



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

**Date:** January 15, 2009

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

**Referral to:** Zoning and Planning Committee

**Subject:** The applicant, Mike Wyatt of the Minnehaha Creek Watershed District, is appealing the Heritage Preservation Commission decision approving a Certificate of Appropriateness with conditions to allow for the Minnehaha Falls and Glen restoration project at Minnehaha Park (4901 Minnehaha Avenue). Minnehaha Park is locally designated and is listed on the National Register of Historic Places.

**Recommendation:** The Heritage Preservation Commission at their December 16 meeting adopted the staff recommendation unanimously (7-0) and approved the Certificate of Appropriateness with conditions for the Minnehaha Falls and Glen restoration project:

**Previous Directives:** N/A

**Prepared or Submitted by:** Aaron Hanauer, Senior Planner, 612-673-2494

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

**Presenters in Committee:** Aaron Hanauer, Senior 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:** 12

**Neighborhood Notification:** The Longfellow Community Council and Standish Ericsson neighborhood organizations were notified of this application by letter, mailed on January 5, 2009

**City Goals:** See staff report.

**Comprehensive Plan:** See staff report.

**Zoning Code:** See staff report.

**Living Wage/Job Linkage:** Not applicable.

**Other:** Not applicable.

***Background/Supporting Information Attached:***

The applicant, Mike Wyatt of the Minnehaha Creek Watershed District, is appealing the Heritage Preservation Commission decision approving a Certificate of Appropriateness with conditions to allow for the Minnehaha Falls and Glen restoration project at Minnehaha Park (4901 Minnehaha Avenue). Minnehaha Park is locally designated and is listed on the National Register of Historic Places. The applicant is specifically appealing conditions 3-5 (see Appendix C for reason of appeal).

*Conditions of Approval:*

1. CPED-Planning review and approve final site plan, floor plans, and elevations.
2. The applicant repairs the W.P.A. retaining walls per the Secretary of Interior Standards and the following SHPO comments:
  - All new mortar used in the project should match the historic mortar in terms of color, texture, composition, hardness, and joint profile. Samples of the historic mortar should be tested as a basis for the specification of the new mortar. The results of the testing and the new specifications should be submitted to our office for review and concurrence.
  - If any [archaeological] sites are identified, we [SHPO] should be consulted with regard to evaluation and treatments. Please ensure that there are adequate provisions in the construction contract to accommodate adequate time for this construction, should it be necessary.
3. The construction of the new pathway with elevated boardwalk built into the bluff is not approved.
4. The construction of a six-foot plastic timber walkway nearest the creek between the second and third pedestrian bridges is not approved.
5. The construction of a new eight-foot high retaining wall between the second and third pedestrian bridges is not approved.

***Supporting Material***

Appendix A: Heritage Preservation Commission Hearing Testimony and Actions

Appendix B: Staff Report and Staff Report Appendices A-F

Appendix C: Appeal Application

Appendix D: Applicant information Submitted at Public Hearing

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**Minneapolis Heritage Preservation Commission**

**December 16, 2008, Room 317 City Hall**

**Staff: Aaron Hanauer**

**Planning Supervisor: Jack Byers**

**Date of Appeal: January 15, 2009**

**ITEM SUMMARY**

**Address:** 4901 Minnehaha Avenue, Minnehaha Historic District, Ward 12

**Description:** Certificate of Appropriateness for rehabilitation work to the Works Progress Administration (WPA) retaining walls and for alterations within the Falls and Glen areas including work to pathways, construction of a new retaining wall, and excavation work within the Creek.

**Actions:** Staff findings were **adopted** and a Certificate of Appropriateness for the Minnehaha Falls and Glen Restoration project was **approved** with the following conditions:

1. CPED-Planning review and approve final site plans, walkway plans, wall elevations, and riverbed and bank cross-sections.
2. The applicant repairs the WPA retaining walls per the Secretary of Interior Standards and the following SHPO comments:
  - All new mortar used in the project should match the historic mortar in terms of color, texture, composition, hardness, and joint profile. Samples of the historic mortar should be tested as a basis for the specification of the new mortar. The results of the testing and the new specifications should be submitted to our office for review and concurrence.
  - If any [archaeological] sites are identified, we [SHPO] should be consulted with regard to evaluation and treatments. Please ensure that there are adequate provisions in the construction contract to accommodate adequate time for this construction, should it be necessary.
3. The construction of the new pathway with elevated boardwalk built into the bluff is not approved.
4. The construction of a six-foot plastic timber walkway nearest the creek between the second and third pedestrian bridges is not approved.
5. The construction of a new eight-foot high retaining wall between the second and third pedestrian bridges is not approved.

**TRANSCRIPTION**

**Chair Larsen:** We will move on to our fourth item, our third presentation item, the 4901 Minnehaha Avenue, and that for the rehabilitation works to the WPA retaining walls and alterations.

**Staff Hanauer:** For the falls and glen restoration project there were three main goals: addressing structural failures and improving that situation, erosion problems, and the stormwater management situation. The staff report analyzed the work in three parts: restoration of the WPA walls, streambank improvements particularly near the Veteran's Home, and then third the falls and glen bluff erosion, improving that situation. For the falls and glen erosion situation, there are three parts: the riparian wading pool, improving that situation, improving, the pathways, adding new pathways and then introducing a new retaining wall. It's those pathways, the new boardwalk pathways and the new retaining wall that I'll focus my staff report on. Those were the areas that we had issues with, but if there's questions that you have on other work please let me know.

I provide this image and I think, I take it, that orientation facing north, the falls, you know where it's at. In this photo, with the crosshatch, is where the scope of work will be taking place, and that's where I'll focus the presentation on.

This is sheet E31 in your packet, this is going to be the same orientation with the falls. Here's the two pedestrian bridges that were in the aerial and the pathway along the south bluff.

**Chair Larsen:** Did you say E31?

**Staff Hanauer:** E31 ... is existing conditions. The next sheet that will be talked about a lot will be E35, and that will be the proposed work. I'll go into this in more detail, but I'll just quickly highlight the retaining wall that will be talked about and these two elevated boardwalks, the vegetative buffer, and that failing crib wall.

I hope you are able to see them and get a good sense, but the three parts for the existing conditions that I will talk about are the failing structures, the erosion caused by stormwater from rainfall and from human use, and then look at the natural walkways because that will be one thing that will be proposed to be altered. The failing crib wall, here's the falls. It's right there. Right above that crib wall there is a storm drain that's part of the staircase and that photo, same vantage point, shows that drain pipe.

**Chair Larsen:** The blue is the failing crib wall?

**Staff Hanauer:** That's correct. This image is taken just to the east of the pedestrian bridge. Here's the falls again looking along that pathway. This image is taken going that way, looking to the falls. Now, erosion is definitely an issue along the south bluff. Here's a popular play area for kids and it's approximately by that lower pedestrian bridge and that's shown by this red mark. So once again, the scope of work area is from here to there.

Existing conditions. I'll just go into the proposed work. So here's that second pedestrian bridge. I'm going to talk about the new retaining wall, the new 8-ft retaining wall that's proposed, the elevated boardwalk, that might be deceiving it's going to be at-grade but it will be taking you off of the natural grade and as the applicant stated to help improve the erosion situation along this walkway, and then third the vegetative buffer right here which staff didn't see an issue with that part. Looking this way, you are looking at approximately 425 linear feet from this bridge shown in red to this other bridge. That's where you'll have that elevated walkway. I can show the plan there that provides more details. I don't know if this gentleman knew that he was going to be such a part of the presentation, but he's showing the height of that new retaining wall that would be approximately 8-ft in height for 75 feet.

**Chair Larsen:** You said elevated walkway, you meant retaining wall, correct?

**Staff Hanauer:** Yes, you are right, the retaining wall not the walkway. Exactly, thank you. And this image taken from approximately there is showing the approximate location of the retaining wall. Right now that retaining wall is approximately 3-ft in height, so you'd be going to 8-ft.

**Chair Larsen:** So those little red marks on there? Is that looking back the other way though?

**Staff Hanauer:** Yes, and you are correct, thank you. Another image is taken a little bit further down and just once again, the concerns, the falls are right there. The feel that you would get, I'll get into that in the analysis, but I just wanted to point out the orientation of the falls.

Plans for that retaining wall, that boardwalk walkway, and here, this is sheet E40 in your set plan. This shows the three items closest to the creek. The two-ft, the limestone blocks 2-ft x 2-ft x 3-ft, that walkway, and then that's proposed to be constructed of plastic timber but in discussions with the applicant they may be looking at real timber so I'll leave that to the applicant to see if that's something that is definitely the case. And finally the vegetative buffer that would go from the edge of that boardwalk to closer to the creek. So those are the three parts closest to the creek, I'm going to just briefly talk about that elevated walkway within the bluff and then be happy to answer questions.

Two photos: here's the elevated-walkway boardwalk, which would be built in approximately 35-ft from the existing walkway and the photo is taken from about there. Once again, this is the other looking the other way. Finally, once again,

sheet E40, showing some construction details. The boardwalk would be approximately 4-ft in width. It would have 3-ft post railings, I believe. And once again these plans are showing it would be the plastic timber for the material for the boardwalk. Built within the cliff there would be grade brought in to go from the retaining wall along here within the cliff to the bluff to improve the erosion situation as proposed by the applicant.

With all that, staff is recommending approval for the Certificate of Appropriateness with the conditions that the walkways and the retaining wall are not approved. Staff saw that these three items were not in compliance with the Secretary of Interior Standards for Setting. Staff realized the situation with the erosion as well as that there have been many alterations within this bluff including that 1960s crib wall, but that with the new proposed items this could possibly be damaging to one of the most important landscape features of Minneapolis. As you approach the falls this is one of your items, this is what you would be walking on as you approach the falls and it would alter the natural aspects of the riverbank and the views along the walkways. The falls are what is called out in the beginning of the nomination, so the alteration of the topography and the elevated walkways would take away from the views and the feel of the area. Staff did not see enough information submitted to be recommending approval of the proposals for the sake of improving the erosion situation. For the recommendation, once again, staff is recommending approval for the Certificate of Appropriateness, for the falls and restoration, to allow for the repair to the WPA walls, however, but not for the construction of the pathways and the 8-ft retaining wall for the 75 linear feet. I'll be happy to answer questions that you may have about these parts.

**Chair Larsen:** Can you briefly show us the information on the WPA walls? It seems those are a little further down towards the water, right up against the water?

