



**Request for City Council Committee Action
From the Department of Community Planning & Economic Development**

Date: April 26, 2006

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

Subject: Landmark designation of Layman's Cemetery (Pioneers and Soldiers Memorial Cemetery), 2925 Cedar Avenue South. Referral from the April 25, 2006, public hearing of the Heritage Preservation Commission.

Recommendation: To adopt the staff findings and approve the landmark designation of Layman's Cemetery (Pioneers and Soldiers Memorial Cemetery, located at 2925 Cedar Avenue South.

Previous Directives: N/A

Prepared by: Greg Mathis, Senior Planner, CPED-Planning (612) 673-2439

Approved by: Jack Byers, Planning Manager _____

Presenter(s) in Committee: Greg Mathis

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

Ward: 9

Neighborhood Notification: East Phillips Improvement Coalition

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

Comprehensive Plan: Consistent

Zoning Code: N/A

Other: Chapter 599 of the Minneapolis Code of Ordinances, Heritage Preservation Regulations, authorizes the HPC to “hold a public hearing to consider proposed designations and to make findings and recommendations to the Zoning and Planning Committee of the City Council”.

Background/Supporting Information Attached: The attached report summarizes the actions taken by the City Planning Commission at a hearing on April 10, 2006 and the Heritage Preservation Commission at a public hearing on April 25, 2006. The findings and recommendations are respectfully submitted for your consideration.

Resolution

Designating the Layman's Cemetery (Pioneers and Soldiers Memorial Cemetery), located at 2925 Cedar Avenue South, as a Landmark

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on April 25, 2006 and recommended to the Standing Committee on Zoning and Planning that Layman's Cemetery (Pioneers and Soldiers Memorial Cemetery), 2925 Cedar Avenue South, legally described as the South Half (S ½) of the Southwest quarter (SW ¼) of the Southwest Quarter (SW ¼) and all that is part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) lying South of the right of way of the Hastings & Dakota Railroad (also known as Chicago, Milwaukee & St. Paul Railroad) all in Section Thirty-six (36), Township Twenty-Nine (29), North of Range Twenty-four (24), West of the Fourth Principal Meridian, and comprising all the land heretofore known and platted as Minneapolis Cemetery, also known as Layman's Cemetery, be designated as a landmark; and

Whereas the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on April 25, 2006 and recommended to the Standing Committee on Zoning and Planning that Layman's Cemetery (Pioneers and Soldiers Memorial Cemetery) meets designation criteria 1 and 2 for its association with broad patterns of social history and with the lives of significant local persons and groups; and

Whereas, prior to such recommendation and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did hold a nomination public meeting on August 17, 2004; and further did refer the subject matter to the City Planning Commission (CPC) for review and recommendation, such CPC recommendation being made on April 10, 2006; and further did refer the subject matter to the Minnesota Historical Society for review and comment, such favorable comment being made in the letter of March 6, 2006; and

Whereas, on May 4, 2006 the Standing Committee on Zoning and Planning recommended designation as a landmark;

Now, therefore, it be resolved by the City Council of the City of Minneapolis:

That Layman's Cemetery (Pioneers and Soldiers Memorial Cemetery), at 2925 Cedar Avenue South, is hereby designated as a landmark.

ATTACHMENT A

Minneapolis Heritage Preservation Commission

Draft Actions

Regular Meeting

Tuesday, April 25 2006

5 p.m.

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

Call to Order at 5:05 p.m.

Roll Call

Commissioners present: Chair Koski, Anderson, Dunn, Grover, Larsen, Messenger

Not present: Ollendorf (excused), Lee, Herman.

Committee Clerk: Rose Campbell (612) 673-2615

Approval of Minutes

1. Approval of March 14, 2006 Meeting Minutes

ACTION

MOTION by Commissioner Larsen to **approve** the minutes. Make correction to the title for Commissioner Koski from President to Chair. **SECOND** by Commissioner Anderson. **MOTION APPROVED** with Commissioner Dunn abstaining.

2. Approval of March 28, 2006 Meeting Minutes

ACTION

MOTION by Commissioner Anderson to **approve** the minutes. Make correction to the title for Commissioner Koski from President to Chair. **SECOND** by Commissioner Larsen. **MOTION APPROVED** with no abstentions.

