately 3 acres. The sign is attractive and would not front directly onto any property that would find the proposed sign overly imposing or intrusive. The Applicant could place the sign lower than 14 feet, but such placement would result in the sign either being a window sign, another freestanding sign, a blade sign, or a wall sign located away from the building's main entrance. The historic sign band on the historic mansion is just over 24 feet in height. The Applicant proposes to mount the proposed wall sign far lower than this: 18.5 feet high. The sign meets the *Minneapolis Heritage Preservation Commission's Design Guidelines for On-Premise Signs and Awnings*. Additionally, the sign's size (10.5 square feet in area) and height are appropriate, given the addition's substantial 124 foot setback from Park Avenue. The 14 foot high Zoning Code standard does not distinguish between structures built right on the front property line, as is usually the case in the downtown area, and buildings with considerable setbacks and on lots that encompass an entire block. Strict adherence to the regulations to the zoning ordinance would prohibit reasonable use of the property and cause undue hardship due to the unique use of the property and the lack of visibility of the entry to the use.

A. STAFF RECOMMENDATION:

Staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** Historic Variances for the proposed work subject to the following conditions:

1. All workmanship must be conducted in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.
2. Final plans, elevations, details, material selections, and finish samples must be submitted to CPED-Planning Staff for final review and approval prior to any permits being issued.
3. By ordinance, approvals are valid for a period of one year from the date of the decisions unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than January 4, 2012.
4. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.