**Staff Hanauer:** Sure. Chair Larsen, would you like to know the area of the work or are there particular concerns that you have?

**Chair Larsen:** Well, you showed the new vegetative, I'm assuming the green, on the plan that's on the screen. So the WPA walls are what's right against, on the other side of that?

**Staff Hanauer:** The work to the walls will be beginning from just above the falls for approximately 200 linear feet to 1,500 I think it's 1,200 to 1,500 linear feet below here and it is my understanding that from that vegetative buffer to the creek that would be the wall at this location, for this part.

**Staff Byers:** Mr. Chair, may I suggest that you ask the applicant to give more detail. We did get a good deal of information from the applicant and the applicant did help by walking the site with Aaron. We do have engineering drawings, but one of the challenges that staff has had is actually understanding the actual scope and limits of the work. Not what is proposed in substance, but how it fits on the map and I do want to note that Aaron went the extra mile to actually create a drawing to help you understand what the application is about but it would be good for the applicant to verify that and I think it would also be good for the Commission if Aaron would update you on the SHPO and Army Corps review of the project.

**Staff Hanauer:** Alright, so in the staff report you saw the conditions of approval put on by SHPO, the conditions of approval to make sure that the work does not have an adverse affect for the WPA walls. In the additional work, the work in the plan sets that are by Wenck, not the Army Corps of Engineers, those are the ones that SHPO in conversation with Dennis Gimmetstad said that those have not been reviewed at this time but that they will be reviewed prior to construction, I believe, if I remember correctly from our phone conversation today.

**Chair Larsen:** Questions from staff, Commissioner Crippen.

**Commissioner Crippen:** Just to clarify that last statement, that was my understanding as well but what's SHPO's authority on the review of these particular plans. Is it just because the Army Corps is involved all the way up and down, I'm not sure if I see that as a condition but would it be appropriate to have a condition saying that SHPO sign off on the actual plans, should be a part a approval?

**Staff Hanauer:** I'm going to answer that, Commissioner Crippen, that second part and then if you could repeat, or if you could repeat that first part ...

**Commission Crippen:** Yes, I guess I was wondering if, SHPO doesn't always have authority over projects under our purview but in this case I was wondering if they do and if that's because of the Army Corps' involvement. I understand there are two parts to this, the Army Corps is doing some directly and the watershed district with the Park Board is doing some directly, is that correct?

**Staff Hanauer:** Commissioner Crippen, that is correct and if I have it correctly, and maybe the applicant can speak to this more, the Army Corps will be involved possibly with the additional work that with the walkways, the bluff work that we're talking about right now, so that would trigger the need for the SHPO review.

**Staff Byers:** Mr. Chair and Commissioners, if you would look at attachment C65 ,66, 67 and 68 these are letters from the Corps of Engineers and SHPO and our understanding is that the retaining wall project is approved. There is no adverse impact, in fact it is encouraged, not just approved but encouraged. But that the other portions of the project have not yet, the review and determination has not yet been made on those pieces of the project.

**Chair Larsen:** I think maybe our question still hasn't been answered just in terms of if the Army Corps participates then in this additional work as you see here, with SHPO, does that work not start until SHPO has a chance to review it, review and comment.

**Staff Byers:** We might want to have the applicant address that.

**Chair Larsen:** Ok, we can do that. Commissioner Elliott.

**Commissioner Elliott:** Thanks for your map, I really appreciate the map. I was having trouble myself putting all the pieces together into one cohesive project. So for the retaining wall the new proposed 8-ft tall retaining wall, it sounded like both from the report and then from your presentation, there are problems with erosion in that area. Were there other alternatives discussed with the applicant, rather than the 8-ft retaining wall to control erosion?

**Staff Hanauer:** Chair Larsen, Commissioner Elliott, when answering this question I want to direct you to B-23, and this is a conversation with the applicant, starts at B-22, and it's after the bullet points. Now, staff had concerns seeing that drainpipe that you can see lead to the erosion that has taken place to the deterioration of the crib wall and all the way down to the creek, that all three of these, staff had concerns about all three of these things being introduced to this area and not having enough information to see the requirement of all three of these items to improve the erosion situation at that location. Now, does that answer your question Commissioner?

**Chair Larsen:** I think we're all trying to read here ...

**Commissioner Elliott:** I had one other question. For the proposed walkway, could you, is it possible for you to point out in your photos where that would occur?

**Staff Hanauer:** Sure, for the walk, the boardwalk that is along the existing path or in the bluff?

**Commissioner Elliott:** No, for the new pathway that's, the proposed pathway. I understand there's two pathways. One is being replaced, the failing boardwalk is being replaced with a metal mesh, then there's a new proposed pathway, is that right?

**Staff Hanauer:** The metal mesh one is further down in the glen, and I haven't brought that up and discussed that right here. Then those two, you would have two boardwalks, one along the creek ...

**Chair Larsen:** Replacing an existing pathway ...

**Commissioner Elliott:** That's an existing pathway ...

**Staff Hanauer:** That's right, it's a dirt path. And then you would have that new boardwalk within the bluff practically parallel with that existing path.

**Commissioner Elliott:** And is that something that you can point out in the photos, where that would occur?

**Staff Hanauer:** Sure, and something that I haven't mentioned to this point, this also is to improve the human erosion, I'll have the applicant, they'll likely talk more about this, but the human use of people, of children climbing up in that area. You saw those exposed tree roots, they're going to have this pathway to direct people, so that pathway would be right below that crib wall and there would be boulders that I believe you would climb up to here to get to that pathway and that would follow all along here.

**Staff Byers:** One of the things that we, unless we got it recently, one of the things we do not have is a cross section of the ravine, the glen, the bluffs, to be able to describe where these things are.

**Chair Larsen:** So you're going to scramble up some rocks to get to this pathway?

**Staff Hanauer:** These boulders at this location or this location.

**Chair Larsen:** So it's sort of a don't climb on the hillside, climb up the rock instead, is that the idea?

**Staff Hanauer:** Chair Larsen, that would be my interpretation. E-40 does provide some details on that walkway.

**Chair Larsen:** Ok, other questions of staff before we open up the public hearing? Seeing none I'll open up the public hearing. Anybody wishing to speak either for or against please come forward.

**Mike Wyatt:** Mr. Chair, Commissioners, my name is Mike Wyatt, I work with the Minnehaha Creek Watershed District. Just want to acknowledge a couple other people who are here with me tonight that can speak on behalf of this, not that they will, but Andy Lesch with Minneapolis Park & Rec board, Aaron Snyder with Army Corps of Engineers, Pam Blixt is on our board of managers, and Mike Panzer is our district engineer, he works with my associates. I want to thank you and your staff, Aaron's been great to work with on this. This project's been a long time in the making so I want to thank you for the opportunity to come before you tonight. I hope that you'll, everyone acknowledges the importance of this site, historically, and I hope that you realize that we're really all in the business of historical preservation with this particular project and it's one of the main drivers that led to the funding of this that led to the watershed district's interest, and also got many of our partners on board. I won't dwell on all the historical aspects of the site. I feel like that's been documented very well by Ms. McCartney and then there's also some information in your packet about the pre-settlement history with this site, post-settlement history with the Godfrey Mill and in the milling operations in this area all the way up to the eligibility for this as one of Minnesota's first state parks, so it's obviously a real important area to everyone. In 2005 there was a major rain event that happened on Minnehaha Creek. We got about 4.5 inches of rain overnight, which is a significant rainstorm. It really caused flood flows on the creek and in assessing some of that damage I went out the next day and several other watershed district staff went out in the coming weeks – the area where we noticed the damage the most was in the City of Minneapolis and in particular in the Minnehaha Falls area. Going down into the falls park area there's a section of WPA wall that fell over with that storm, it's still fallen over laying in the creek. There's scour 3-4-ft deep underneath the WPA walls, they're literally defying gravity right now, and further downstream there's a tree that fell over in front of the Godfrey Mill which was the first mill and dam in the State of Minnesota. It exposed a section of that wall that's been exposed now for about 3 years and is currently being scoured out. Then further downstream the Minnesota Veteran's Home did some streambank repairs that have completely toppled, it's about 300 feet of rock that has fallen over and is again lying in the creek. So, again, it's very visual. I don't know if you folks have been down there in recent years but it's been a big concern to the watershed district and the watershed got together with the park board and we walked the site, our board of managers and the park board commissioners, went down into the site and really tried to take inventory over everything that was going on down in the park and in the glen and while there's some issues going on with the creek and the natural resources in the park and the park amenities that are naturally caused by floods and creek flows, some of those issues are at least exacerbated by the human use in the park. We really have a situation in this park where we've got a park that's being loved to death. It gets about 750,000 people going through the park every year according to park board estimates. The slopes particularly around the falls are basically bare of any vegetation at all. Any root structures that are going to hold that soil in place, and what you have is soil that erodes off of those bluffs with every rain storm and I can walk you through some of the existing damage on the site, but our intent was to really focus on fixing a lot of that damage. But when we got together with the Park Board, we asked ourselves how do we take this and use it as an opportunity to really make this park what it should be. It's a landmark, it's an iconic landmark in the Twin Cities and we really want to make it all that it could be. So what we did is we put our ideas on