Items for Public Hearing

1. 2925 Cedar Avenue South, Layman's Cemetery (Minneapolis Pioneers and Soldiers Memorial Cemetery), for landmark designation. (Staff, [Greg Mathis](#))

ACTION

MOTION by Commissioner Koski **adopt** the staff findings and submit the same together with a recommendation to **approve** the landmark designation of Layman's Cemetery to the Zoning and Planning Committee of the City Council. **SECOND** by Commissioner Messenger. **MOTION APPROVED** with no abstentions.

MOTION by Commissioner Larsen to adjourn. **SECOND** by Commissioner Grover. **MOTION APPROVED** with no abstentions.

The meeting was **ADJOURNED** at 5:34p.m.

ATTACHMENT B

MINNEAPOLIS CPED PLANNING DIVISION REPORT

HERITAGE PRESERVATION DESIGNATION

DATE OF HPC REVIEW: April 25, 2005

ADDRESS OF PROPERTY: Layman's Cemetery, 2925 Cedar Avenue South

STAFF CONTACT AND PHONE: Greg Mathis, 673-2439

PROPERTY OWNER: City of Minneapolis

CONTACT PERSON AND PHONE: Klara Fabry, City Engineer and Director of Public Works Department, 673-2443

WARD: 9 **NEIGHBORHOOD ORGANIZATION:** East Phillips Improvement Coalition

BACKGROUND:

Layman's Cemetery, or Pioneers and Soldiers Memorial Cemetery as it is more commonly known, occupies a 27-acre site in south Minneapolis, bounded by Lake Street on the south, Cedar Avenue on west, 21st Avenue South on the east, and by the right-of-way of the Benton Cutoff of the C.M. & St.P. R.R. on the north. Founded in 1853 on land adjacent to the farmstead of Martin Layman, Layman's Cemetery is the oldest surviving cemetery in Minneapolis. The City of Minneapolis acquired the cemetery in 1927. In 1928, the cemetery became the focus of an early preservation movement in Minneapolis to protect sites of local historic significance and it was renamed Minneapolis Pioneers and Soldiers Memorial Cemetery. On June 6, 2002, the property was placed on the National Register of Historic Places.

At a public meeting on August 17, 2004, the Heritage Preservation Commission (HPC) directed the Planning Department to commence landmark designation study for the cemetery. The designation study was completed in January 2006. The designation study found that Layman's Cemetery meets designation criteria (1) and (2) contained in section 599.210 of the city's Heritage Preservation Regulations. A copy of the designation study/nomination form is attached.

The State Historic Preservation Officer (SHPO) was sent a copy of the proposed designation pursuant to the requirements of state law and section 599.250 of the city's Heritage Preservation Regulations. The SHPO has determined that the property is an ideal candidate for local designation under Criteria 1 and 2 for its association with broad patterns of social history and with the lives of significant local persons or groups. The SHPO comments are contained in an attached letter dated March 6, 2006.

In addition, the proposed designation was submitted to the City Planning Commission (CPC) for its review and comment, pursuant to section 599.260 of the Heritage Preservation Regulations. The CPC was asked to consider the relationship of the proposed designation to the city's comprehensive plan, the effect of the proposed designation on the surrounding area, and the

consistency of the proposed designation with applicable development plans or objectives. On April 10, 2006 the CPC adopted the findings and recommendations included in the CPED Planning Division staff report. Copies of the staff report dated April 10, 2006 and CPC action are attached.

AUTHORITY FOR REVIEW:

Chapter 599 of the Minneapolis Code of Ordinances, Heritage Preservation Regulations, authorizes the HPC to hold a public hearing to consider proposed designations and to make findings and recommendations to the Zoning and Planning Committee of the City Council with respect to proposed designations as follows:

599.270. Designation hearing. Following completion of the designation study the commission shall hold a public hearing to consider the proposed designation, as provided in section 599.170. Any person having a legal or equitable interest in a nominated property shall be allowed reasonable opportunity to give testimony or present evidence concerning the proposed designation.

599.280. Commission recommendation. Following the public hearing, the commission shall make findings with respect to the proposed designation and shall submit the same together with its recommendation to the zoning and planning committee of the city council. In making its findings and recommendation, the commission shall consider the designation criteria contained in section 599.210, the information contained in the designation study, the state historic preservation officer's comments, the city planning commission's comments, the planning director's report and all testimony and evidence received at the public hearing relating to the designation.