paper and we spent a lot of time in 2006 going through and inventorying the problems in the park. 2007 we spent planning and in 2008 we took all those ideas and we went in front of the legislature. We had everything working against us, we missed all of our deadlines. But we got support because the legislators, especially in that area but not only in that area, state wide acknowledged the importance of this park and we were able to take the Senate bonding committee out there, the House bonding committee, to get them to look at the damage and really acknowledge what's going on in the park. They were supportive of what we wanted to do. Now we went in front of the legislature and we asked for about 7 million dollars worth of funding to fund everything that we thought of. It included much more than you have in front of you today. We were proposing to put in expansive trail systems throughout the park, we were proposing massive natural resource improvements, we were proposing to fix some of the WPA era restrooms that are down in the glen area. But eventually, as most things happen at the legislature, you have to forge compromise at some time, so the legislature asked us what can you live with and we basically identified everything that was on our list that was related to stabilization of areas within that park to ensure that things didn't get worse. That's what they agreed to fund, and we ended up getting 2.9 million dollars from the legislature for this project. We also have been working with the Army Corps of Engineers. We have a relationship with the Corps where there is a number of potential Federal projects within our district that we are going to collaborate on and this is one of them. Again, it was a situation where everything was working against us as far as deadlines go and we managed to get a million dollars worth of Federal funding and Congressional support for this project. If you've ever tried to get money from the Federal government you'll realize what a success that is. So, some of the commitments that we ended up having to make as a result of this were the legislature's obviously concerned about all the issues related to what's going on in the park but they wanted projects that were ready to go and they wanted projects that would serve as economic stimulus. We had a project that was ready to get in the ground, and we've got a short window of opportunity here for us to do that. Most of our work as a watershed district goes, we do our work in the winter time for a number of reasons, first and foremost the water isn't flowing. So doing work within the creek is significantly safer for us and for the workers and for the natural resources if we go in there in the winter we can minimize our impact, we can do things while the water's frozen, we don't have to risk getting flooded out. So we've got a lot of work that we'd like to get done between now and next April when the thaw comes around. This is all part of that. I realize given the number of partners that we have on board here it's a little bit confusing as to who is doing what, but hopefully I can do my best to explain that. The core work is essentially focused on working on the stream banks from Minnehaha Avenue down to the wading pool area down at the deer pen or the upper glen as they referred to it earlier. They are basically just doing stream bank work, there's areas that have been eroded out that they're going to stabilize with rock and vegetation and then there's other areas where they're going to fix the WPA walls. Basically the WPA walls all the way through the park, 1,500 linear feet, are scoured out 3-4 feet underneath throughout the entire area. They're literally, they're just clinging on to the sides of the streambanks right now. To be honest with you, the watershed district doesn't, isn't a proponent for retaining walls but we acknowledge the historic value of this so we've agreed not only to invest our local money but also match money with the Federal government and State money to fixing this because we acknowledge that it's an important defining characteristic of the park. So the core work will primarily focus just on the streambanks itself. The watershed district will be coming in and will be working on the bluff areas and then some areas downstream of the wading pool, particularly around the Godfrey Mill and it sounds like SHPO has some concerns with that for obvious reasons so we're going to be working though those issues with SHPO to make sure that they are comfortable with our approach. Then also further downstream, down near the river where there's a huge bank failure right now, the park board has a road that goes all the way down to the river. They use it for public safety purposes in order to get ambulances and police cars and whatever they need to get down there down there. That road is being washed out as a result of this streambank's failure, so it's critical for us to get in there in the winter time, get it fixed, and then get out. What we hoped to do with our design was really work on trying to fit in the stabilization that we wanted to do with the historical context of what you see in the park. So we've done our best to try to use natural looking material, similar looking material as to what has been used in the park in the past ... limestone, wood, things like that that are going to accent the natural features around the park. I've got some slides here, we just put this together last week in anticipation of this meeting to try to illustrate to you what some of these things will look like in the visual impact, so I'll hand these out if you're ok with that.

**Chair Larsen:** You can hand them to the clerk and she'll pass them around.

**Mike Wyatt:** Now I specifically want to talk about some of the recommendations that the staff has. We understand why they've made the recommendations that they have. Your expertise lies in the historical resources on the site. Our expertise lies in watershed management and sediment transport so again we're trying to design things that are going to really minimize the sediment transport and the erosion from the site and make things more sustainable for the future. So with that in mind, we want to try and show you how this is going to impact the site from a visual perspective. We're happy to have your feedback. If you think that we should be using different materials for what we're proposing, that's fine. We have the ability to make

change orders for this project and we'll certainly do so to accommodate your interests. This is a, this first slide is the alignment of the WPA walls so you can see that basically the yellow is the WPA walls and then the red is the upper trail that has been proposed. This is the site of the trail and what we wanted to do here was just give you a perspective from the view of the falls. The falls is going to be over here and what I refer to as the million dollar view is really from this point looking over at the falls or on top of the falls looking downstream. And you can see from either one of those perspectives you're really not even going to be able to see this upper boardwalk trail in that area. This is from the top of the falls looking downstream, our trail would be around this corner so it's not going to be visible from that perspective. This is the area that we're talking about right now and it's really, it's become a public safety hazard. The erosion has gotten so bad those crib walls which we're assuming that those aren't historic features, they were put in in the 1960s, they're not the most visually appealing stabilization measures in the world, but they're falling apart right now. They're falling apart because of the water flow through that area and the real lack of vegetation to stabilize that soil. The reason this area is a little bit problematic is because you can see there's a gully forming here. What we're proposing to do in this area is to take this out entirely. The erosion on that site is going to be a function of both the slope, the gradient, and also the vegetation management on the sites. What we're proposing to do is reduce the slope by introducing the retaining wall. So you reduce the slope and you reduce the length of the slope, you put vegetation on it, and you reduce the erosion and you make it something that's going to be more sustainable in the future. Now what that would look like is roughly this. You can tell this was drawn by an engineer and not by an architect. The green is the crib wall area that would be taken out and then what we had proposed is 2x2x3 limestone blocks for that area to be stacked on one another. Then over to the left here is what would lead up to what we're calling the upper trail or geology encounter. It's not surprising to us that people want to get up into that area. It's a fun place to climb around, it's a neat feature up on top of the bluff to be able to go up there and approach the limestone and look at it. The problem is that you've got so many people moving through that area and you've got a sandy loam soil which is highly erodible and you don't have any vegetation stabilizing it, so it's a recipe for disaster just to have people going up and down that all the time. What our approach is here with the trail is really not to try to prevent people from doing that, because we know that we can't, so let's try to channel the traffic. Not that we're going to provide that pathway for everyone, it's going to be a really steep climb to get up there which is part of the fun of going out to the park and part of the draw for people to climb up those slopes to begin with, so let's create a feature that people can climb up, still have fun, channel the traffic, and prevent the erosion on the site for the future. Then over the rest of the area we'll try to provide obstacles in the form of vegetation that would prevent them from doing that. And the park board has also requested on this upper trail railing for safety purposes, so it provides an additional dis-incentive for anyone to take anything other than the trail that we define for them.

**Chair Larsen:** A clarifying question for you, it looks like, we've heard about the 8-foot height, this makes it look like the 8-ft height is only this one particular location versus all along the path, is that correct?

**Mike Wyatt:** That's correct, it's just in this one particular location. It's a relatively small section of wall. And again you know it's just because of this catastrophic crib wall failure.

**Chair Larsen:** And the additional areas along the path where there's existing concrete crib wall, is the existing crib wall to remain?

**Mike Wyatt:** What our idea was with the concrete crib wall on both sides of the path, the existing path, there's an existing path that's there that's basically dirt right now, part of the reason it's dirt is because every time it rains the soil washes off of that site and basically goes down onto the trail. If you been out there recently you'll notice that that trail is actually at a slant. You kind of get a vertigo feeling when you're walking along it next to the walls because it's slanted down towards the creek because the soil piles up on it. The general idea with redoing that path is to define a boardwalk and then put vegetation on both sides so the vegetation covers up the crib walls, gets rid of that visual impact for the site, but then also provides a barrier so that people aren't going to necessarily have an incentive to climb up and over it and go up to the geologic feature. And then also stabilize the soil in that area too, so we're achieving a couple of objectives.

**Chair Larsen:** It wasn't my, I'm glad to clear that up, like it was my interpretation that it was extending all along the whole path, so that's good.

**Mike Wyatt:** Here's generally what we came up visually ... this right here is probably the best one. If you're walking downstream of the falls and walking along the path, what you'll have is a much more narrow path that will be defined and then with vegetation on both sides, so it'll be a lot more green down there, a lot less of the crib walls and the concrete.

**Andy Lesch:** If I could add to that too, that path is 6-ft along the creek there, and a lot of the eroded area is much wider than that now. We're trying to narrow that up and I think it was mentioned earlier it's a elevated walk, basically it's just a boardwalk right on grade. So it's not intended to be a big change of vertical elevation other than to just level it up.

**Mike Wyatt:** Keep it off the ground.

**Andy Lesch:** Yes, just enough so that water will drain away.

**Mike Wyatt:** This I think is really going to be the only view where you're going to be able to see the pathway from the top of the bluff, and that's from the existing circle, the refectory will be over on the righthand side here. And again, you know, this isn't the type of area where people typically go for the view of the falls, but if you're looking out over the valley, you'll likely be able to see the trail from this area but not the other viewscapes. If you're down on the path, what the park board would like to have up there is a railing similar to what's at the top of the falls right now so if we imposed a green metal railing and there were no leaves or foliage in the area, that's generally what it would look like along the alignment.

**Andy Lesch:** If I could clarify, there's actually two railing types that are right around the falls now. This is right on the top of the boulder wall. This is a middle 90s, and it created a barrier for people so they didn't climb out of the bluff right at the top of the falls. Another railing that's pretty prevalent in the park is this style that goes back quite a ways in time, more of a solid picket and that's what's down around the falls right now. There's a newer adaptation that has a smoother rail across the top instead of the picket that we've also used for the newer restoration. Part of that was to separate the new from the old. That might be one reason to use a simpler rail, so that we're not mimicking the historic railing there, or just a newer adaptation so it's slightly different. That might be another reason we'd use larger blocks of stone not only for engineering purposes but so they differentiate themselves from the WPA walls, which are all smaller hand-carried pieces that were pieced together.

**Mike Wyatt:** And then I know that this wasn't a huge concern, at least in the staff write up, but down at the Godfrey Mill site I just wanted to let people know that, or be aware that, we are looking at doing some stabilization around that to make sure that that's preserved for the future as well. With that I can certainly try to answer some questions that you might have. Otherwise there are engineers here and Andy's here and we've got Aaron from the Corps here too. Unfortunately our Corps archaeologist had to leave a little bit early but we've had heavy involvement from the archaeological side in the coordination with SHPO from the Corps.

**Chair Larsen:** Ok, we can field questions as ... Commissioner Mack, you have a question?

**Commissioner Mack:** Well, I've been struggling to really visualize what this retaining wall is going to look like and where it is going to be. Thank you, Aaron, for your graphic, so could you run through that just again, we've got the large blocks and in this rendering that you have, the engineering rendering, is that indeed 8-ft that you are showing there?

**Mike Wyatt:** I don't believe that's to scale they just put that together to try to give you a visual representation. If you, the blocks are supposed to be 2-ft in height, and so you've got 4 layers of 2-ft blocks.

**Commissioner Mack:** And then that continues, but at a different height ...

*(tape gap)*

**Chair Larsen:** ... so the crib wall is in this particular section, or the 8-ft crib wall extends 70-ft ...

**Mike Wyatt:** No, the total length of the wall is 70-ft. There'll be about a 10-ft section that's 8-ft high. Otherwise if you're standing looking at it it'll be shaped like that pyramid with a flat top, is what it would look like. The base being 70-ft and the top being about 10-ft wide.

**Chair Larsen:** Oh, I see, it starts to go up in height from the widest extent being 70 feet and the length of the top 8-foot section is 10-ft long, so it will have in appearance larger than 10-ft ...

**Mike Wyatt:** That's right. And the crib walls themselves extend almost the entire length of the WPA walls. So significantly longer.

**Chair Larsen:** And just out of curiosity, how long a section in this image, how many feet would you say that represents? Is it, say, a 20-ft section, a 30-ft section?

**Mike Wyatt:** Oh, I'm thinking it's about a 40-ft section roughly.

**Chair Larsen:** Ok, so the crib walls are about 8-ft long or 6-8 feet long?

**Mike Wyatt:** I think the crib lengths are about 6 feet, I think, so what would that be? Maybe it's 30-35 feet.

**Chair Larsen:** Does that help?

**Commissioner Mack:** Yes, that helps, but it's the first time we've actually seen what this retaining wall is supposed to look like. I don't see how we can, I don't feel like we have enough information ... I understand what you're trying to do, thanks to Aaron's help I understand where you're trying to do it, but I don't know what it's going to look like and sort of eye-balling it saying oh, um, it's kind of like this, and maybe it's going to be 40-feet, I feel like I really would like to see more, so.

**Chair Larsen:** Yes, that's not a question, so alright. Other questions of the applicant ... Commissioner Crippen.

**Commissioner Crippen:** You'd said earlier on in your presentation that the watershed district doesn't normally like retaining walls but you're going with it because of the historic nature and the WPA. So why are you proposing a retaining wall here, why wouldn't you use some of your other methods?

**Mike Wyatt:** Well this is really necessitated by the site conditions and one of the alternatives that we were looking at in this particular area is actually trying to stabilize this with vegetation which is normally what we would advocate. Now I'll back up a second and say that we're not proponents of retaining walls along shorelines and streambanks. This is significantly higher than the streambank itself, so with that said the, if you were to just put vegetation in this area and hope that it takes it likely wouldn't because you can see that there's a significant amount of water moving through this area and you'd never get it established. What we need to do is we need to reduce the slope and reduce the length of the slope so that we've got a more gradual area that we can work with. Then when we seed and revegetate that, that the vegetation will actually take and then stabilize that area for the long term. So for us, this is more expensive than just going in and revegetating it, the area, but we felt that this was, given the site conditions, the most appropriate thing to do and what we've tried to do is design it with the types of materials, keeping the types of materials in mind that really make up the character of the park and for that matter, our assumption was, that would be the limestone, the same thing that's used on the WPA walls and in other areas of the park.

**Chair Larsen:** It seems to me that certainly the gully that's being formed seems to be being created by an outlet of a landing of some staircase or ... I guess it seems to me, why isn't there like a little french drain or a gutter that's taking or something that's removing the water and bringing it all the way down to the creek versus letting it just exposed out there and creating the erosion. I mean that seems to be the simplest ... yes, you will still have some erosion around in the rest of the area, I'm not saying that the gully is the only problem, but am I missing something?

**Mike Wyatt:** No, some improvements were done on the top of the bluff behind here, I think in 1997, Andy?

**Andy Lesch:** Middle '90s when the plaza was refurbished.

**Mike Wyatt:** And a lot of the drainage coming over the bluff was redirected to other locations. So a lot of, most of the water that actually formed this gully no longer comes down there as of the last 10 years or so. There's a landing up here for the walkway that's coming down and there is a pipe coming out, a 4-in pipe, I cannot find the inlet for it, the inlet has been paved over or something, so I don't think there's a lot of water coming out of this pipe anymore. I think most of the water actually came down around the footing and formed this gully. But what we're going to do is put an elbow pipe on this and direct it down so it doesn't have energy associated with it. And it will, this area will continue to take some drainage, but what we want to do is mainly get rid of these cribbings that have failed and then take some of the back slope, it's a very, very

steep slope, you can't even walk, you can't climb it, we want to take some of the slope out by raising this elevation down here and flattening that slope out a little bit so that we have a reasonable chance to get a root structure in there, some kind of vegetation structure in there.

**Chair Larsen:** So if the drainage was corrected up at the top and there's no inlet to the pipe, so there's no water coming out of the pipe, then why would we expect additional problems with drainage in the area?

**Mike Wyatt:** I don't expect additional problems, I'm just saying that there will be some drainage coming down here because, just because of direct rainfall.

**Chair Larsen:** Ok, right so just ... go over the whole field.

**Mike Wyatt:** I think the drainage issue that caused this problem has been eliminated as of the mid '90s when they did a lot of stormwater improvements on top of the bluff.

**Andy Lesch:** But you still have a gully which is going to be the preferred path for everything coming off of that slope.

**Chair Larsen:** Right, even if you fill it a little bit. So that's why you're going to such great lengths rather than just filling it in and putting the same wall back in, because it's been like that, it's not, backfill isn't going to help it, it will continue to go there.

**Mike Wyatt:** That's correct.

**Chair Larsen:** Alright, further questions? Commissioner Elliott?

**Commissioner Elliott:** I had a question about the walkway type, and I know we talked about the upper walkway being the, I'm blanking on the term, plastic wood on the upper walkway with the green rail, and then on the lower walkway is that similar or, in the rendering it looks more like a gravel path. I had it in my head that we were doing two plastic wood walkways.

**Mike Wyatt:** This is the upper pathway design and this is a cross section of it here on the lower part of it. This dashed line just kind of indicates the existing slope up there. So this pathway would be kind of notched in like this so you'd have a short retaining wall on the backside, timber retaining wall, and then a 6-ft level path that would be filled with rock and then reinforced plastic decking put onto of that for a walking surface. That all would be pinned into the rock at regular intervals. So and then the upper part is kind of a planned view on what it would look like. These tie backs you actually wouldn't see, they are actually buried into the slope, so you'd see the top of the retaining wall here and then a six-foot deck.

**Andy Lesch:** I believe it was 4 on the upper one

**Mike Wyatt:** I'm sorry, is it 4? Yes, you're right, it's a four-ft deck. Then the lower one should, this cross section shows the pathway and the retaining wall at it's maximum height. But this is 6-ft wide and that's a similar design, it's just timber boxes that are filled with rock at grade and then decking put on top of that. So they're pretty similar.

**Commissioner Elliott:** But then you would have that walkway would in some places be against the existing cribbing, is that right?

**Mike Wyatt:** Yes, it wouldn't be immediately adjacent to it, because we need a couple of feet to get stuff growing to cover up the cribbing.

**Commissioner Elliott:** Ok, and then for the section on the top, would the railing be mounted on the timbers or does it have to be mounted further down on the slope?

**Mike Wyatt:** The railing would be mounted right here.

**Andy Lesch:** I think part of that answer is where we can do it most securely. Some areas of that timber may be so shallow that we won't get sufficient strength. I think those areas, Mike, we would bolt to the rock, probably, so that we have a permanent ...

**Mike Wyatt:** Yes, that's a possibility too.

**Andy Lesch:** So that might vary from area to area depending on what we have to work with. But the railing would be consistent with in its appearance with the rest of the area. I think you asked too about the plastic deck material, why would we use that over wood? We can get a choice of a number of neutral colors, whether is dark brown or grey, that we can get to blend in to the landscape quite well, and the durability of that is far longer than any wood product we can do. A lot of people walk this area that are walking this area because they go to the wading areas. Slivers with all the sand we have coming off the slopes would be, would wear that deck out pretty quickly I think. And given that we don't want to have to go back and replace these in a short amount of time, the other material I think will give us a better wearing surface and color-wise I think we can work with the landscape better to get it to blend in.

**Chair Larsen:** Ok, any other questions? Commissioner Mack.

**Commissioner Mack:** What, on the upper walk, you specified the timbers as plastic timbers or equal, and do we know what those are going to look like, do you have an example of one of those? Because that product will be very important to whether this looks natural or sort of fakey.

**Mike Wyatt:** I don't know if you've seen any of the synthetic material that they use for just residential decks that people build on their houses, but it's very similar to that.

**Commissioner Mack:** Yes, I have, that's why I was concerned.

**Chair Larsen:** Does it have a wood grain or is it ...

**Mike Wyatt:** Yes, it has a wood grain to it, but it would be very similar to that.

**Commissioner Mack:** Well, I feel like we need to see that then.

**Mike Wyatt:** I don't think we have any actual samples here.

**Chair Larsen:** Alright, additional questions?

**Commissioner Mack:** And the limestone is actual limestone, it's not fake limestone?

**Mike Wyatt:** No, quarried rough surfaced rock from a quarry.

**Chair Larsen:** On this plan that we have here up on the screen, if I recall correctly, one of the purposes of having the elevated walkway or this 4-ft walkway is to get people close to the limestone, right, because they are going to go there anyway? I've got a little retaining wall here then, and the slope keeps going back up. Where's, on a typical instance, how far away is the limestone wall from this pathway?

**Mike Wyatt:** Within a couple of feet.

**Chair Larsen:** So they're going to climb up off the pathway and onto the dirt to touch the limestone wall.

**Mike Wyatt:** In some places I would expect it to be right next to it, but it could be as far as a couple of feet away. If you have a piece of rock sticking out, that would be a hazard for bumping your head on or something like that.

**Chair Larsen:** Sure, but in general the idea is that they don't have to do that. You're trying to make it close enough

**Mike Wyatt:** Within arms length

**Chair Larsen:** Right, within arms length so they're not climbing up and making more erosion. That would be my concern that you're going to put this walkway in far enough away and you're going to, in order to get these tiebacks, you can't get a tieback close enough to the, you have to hold it off the wall enough, and now you're climbing up on the ...

**Mike Wyatt:** And some of these tiebacks could end up being actually a steel member with an eye on it where you put a pin through it. But that limestone face is pretty irregular and there are ledges that stick out, so it would vary with location, but the idea is to be right next to the limestone.

**Chair Larsen:** And how strongly do you feel that the intent of putting the walkway is to protect the environment or to provide an opportunity for the visitors to get up to the limestone? I mean, are you doing it to save the landscape or are you doing it for the visitors?