DESIGNATION CRITERIA:

Section 599.210 of the Heritage Preservation Regulations establishes criteria to be considered in determining whether a property is worthy of designation as a landmark or historic district because of its historical, cultural, architectural, archaeological or engineering significance. To be eligible for designation, a property must meet at least one of the following designation criteria:

- (1) The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.
- (2) The property is associated with the lives of significant persons or groups.
- (3) The property contains or is associated with distinctive elements of city identity.
- (4) The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.
- (5) The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.

- (6) The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.
- (7) The property has yielded, or may be likely to yield, information important in prehistory or history.

FINDINGS

1. Consistency with designation criteria:

The designation study for Layman's Cemetery (January 2006) shows that the property meets designation criteria (1) and (2) as follows:

- (1) *The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.*

For one hundred and fifty years, this plot has been the site of repose and remembrance for a diverse cross-section of Minneapolitans whose efforts contributed to the early development of the rapidly expanding city. Layman's Cemetery, established in 1853 on land owned by Minneapolis pioneer Martin Layman and adjacent to his farmstead, is the oldest surviving cemetery in the city of Minneapolis and is one of the few surviving features from the city's first fifteen years of American and European settlement (1848-1865). It contains the graves of some of the first settlers of the city, many of whom made major contributions to state and local history; soldiers and veterans of the War of 1812, the Dakota Conflict, the Civil War, the Mexican American War, the Spanish-American War and World War I; mid- to late nineteenth century European immigrants; early African American citizens and transposed abolitionists. The effort to preserve and rehabilitate the cemetery in the 1920's and 1930's is part of a nascent local historic preservation movement that sought to protect sites deemed significant to Minneapolis history.

- (2) *The property is associated with the lives of significant persons or groups.*

Layman's Cemetery is significant for its association with several notable individuals who are buried in there including Philander Prescott, one of Minnesota's earliest pioneers who played a role in the events that influenced the settlement of the Northwest frontier; Charles W. Christmas, the first to survey land in Hennepin County for Colonel John Stevens, thus forming the basis for the city of Minneapolis; and William Goodridge, a successful African-American businessman and an abolitionist of national renown.

2. Consistency with the comprehensive plan:

The proposed designation promotes preservation of an historic resource and supports the following goal and policies of *The Minneapolis Plan*:

Goal 6. *Preserve, enhance and create a sustainable natural and historic environment citywide.*

Policy 1.7. *Minneapolis will recognize and celebrate its history.*

Policy 9.2. *Minneapolis will continue to preserve the natural ecology and the historical features that define its unique identity in the region.*

Policy 9.4. *Minneapolis will promote preservation as a tool for economic development and community revitalization.*

3. Effect on the surrounding area:

The proposed designation will preserve a unique local landmark. The designation will not negatively affect the surrounding area.

4. The consistency of the designation with applicable development plans or development objectives adopted by the city council:

The only plan that addresses the cemetery site is the Hiawatha / Lake Station Area Master Plan, adopted by the City Council on May 18, 2001. This plan was incorporated into the City's Comprehensive Plan following Metropolitan Council approval on December 8, 2002. The plan was the first in a series of long-range studies being completed for transit-oriented development (TOD) around Hiawatha LRT station sites. The study area includes portions of the Phillips Community, Corcoran Neighborhood, the Longfellow Community, and the Seward Neighborhood. It focuses on land uses, urban design, public infrastructure, and amenities located within a 1/2-mile of the station. The purpose of the Plan is to guide changes that build upon neighborhood strengths and capitalize on opportunities that may include:

- Future mixes of new businesses, housing, and neighborhood amenities;
- Improvements to the pedestrian environment;
- Enhancement of parks and green space; and
- Improving the accessibility and fit of the station with the neighborhood.

The proposed designation is consistent with the plan, which calls for no change to the cemetery other than simply recognizing it as an open space and cultural resource.

RECOMMENDATION OF THE CPED PLANNING DIVISION:

Planning Staff recommends that the Heritage Preservation Commission **adopt** the above findings and submit the same together with a recommendation to **approve** the landmark designation of Layman's Cemetery to the Zoning and Planning Committee of the City Council.

Attachments:

1. Layman's Cemetery Designation Study, January 2006.
2. State Historic Preservation Officer comments, March 6, 2006.
3. CPED Planning Division report to the City Planning Commission, April 10, 2006.
4. Action of the City Planning Commission, April 10, 2006