**Mike Wyatt:** Well, early on in the project concept development we concluded that we're not going to control foot traffic out there. There's just, the best we can do is kind of channel it and we felt that to have a reasonable chance, I guess nobody's mentioned it tonight that we have another contract coming up that we're going to let which is about close to a million dollars worth of vegetation work, and we thought to have a reasonable chance of this vegetation work taking, actually establishing itself up there, we at least needed to channel some of the traffic up there and encourage people to stay on a path instead of going up and down and around and across because it's going to be very difficult to get vegetation growing there. For one thing, it's very steep, second it's always shaded, so it's just going to be hard.

**Chair Larsen:** Ok, any other questions? Seeing none we'll close the public hearing. Thank you, gentlemen. If we have other questions, we'll call you back up. Thank you. Alright, commissioners, what's your pleasure? Is there anybody else that wishes to speak? No, ok, now I'm closing the public hearing. Sorry, what's your pleasure? I'll go first. And it's more just a comment. I think that one of the things that this reminds me of a little bit is you kind of walk through a bird sanctuaries and other places and you see the decking out there to protect the vegetation and it's one of those things like gee why to I have to look at this but I'm glad it's here because I don't want to get my shoes dirty. I think that certainly the environment there is natural, but at the same time I think there's a reasonable expectation to control the flow as best as possible to create as sustainable environment as possible over the longest term possible. I'm not crazy about the idea of the walkway, I mean it is sort of a double-edged sword. It's going to encourage use of it, probably more so than is already there, but at the same time it will probably cut down on the number of people who aren't using it and are going up there in the first place, so we're sort of getting a double-edged sword. The retaining wall, my limited experience tells me that they are correct and certainly that the gully will continue to erode without additional stabilization no matter whether they've corrected the water problem or not, and so I think that while I'm not crazy about it I like the idea of the fact that I was worried that it was going to be one long 8-ft retaining wall across the entire 70-ft and that was not appealing to me. The fact that it is 10-ft sections is going to hopefully drop down dramatically will at least certainly down to 6-ft right after 10-ft and then down to the 4, so that doesn't bother me as much. So in that sense I'm sort of reluctantly but am certainly inclined to listen to the experts, so to speak. They both made good points that it won't be as visible from the falls and that was certainly a big concern that we didn't want some eye-sore on that money-view so to speak, so I'm more in favor than against, although I'm not overly thrilled with some of the general concept. Commissioner Kelley.

**Commissioner Kelley:** Just to add to that, I wasn't very pleased with the material at first glance but this is material that will withstand the weather better and will withstand the next 80 years worth of foot traffic from what was it 750,000 visitors a year? And moreover I would not bet against the possibility of more 4.5 inch rains in the years to come. All that being said, then you kind of go back to well what's the real historic purpose of this park, or the beauty of this park, and that's to be seen by a lot of Minneapolitans and I think these paths, both of them, do serve that purpose. So I think in favor of both paths now after kind of starting out against them.

**Chair Larsen:** Ok, Commissioner Mack.

**Commissioner Mack:** I guess I would like to move that we adopt staff findings and approve a Certificate of Appropriateness for the project with the following conditions, number one, number two, and a replacement number three which is that all materials be brought back to the HPC for review.

**Chair Larsen:** Ok, and would you do that for 3 and 4 and 5 as well, the retaining wall?

**Commissioner Mack:** Right, I'd like to see what is going to be built there, in this historic landscape. There's a lot of information here, but there's not a lot of information about what it's going to look like.

**Chair Larsen:** So we have a motion to adopt staff findings and approve a Certificate of Appropriateness for the Minnehaha Falls and Glen Restoration Project with the following staff conditions: number one, two, number three modified with an additional sentence materials "to be submitted to and approved by HPC."

**Commissioner Kelley:** By staff or HPC?

**Chair Larsen:** Sorry, I meant HPC.

**Commissioner Mack:** Well, I'm not saying we shouldn't ...

**Chair Larsen:** Oh, I'm sorry, and striking not, striking not, so number three would read "the construction of the new pathway with elevated boardwalk built into the bluff is approved. Materials to be submitted and approved by HPC."

**Commissioner Mack:** Yes, that is my intent.

**Chair Larsen:** Number four, striking not and adding the same sentence, "materials to be submitted and approved by HPC." And number five "construction of a new 8-ft retaining wall is approved. Materials to be submitted and approved by HPC."

**Commissioner Mack:** Yes, Aaron?

**Staff Hanauer:** Chair Larsen, Commissioner Mack, I hope I am speaking correctly that with the sense of urgency for the time of the WPA walls that did not want to delay the work done to the WPA walls ...

**Chair Larsen:** That's not included in our materials, that's only for those items. So that doesn't relate to the walls.

**Staff Hanauer:** Ok, but in just the beginning portion of your motion of conditions of approval of possibility coming back, and I didn't hear everything that you just said but if there's additional conditions of approval that would delay items for the walls. That's a concern of staff.

**Staff Byers:** As we understand it, the walls on the creek banks, the erosion of the walls right at the creek, needs to be done in the winter because it can't be done when the full flow of the creek is ...

**Chair Larsen:** Yes.

**Staff Byers:** But Aaron's pointing out that if you have other pieces that might come back, that that would not hold up the WPA work.

**Chair Larsen:** How can we phrase that so it doesn't hold it up. We have no intention of holding it up.

**Staff Byers:** Well I guess what we don't understand is whether or not all of the construction must take place immediately. What we do know from SHPO and part of our recommendation for approval and the conditions is that we feel confident that the stream walls work can go ahead. We understand from the applicant that that's critical and that's what SHPO's approved.

**Chair Larsen:** Yes, let me, your intent is that, can they start the WPA work without ...

**Commissioner Mack:** Well, yes, I mean that's number two, so I don't think that's a problem but ...

**Mike Wyatt:** Maybe I could clarify items 3, 4 and 5 are not related to the core project, they are not the WPA walls, they are other proposed improvements.

**Chair Larsen:** Ok, so can we, does it need, do we need to say that other work can begin without approvals on these particular items?

**Staff Byers:** Chair Larsen and Commissioners, certainly it's at your pleasure whether you choose to approve, approve with conditions, deny, it's always an option for an applicant to come back with an amended C of A for any piece of a project that might be denied if they have a substantially different proposal. So it is possible that the commission, if you see fit, could keep the WPA wall project moving and then the applicant can choose, whenever they have updated materials, design, and so forth, they could submit an amended C of A going forward, and that would be a way to uncomplicate your decision, but that's just an option.

**Chair Larsen:** In that option, we would include the conditions that we've just added, or you're saying that ...

**Staff Byers:** Part of the reason that staff is recommending to not approve everything else is because we didn't have information we felt was complete enough to make a balanced professional recommendation for approval. So, it doesn't mean that they won't ever be able to come back, it just means that they might need more time and that's certainly understandable in any complex project.

**Chair Larsen:** Ok, so if we denied those particular items then they could come back with those items again with the material samples and

**Staff Byers:** The staff recommendation is proposing that there would be clarity in your decision tonight to allow the WPA walls project to go forward and to not allow the other proposals to go forward at this time. But that doesn't preclude those proposals coming back to you in an amended C of A application when the applicant's been able to address some of the issues. That's an option. You're certainly, at your discretion, you can change the conditions and make it as complicated as you choose, but I wanted to let you know the intent of the staff in that recommendation.

**Chair Larsen:** No I think we understood that, what I think the intent too is if we indicate that if we are approving the pathway but that the materials, before they can continue, they must come back with the materials, that seems to be relatively clear.

**Staff Byers:** That's at your discretion.

**Commissioner Anderson:** I can vote for that Mr. Chair but what, I'm unclear who will approve the materials. SHPO, HPC, staff?

**Chair Larsen:** No, HPC.

**Commissioner Anderson:** Staff or HPC?

**Chair Larsen:** HPC.

**Commissioner Anderson:** Us. That means they have to come within our cycle.

**Chair Larsen:** Correct, but they've got plenty of time to do that. Was that your intent, Commissioner Mack? What would you like to do, it's your motion. Do you want to clarify or do want to ...

**Commissioner Mack:** (unclear)

**Commissioner Kelley:** (unclear)

**Chair Larsen:** So there are some questions about the railings as well, and the scale drawings? So, are you withdrawing your motion or do you want to modify your motion, or do you want to keep your motion as it is?

**Commissioner Mack:** (unclear)

**Chair Larsen:** Alright, does someone want to make a motion? Don't all speak at once. Commissioner Crippen.

**Commissioner Crippen:** I move that we adopt staff findings and recommendations for approval of the C of A with the conditions as stated.

**Chair Larsen:** Ok. Ok, Commissioner Anderson.

**Commissioner Elliott:** A friendly amendment, that instead of asking for CPED Planning review and approval of final site plan floor plans and elevations maybe we could be more clear that that's site plan, perhaps walkway plans, wall elevations, and the gully cross sections, something like that. These, I only say that because it doesn't sound applicable to ask for floor plans.

**Commissioner Crippen:** That's perfectly acceptable.

**Chair Larsen:** So walkway plans, wall elevations, and gully sections?

**Commissioner Elliott:** What's the right word, a cross section of the river bed showing the river walkways.

**Chair Larsen:** River bed and bank cross sections, does that make sense, was that the intent?

**Commission Elliott:** Yes.

**Chair Larsen:** So CPED Planning review and approve final site plan, walkway plans, wall elevations, and river bed and bank cross sections.

**Commissioner Elliott:** But then, I have to question that too, because of if we are de-coupling, right, we're not approving them, this is ...

**Chair Larsen:** Well that's actually what we want to see in the other applications.

**Commissioner Elliott:** That's what we want to see in the other applications, so then we should ask for that.

**Chair Larsen:** Yes, we can do that. That also does help to clarify our intent of what we're looking for in the next submittal. Ok, so that was a friendly amendment, is that acceptable? Motioner? Seconder? Yes, yes. Question for staff?

**Commissioner Kelley:** A question for staff. I asked this a little bit before but I think it was a double question.

**Chair Larsen:** You can have a seat, you don't need to stand up any further.

**Commissioner Kelley:** Given your conversation with SHPO this morning, would it be wise for us to add that 106 review is part of this approval or prerequisite or do you not need that? Is that irrelevant at this point?

**Staff Hanauer:** Chair Larsen, Commissioner Crippen: I'm not a hundred percent sure, in my conversation with Dennis Gimmetstad he said that they will at some point review these plans but in the conversation with the applicant, he stated that it will not be the Corps doing the work, I don't know if Federal funding is assisting with this part of the project, and therefore if SHPO review will be required.

**Staff Byers:** Mr. Chair and Commissioners, it's our understanding that SHPO has asked for more information. We can't say at this point whether that extra work has Federal funding or is required or not, but it is something we always work on, at least get documentation of Shop's point of view and to share our's with them as well.

**Chair Larsen:** Ok, thank you. If you'd like to clarify you are welcome to.

**Aaron Snyder:** The Corps of Engineers is a permitting agency in this action, so if the work that they're asking to do within the creek is going to be permitted by a regulatory branch which triggers the SHPO coordination for the those portions of the project that we're permitting, so the area within the stream pretty much.

**Staff Byers:** Which SHPO has, that portion of the work SHPO has approved.

**Chair Larsen:** Alright, so any further discussion on the motion? Commissioner Crippen.

**Commissioner Crippen:** To the extent that it's helpful, I don't think that we need to add anything to this motion, but we're sending a message that 3, 4, and 5 should come back. We're interested, the only thing I would add is I'll be much more convinced of it if SHPO has had a chance to review those particular elements as well, to have them put it into the context of the project.

**Chair Larsen:** Ok, great, we'll call the roll.

**Clerk:** Elliott?

**Commissioner Elliott:** Aye.

**Clerk:** Lackovic?

**Commissioner Lackovic:** Aye.

**Clerk:** Anderson?

**Commissioner Anderson:** Aye.

**Clerk:** Crippen?

**Commissioner Crippen:** Aye.

**Clerk:** Larsen?

**Chair Larsen:** Aye.

**Clerk:** Mack?

**Commissioner Mack:** Aye.

**Clerk:** Kelley?

**Commissioner Kelley:** Aye.

**Chair Larsen:** Ok that motion carries.

**CITY OF MINNEAPOLIS  
HERITAGE PRESERVATION COMMISSION STAFF REPORT**

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FILE NAME: 4901 Minnehaha Avenue Minnehaha Park (BZH 25653)

CATEGORY/DISTRICT: Minnehaha Historic District

CLASSIFICATION: Certificate of Appropriateness

APPLICANT: Mike Wyatt, Minnehaha Creek Watershed District Program Coordinator

DATE OF APPLICATION: November 11, 2008

PUBLICATION DATE: December 11, 2008

DATE OF HEARING: December 16, 2008

APPEAL PERIOD EXPIRATION : December 26, 2008

STAFF INVESTIGATION AND REPORT: Aaron Hanauer (612) 673-2494

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**A. SITE DESCRIPTION**

Minnehaha Park is locally designated (Minnehaha Historic District) and listed on the National Register of Historic Places. The park boundary coincides with the Minnehaha Historic District boundaries. The park's historic sites illustrate commercial, transportation, pioneering, and architectural themes and is itself an expression of inspired foresight into urban planning (Appendix D). Minnehaha Park's contributing features are both natural and manmade. The natural elements include the Falls and Glen. The four contributing manmade structures include the following: Godfrey Mill (1853/1854) the Minnehaha Station (1870s), the John H. Stevens House (built in 1849 moved to the park in 1896) and the Longfellow House (1906).

Serving as the central region that distinguishes the district, Minnehaha Park shows inspired foresight in urban planning. Noted American landscape architect Horace W.S. Cleveland sketched the master plan in 1883, as part of the Grand Rounds system of parks and parkways. The plan emphasized the natural beauty of the riverbanks and lakes, and proposed a linked series of open spaces, woods, vistas and recreation areas along the waterways. Cleveland's plan included the Minnehaha Falls area although it was beyond city limits at that time.

**B. APPLICATION BACKGROUND**

In 2004, the Minnehaha Creek Watershed District (MCWD) identified issues of erosion to the streambanks near the WPA walls, and erosion of streambanks due to the presence of footpaths. In the fall of 2005 a major storm rainfall resulted in streambank failure just below the falls and near the Minnesota Veterans Home property line. In 2007 and 2008 the MCWD and the Minneapolis Park and Recreation Board (MPRB) created a plan to address structural failures, erosion problems, and stormwater management issues.

### **C. PROPOSED WORK AND ANALYSIS OVERVIEW:**

The proposed work is the work plan created by the MCWD and MPRB in 2007 and 2008. This plan has three main parts (see Appendix A3 for scope of work location):

1. Restoration work to the Works Progress Administration (WPA) Walls
2. Minnehaha Creek streambank improvements (along Minnesota Veterans Home Property Line)
3. Minnehaha Falls Park and Glen Streambank erosion and bluff erosion mitigation. This section has three subparts.

Riparian Wading Pool Area

Pathways

New Retaining Wall

The proposed work is discussed in individual sections below with each section providing a background of the particular elements, description of the proposed work, and an analysis of the work. When analyzing the proposed work, staff used the Secretary of Interior Guidelines for Rehabilitation for Masonry and Setting only since historic district guidelines do not exist for the Minnehaha Historic District.

#### ***1. W.P.A. Retaining Walls***

##### ***Background***

The historic Works Progress Administration (WPA) retaining walls, built in the 1930s in a Rustic architectural style, begin approximately 200 feet above the falls and continue for an additional 1,200 feet downstream (to the last pedestrian arch bridge). They provide bank stabilization for the creek. The wall construction consists of angular Platteville limestone set in a mortar bed with a wall thickness estimated between two to three feet.

It is estimated that 95 percent of the WPA retaining walls are in tact; however, they have substantial structural deficiencies. The entire length of the wall footings has been undermined to varying degrees and the walls in some locations have substantial deterioration (Appendix C). In 2006, two segments of the walls (approximately 100 linear feet total) collapsed into the creek. Additional failures would likely take place if structural repair work to the footings is not completed.

##### ***Proposed Work***

There are two types of work proposed to be completed to the WPA Retaining Walls

Wall reconstruction for those that are collapsed or facing imminent failure (approximately 100 feet)

Structural reinforcement for the walls in good condition (approximately 1,500 feet)

For the approximately 100 feet of walls that have collapsed, the applicant has proposed new walls in the original location that are proposed to be built to stabilize the banks. The work is proposed to first construct wall footings. The walls themselves would be built with reinforced concrete backing and a Platteville limestone veneer (see Appendix B10 and E1-E11). The existing Platteville limestone salvaged from the collapsed walls would be reused as a facing on the wall in order to maintain the historic integrity. New stone that is needed is proposed to be a combination of Chilton Country Squire, Fond do Lac, and Kasota limestone (see Appendix B15). The applicant states that the MPRB has used a blend of these limestones for similar projects above the Falls, monuments, and retaining wall repair.

This new rock is proposed to be stained to maintain the appearance of the other portions of the weathered wall. For the grout, the applicant has stated that they will use a color to match the existing mortar.

There is approximately 1,500 linear feet of existing WPA walls that are standing but have scour damage at or beneath the footing or have compromised vertical structural support. For these segments of the walls the proposed work is to reconstruct steel and cement footings underneath the walls in their existing locations in order to provide needed support to maintain the structural integrity of the walls.

The applicant had the Army Corp of Engineers complete an environmental assessment for the W.P.A. retaining wall work. SHPO provided comments and conditions of approval on how the plans would not have an adverse effect (See Appendix C57). SHPO's review particularly focused on ensuring that the mortar match in terms of color, texture, composition, hardness, and joint profile. The Army Corp replied to this letter to state that they will submit plans to SHPO that address their concerns, and SHPO provided the following response to that letter "We appreciate your efforts in ensuring that this project will have no adverse effect on the Minnehaha Historic District (see Appendix C69)."

### ***Analysis***

The applicant's proposal meets the Secretary of Interior Standards for Masonry Rehabilitation by taking steps to retain and preserve the walls, salvaging the original Platteville limestone, using the overall form of the original construction to guide the new work, and by using a substitute material that will match as closely as possible the original material (Platteville limestone). The applicant's proposal with conditions of approval will also meet SHPO requirements.

## ***2. Minnehaha Creek Streambank Improvements (Primarily along Minnesota Veterans Home Property Line)***

### ***Background***

The Minnehaha Creek extends from Lake Minnetonka to the Mississippi River. In 2001-2002, two gabion-enclosed stormwater facility structures and a rock gabion stabilization structure were constructed along the creek's streambank that borders the Minnesota Veterans Home Property (see Appendix A3 and E18-E28). The applicant states that in preliminary evaluations of performance of each of these features it was determined that each was failing. The applicant further adds that, "Flow paths in the stormwater facilities eroded and undercut pathways underneath the gabions and flow directly into the creek without detention as originally designed." In addition, the streambank stabilization collapsed into the creek as the result of a 2005 rain event (Appendix B6). The remains of the Godfrey Mill Dam are located near this area approximately 275 feet to the north and west of the Minnesota Veterans Home Bridge (see Appendix A3).

### ***Proposed Work***

The applicant is proposing to do streambank repair improvements primarily in two areas of the creek. The first being the area along the Minnesota Veterans Home Property. The applicant is proposing to remove the gabion along the bank and construct other stormwater and streambank design elements along the creek bank and within the creek in order to improve stormwater and erosion conditions. The proposed work includes constructing a bio-swale, rip-rap overflow, rain gardens, rock vanes, and a vegetated reinforced bank. The proposed rock vanes and vegetated reinforced bank to the west and north

of the Godfrey Dam are intended to be built to reduce the erosion that is currently taking place of this historic structure. The other area of work is located approximately 250 linear feet above the falls. The proposal is to conduct creek bank repair for approximately 150 linear feet (see Appendix E35 and E40 for details).

### ***Analysis***

The applicant's proposal is in compliance with the Secretary of Interior Standards for Setting. The replacement of the gabion system, which was constructed in 2001-2002, with other stormwater and erosion preventative systems is working towards retaining, and preserving the creek within the Glen. In addition, the proposal will not negatively alter the natural features along the pathway or the creek. The proposed work above the Falls also complies with the Secretary of Interior Standards for Setting with the efforts to preserve the creek and falls.

### ***3a. Riparian Wading Pool Area***

#### ***Background***

The riparian wading pool forms a north bank of the Minnehaha Creek within the Glen area (see Appendix A3. This is an extremely high use area in the Park, particularly in the summer. The applicant states that, "The constant foot traffic along the banks has exacerbated the process of erosion (see Appendix B8 and B9)."

#### ***Proposed Work***

Due to this erosion of the riparian wading pool bank walls, the applicant is proposing to construct a limestone retaining wall around the edges to reduce the erosion rate (see Appendix E2, E12, and E13). The wall would be constructed with an initial row of partially buried limestone blocks to reestablish shoreline curve. These stones would be built to grade, approximately three feet in height. The limestone color is proposed to be weathered gray in order to match the W.P.A. walls. In addition to the initial row of limestone blocks, the applicant is proposing to add limestone pavers in five areas around the wading pool. The limestone paver areas would range in size from 50 square feet to 200 square feet.

#### ***Analysis***

The applicant's proposal is in compliance with the Secretary of Interior Standards for Setting. The proposal of adding a limestone retaining walls assists in preserving the creek and the riparian wading pool bank walls by reducing erosion. Similar to the W.P.A. retaining walls, the retaining walls for the riparian wading pool will serve as a man-made bank for the creek, and the proposed color will compliment the W.P.A. walls. The addition of the limestone retaining walls and pavers also meets the intent of the guidelines by protecting the water feature with the least amount of visual impact. It is likely that if improvements were made to the bank with natural fill the banks would continue to erode. The addition of limestone blocks will allow for continued use of this area in a sensitive manner. The retaining wall and pavers will have minimal visual impact during high-water times. Even though the limestone blocks will be visible during low-water times, the construction will not detract from the area. The choice of limestone for building material has the opportunity of being compatible with limestone in other parts of the park.

### ***3b. Pathways***

Within the Glen, South Plateau, and Preserve there are trails on both sides of the creek that extend to the Mississippi River. Most trails throughout the park are composed of small aggregate. However, in the area of proposed work there is one elevated boardwalk. This boardwalk is located on the south side of the Glen. It was installed after 1985 to try and help protect the rare ecological areas of the Glen (see Appendix E34 and E35). The boardwalk is approximately four foot wide and constructed of plastic timbers. The boardwalk decking is now in poor condition and has sunk into the ground.

### ***Proposed Work***

The proposed trail work can be broken down into four parts:

Adding aggregate to walking trails

Stabilizing stair systems

Installing new elevated boardwalk within the Glen along the existing creek trail

Constructing a new pathway within the Glen bluff with an elevated boardwalk

The first part of the project is adding aggregate to the existing walking trails. The applicant states that this is proposed in order to slow the erosion process, improve walkability, improve drainage in wet areas of trails, and better define the trails. The applicant is not proposing to widen the walking trails with the addition of the new aggregate. The second part of the project is a stabilization of one stair case just south of the second pedestrian bridge (see Appendix E35 and E43).

There are three proposed boardwalks as part of the project. The applicant is proposing to replace the four foot wide boardwalk with plastic timbers in the rare ecological area of the Glen with a new four foot wide boardwalk with metal decking that would extend approximately 750 feet (see Appendix E34, E36, E37, and E44). The decking would be approximately four inches off the ground.

The applicant is also proposing to construct elevated boardwalks within the Glen between the second and third pedestrian bridges; the linear distance is approximately 425 feet (see Appendix A3, E35, and E40). These boardwalks are proposed to be constructed with “fiber-forced plastic timber.” The boardwalk that is proposed along the creek trail would follow the existing trail. It is proposed to be six feet in width without railings and be set at grade (see Appendix E40). A vegetated buffer would be planted between the boardwalk and the Creek. The applicant has proposed the boardwalk and vegetated buffer near the creek to help reduce erosion from the heavily used walking path.

The applicant is also proposing to construct a new path within the bluff between the two pedestrian bridges. This path would be approximately 35 feet higher than the pathway near the creek. It is proposed to be four feet in width and contain three-foot railings (see Appendix E40). Climbing blocks from the path below would provide access to the upper pathway.

### ***Analysis***

The addition of aggregate and stair replacement are in compliance with the Secretary of Interior Guidelines for Rehabilitation for Settings. These repairs are general maintenance work.

The replacement of the existing boardwalk in the Glen’s rare ecological area is also in compliance with the Secretary of Interior Standards for Rehabilitation for Settings. The applicant in their plans and on a

staff site visit explained the uniqueness and fragility of this natural area. The metal decking boardwalk is proposed to help protect the fragile ecological system of the Glen by elevating foot traffic. The metal decking boardwalk will also not radically change the setting of this part of the Glen.

However, the construction of new elevated boardwalk nearest the creek is not in compliance with the Secretary of Interior Guidelines for Setting. The original plan of Horace Cleveland for Minnehaha Park in 1883 was to emphasize the natural beauty of the riverbanks and the vistas along the waterways. The boardwalk proposed near the creek may help reduce erosion; however, the visual impact of having an elevated walking path would not assist in preserving one of the most important landscape features of Minneapolis and would negatively change the setting of this historic site. In addition, the applicant has not provided enough evidence that both the vegetated buffer and elevated boardwalk are necessary to assist with erosion issues.

The construction of a new pathway with an elevated boardwalk within the bluff would also not be in compliance with the Secretary of Interior Guidelines for Setting. As with the boardwalk near the creek, this proposed boardwalk would detract from the natural beauty of the riverbanks and the vistas along the walkways. Even though it is apparent that erosion is an issue within this popular area and alterations have taken place to these bluffs including the construction of the 1960's crib walls that exist today, the addition of the bluff walking path would detract from the area by altering the views and feel of the area. Furthermore, the addition of the boardwalk within the bluff will substantially alter the area's topography and will be clearly visible during times that tree foliage does not provide coverage.

### ***3c. New Retaining Wall***

#### ***Background***

On the southside of the creek (between the second and third pedestrian bridges) there is a crib wall and retaining wall built into the bluffs (see Appendix E35, and F). The lower retaining wall is approximately 20 feet from the Creek. It is approximately three feet in height. The retaining wall near the top of the bluff is approximately five feet in height. This retaining wall has failed in at least one location. During a site visit the Applicant stated that the bluff area between the retaining walls is a popular area for park patrons to climb and therefore increases erosion. The applicant also states that rainfall has added to the erosion situation (see Appendix B23) It is apparent from this site visit that the topsoil has eroded and tree roots have been exposed.

#### ***Proposed Work***

The applicant is proposing to remove the 75-foot section of the three-foot retaining wall nearest the second pedestrian bridge and replace it with an eight-foot high retaining wall (see Appendix E35 and E40). This retaining wall would be constructed with limestone blocks that are approximately two feet x two feet x three feet.

#### ***Analysis***

The applicant's proposal is not in compliance with the Secretary of Interior Standards for Setting. Even though the applicant is proposing the work to assist with erosion control and there have been bluff alterations at or near this location over the years including the existing crib and retaining walls, the applicant has not provided enough evidence that the proposed retaining wall and earth fill is necessary.

In addition, a drain pipe that is located in the staircase above the crib wall appears to be a big part of the reason for the erosion and failing of the crib wall (see Appendix F1, F2 (Photo 1) and F3(Photo 9B)). Staff believes that design alternatives exist that do not include the construction of the retaining wall and additional earth. The location of the proposed retaining walls is close to and within the view shed of one of the most defining landscape features of Minneapolis. The introduction of a retaining wall that is eight feet in height for approximately 75 feet would substantially alter the defining historic character of this area.

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

##### **1. The Secretary of the Interior's Standards for Rehabilitation (1990)**

**Masonry:** *Brick, stone, terra cotta, concrete, adobe, stucco, and mortar*

##### **Recommended:**

Identifying, retaining, and preserving masonry features that are important in defining the overall historic character of the building such as walls, brackets, railings, cornices, window architraves, door pediments, steps, and columns; and joint and unit size, tooling and bonding patterns, coatings, and color.

Protecting and maintaining masonry by providing proper drainage so that water does not stand on flat, horizontal surfaces or accumulate in curved decorative features.

Cleaning masonry only when necessary to halt deterioration or remove heavy soiling.

Carrying out masonry surface cleaning tests after it has been determined that such cleaning is necessary. Tests should be observed over a sufficient period of time so that both the immediate effects and the long range effects are known to enable selection of the gentlest method possible.

Cleaning masonry surfaces with the gentlest method possible, such as low pressure water and detergents, using natural bristle brushes.

Inspecting painted masonry surfaces to determine whether repainting is necessary.

Removing damaged or deteriorated paint only to the next sound layer using the gentlest method possible (e.g., hand scraping) prior to repainting.

Applying compatible paint coating systems following proper surface preparation.

Repainting with colors that are historically appropriate to the building and district.

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

Repairing masonry walls and other masonry features by repointing the mortar joints where there is evidence of deterioration such as disintegrating mortar, cracks in mortar joints, loose bricks, damp walls, or damaged plasterwork.

Removing deteriorated mortar by carefully hand-raking the joints to avoid damaging the masonry.

Duplicating old mortar in strength, composition, color, and texture.

Duplicating old mortar joints in width and in joint profile.

Repairing stucco by removing the damaged material and patching with new stucco that duplicates the old in strength, composition, color, and texture.

Using mud plaster as a surface coating over unfired, unstabilized adobe because the mud plaster will bond to the adobe.

Repairing masonry features by patching, piecing-in, or consolidating the masonry using recognized preservation methods. Repair may also include the limited replacement in kind - or with compatible substitute material - of those extensively deteriorated or missing parts of masonry features when there are surviving prototypes such as terra-cotta brackets or stone balusters.

Applying new or non-historic surface treatments such as water-repellent coatings to masonry only after repointing and only if masonry repairs have failed to arrest water penetration problems.

Replacing in kind an entire masonry feature that is too deteriorated to repair - if the overall form and detailing are still evident - using the physical evidence to guide the new work. Examples can include large sections of a wall, a cornice, balustrade, column, or stairway. 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 installing a new masonry feature such as steps or a door pediment when the historic feature is completely missing. It may be an accurate restoration using historical, pictorial, and physical documentation; or be a new design that is compatible with the size, scale, material, and color of the historic building.

### **Not Recommended:**

Removing or radically changing masonry features which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Replacing or rebuilding a major portion of exterior masonry walls that could be repaired so that, as a result, the building is no longer historic and is essentially new construction.

Applying paint or other coatings such as stucco to masonry that has been historically unpainted or uncoated to create a new appearance.

Removing paint from historically painted masonry.

Radically changing the type of paint or coating or its color.

Failing to evaluate and treat the various causes of mortar joint deterioration such as leaking roofs or gutters, differential settlement of the building, capillary action, or extreme weather exposure.

Cleaning masonry surfaces when they are not heavily soiled to create a new appearance, thus needlessly introducing chemicals or moisture into historic materials.

Cleaning masonry surfaces without testing or without sufficient time for the testing results to be of value.

Sandblasting brick or stone surfaces using dry or wet grit or other abrasives. These methods of cleaning permanently erode the surface of the material and accelerate deterioration.

Using a cleaning method that involves water or liquid chemical solutions when there is any possibility of freezing temperatures.

Cleaning with chemical products that will damage masonry, such as using acid on limestone or marble, or leaving chemicals on masonry surfaces.

Applying high pressure water cleaning methods that will damage historic masonry and the mortar joints.

Removing paint that is firmly adhering to, and thus protecting, masonry surfaces.

Using methods of removing paint which are destructive to masonry, such as sandblasting, application of caustic solutions, or high pressure waterblasting.

Failing to follow manufacturers' product and application instructions when repainting masonry.

Using new paint colors that are inappropriate to the historic building and district.

Failing to undertake adequate measures to assure the preservation of masonry features.

Removing non-deteriorated mortar from sound joints, then repointing the entire building to achieve a uniform appearance.

Using electric saws and hammers rather than hand tools to remove deteriorated mortar from joints prior to repointing.

Repointing with mortar of high portland cement content (unless it is the content of the historic mortar). This can often create a bond that is stronger than the historic material and can cause damage as a result of the differing coefficient of expansion and the differing porosity of the material and the mortar.

Repointing with a synthetic caulking compound.

Using a “scrub” coating technique to repoint instead of traditional repointing methods.

Changing the width or joint profile when repointing.

Removing sound stucco; or repairing with new stucco that is stronger than the historic material or does not convey the same visual appearance.

Applying cement stucco to unfired, unstabilized adobe. Because the cement stucco will not bond properly, moisture can become entrapped between materials, resulting in accelerated deterioration of the adobe.

Replacing an entire masonry feature such as a cornice or balustrade when repair of the masonry and limited replacement of deteriorated or missing parts are appropriate.

Using a substitute material for the replacement part that does not convey the visual appearance of the surviving parts of the masonry feature or that is physically or chemically incompatible.

Applying waterproof, water-repellent, or non-historic coatings such as stucco to masonry as a substitute for repointing and masonry repairs. Coatings are frequently unnecessary, expensive, and may change the appearance of historic masonry as well as accelerate its deterioration.

Removing a masonry feature that is unrepairable and not replacing it; or replacing it with a new feature that does not convey the same visual appearance.

### **Design for Missing Historic Features**

Creating a false historical appearance because the replaced masonry feature is based on insufficient historical, pictorial, and physical documentation.

Introducing a new masonry feature that is incompatible in size, scale, material, and color.

## **2. The Secretary of the Interior’s Standards for Rehabilitation**

### **Setting**

The setting is the area or environment in which a historic property is found. It may be an urban or suburban neighborhood or a natural landscape in which a building has been constructed.

The elements of setting, such as the relationship of buildings to each other, setbacks, fence patterns, views, driveways and walkways, and street trees together create the character of a district or neighborhood. In some instances, many individual building sites may form a neighborhood or setting.

In rural environments, agricultural or natural landscapes may form the setting for an individual property.

**Setting: Identify, retain, and preserve**

***Recommended.***

Identifying, retaining, and preserving building and landscape features which are important in defining the historic character of the setting.

Such features can include roads and streets, furnishing such as lights or benches, vegetation, gardens and yards, adjacent open space such as fields, parks, commons or woodlands, and important views or visual relationships.

Retaining the historic relationship between buildings and landscape features of the setting. For example, preserving the relationship between a town common and its adjacent historic houses, municipal buildings, historic roads, and landscape features.

***Not Recommended***

Removing or radically changing those features of the setting which are important in defining the historic character.

Destroying the relationship between the buildings and landscape features within the setting by widening existing streets, changing landscape materials or constructing inappropriately located new street or parking.

Removing or relocating historic buildings or landscape features, thus destroying their historic relationship within the setting.

**Setting: Protect and Maintain**

***recommended***

Protecting and maintaining historic masonry, wood, architectural metals, stone, and plant features through appropriate treatments such as cleaning, rust removal, limited paint removal, and reapplication of protective coating systems; and pruning and vegetation management.

Protecting building and landscape features such as lighting or trees, against arson and vandalism before rehabilitation works begins by erecting protective fencing and installing alarm systems that are keyed into local preservation agencies.

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

***not recommended.....***

Failing to provide adequate protection of materials on a cyclical basis which results in the deterioration of building and landscape features.

Permitting the building and setting to remain unprotected so that interior or exterior features are damaged.

Stripping or removing features from buildings or the setting such as wood siding, iron fencing, terra cotta balusters, or plant material.

Failing to undertake adequate measures to assure the protection of building and landscape features.

**Setting: Repair**

*recommended.....*

Repairing features of the building and landscape by reinforcing the historic materials.

Repair will also generally include the replacement in kind--or with a compatible substitute material--of those extensively deteriorated or missing parts of features when there are surviving prototypes, such as porch balustrades or paving materials.

not recommended.....

Replacing an entire feature of the building or landscape when repair of materials and limited replacement of deteriorated or missing parts are appropriate.

Using a substitute material for the replacement part that does not convey the visual appearance of the surviving parts of the building or landscape, or that is physically, chemically, or ecologically incompatible.

**Setting: Replace**

*recommended.....*

Replacing in kind an entire feature of the building or landscape that is too deteriorated to repair-- when the overall form and detailing are still evident --using the physical evidence as a model to guide the new work.

If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.

*not recommended*

Removing a feature of the building or landscape that is unrepairable and not replacing it; or replacing it with a new feature that does not convey the same visual appearance.

**Design for Missing Historic Features**

The following work is highlighted to indicate that it represents the particularly complex technical or design aspects of rehabilitation projects and should only be considered after the preservation concerns listed above have been addressed.

*recommended*

Designing and constructing a new feature of the building or landscape when the historic feature is completely missing, such as row house steps, a porch, a streetlight, or a terrace. It may be a restoration

based on documentary or physical evidence; or be a new design that is compatible with the historic character of the setting.

***not recommended.....***

Creating a false historical appearance because the replaced feature is based on insufficient documentary or physical evidence.

Introducing a new building or landscape feature that is out of scale or otherwise inappropriate to the setting's historic character, e.g., replacing picket fencing with chain link fencing.

**Alterations/Additions for the New Use**

The following work is highlighted to indicate that it represents the particularly complex technical or design aspects of rehabilitation projects and should only be considered after the preservation concerns listed above have been addressed.

**Recommended**

Designing required new parking so that it is as unobtrusive as possible, thus minimizing the effect on the historic character of the setting. "Shared" parking should also be planned as that several businesses can utilize one parking area as opposed to introducing random, multiple lots.

Designing and constructing new additions to historic buildings when required by the new use. New work should be compatible with the historic character of the setting in terms of size, scale design, material, color, and texture.

Removing nonsignificant buildings, additions or landscape features which detract from the historic character of the setting.

**Not Recommended**

Placing parking facilities directly adjacent to historic buildings which cause damage to historic landscape features, including removal of plant material, relocation of paths and walkways, or blocking of alleys.

Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the setting.

Removing a historic building, building feature or landscape feature that is important in defining the historic character of the setting.

***I. FINDINGS***

1. Minnehaha Park is locally designated (Minnehaha Historic District) and listed on the National Register of Historic Places.
2. Contributing elements within the park include the natural elements of the Falls and Glen. The contributing manmade structures include the Godfrey Mill Dam (1853/1854) the Minnehaha

Station (1870s), the John H. Stevens House (built in 1849 moved to the park in 1896) and the Longfellow House (1906).

3. The Minnehaha Falls and Glen Restoration Project is intended to improve structural failures, erosion problems, and stormwater management issues, and there are three parts to the project:
  - a. Restoration work to the Works Progress Administration (WPA) Walls
  - b. Minnehaha Creek Streambank Improvements along the Minnesota Veterans Home Property Line.
  - c. Minnehaha Falls Park and Glen Streambank erosion and bluff erosion mitigation and construction of a retaining wall for the riparian wading pool, pathway work, new boardwalks, and a new retaining wall.
4. The applicant had the Army Corp of Engineers complete an environmental assessment for the W.P.A. retaining wall work. SHPO provided comments and conditions of approval to in order for the plans to not have an adverse effect (See Appendix C57).
5. The proposed restoration of the WPA Walls is in compliance with the Secretary of Interior Standards for Rehabilitation for masonry.
6. The applicant's proposal for streambank improvements along the Minnesota Veterans Home is in compliance with the Secretary of Interior Standards for Setting.
7. The applicant's proposal for the riparian wading pool is in compliance with the Secretary of Interior Standards for Setting.
8. The applicant's proposal for the construction and repair work to the pathways is in compliance with the Secretary of Interior Standards with two exceptions:
  - a. The proposed plastic timber material for the new walkway above the southern bluff is not keeping in character with the natural setting.
  - b. The proposed construction of a six-foot plastic timber walkway nearest the creek between the two lower creek bridges is not in character with the natural setting and would detract from Minnehaha Falls.
9. The applicant's proposal for a new eight-foot retaining wall between the second and third creek bridges is not in compliance with the Secretary of Interior Standards for Setting.

#### ***J. STAFF RECOMMENDATION:***

Staff recommends that the HPC adopt staff findings and **approve** a Certificate of Appropriateness for the Minnehaha Falls and Glen Restoration project with the following conditions:

1. CPED-Planning review and approve final site plan, floor plans, and elevations.
2. The applicant repairs the W.P.A. retaining walls per the Secretary of Interior Standards and the following SHPO comments:
  - All new mortar used in the project should match the historic mortar in terms of color, texture, composition, hardness, and joint profile. Samples of the historic mortar should be

tested as a basis for the specification of the new mortar. The results of the testing and the new specifications should be submitted to our office for review and concurrence.

- If any [archaeological] sites are identified, we [SHPO] should be consulted with regard to evaluation and treatments. Please ensure that there are adequate provisions in the construction contract to accommodate adequate time for this construction, should it be necessary.
3. The construction of the new pathway with elevated boardwalk built into the bluff is not approved.
  4. The construction of a six-foot plastic timber walkway nearest the creek between the second and third pedestrian bridges is not approved.
  5. The construction of a new eight-foot high retaining wall between the second and third pedestrian bridges is not approved.

***K. APPENDIX:***

Appendix A: Minnehaha Park Maps and Aerials

Appendix B: Application

Appendix C: ACOW Environmental Assessment and SHPO Comments for W.P.A. Retaining Walls

Appendix D: National Register Nomination Form

Appendix E: Application Plan Sets

Appendix F: Staff Images