



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

Date: June 21, 2007

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

Referral to: Zoning and Planning Committee

Subject: Appeal of the authority of the Heritage Preservation Commission (HPC) to take action on the proposed project by virtue of the 60-day rule. Appeal of a Certificate of Appropriateness approval condition action of the HPC addressing the location of a cellular installation at 414 7th Avenue SE by T-Mobile (BZH-25056).

Recommendation: The HPC adopted the staff recommendation May 15, 2007 to conditionally approve a Certificate of Appropriateness to allow the construction of a cellular installation on the roof of the Andrews House Apartment building's three-story contemporary addition.

Previous Directives: N/A

Prepared or Submitted by: Erik Carlson, Senior Planner, 612-673-5348

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

Presenters in Committee: Erik Carlson, 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: 3

Neighborhood Notification: The Marcy-Holmes Neighborhood Association was notified of the appeal on June 11, 2007.

City Goals: See staff report.

Comprehensive Plan: See staff report.

Zoning Code: See staff report.

Living Wage/Job Linkage: Not applicable.

End of 60/120-day Decision Period: The end of the 60 day decision period is June 22, 2007

Other: Not applicable.

Background/Supporting Information Attached: The appellant received zoning approval to construct a cellular installation on July 18, 2005 on the roof of the Andrews House Apartment building. City staff did not identify this property at that time as being a contributing structure to the locally designated 5th Street SE Historic District. Any major alteration to this building requires HPC review. No review of the impacts to historic resources by City Staff or the HPC was done. T-Mobile had partially constructed the structure when the City requested that T-Mobile return to receive HPC review. The HPC, as a part of six conditions of approval, required that the installation be relocated to a site other than on the wing of the original building. The HPC voted to approve Certificate of Appropriateness on May 15, 2007.

The apartment building has two parts: an original structure that once was the St. Andrews Hospital which is 5 stories tall and unoriginal wing 3 stories tall which was added when the Hospital was later converted to apartments. The partially constructed cellular installation is now located on the roof of a penthouse on the roof of the 5-story original building.

T-Mobile is the owner and operator of the cellular equipment and is leasing the space from the owners of the Andrews House Apartments, Remington Campus Apartments LLC.

The Marcy-Holmes Neighborhood Association considered appealing the HPC decision. However they declined after T-Mobile appealed. The Association did submit an appeal application from for the record to convey their perspective and intent.

Supporting Material

May 15, 2007 HPC Actions

Staff Report

Meeting Minutes 5-15-2007

Appellant Application Materials

Marcy-Homes Neighborhood Association Materials

Zoning Code Regulations governing Communications Towers

Record of Communications and Reports Prior to Certificate of Appropriateness Application

Minneapolis Heritage Preservation Commission

Regular Meeting

May 15, 2007

4:30 p.m. - Room 317, [City Hall](#), Minneapolis, Minnesota

Commissioners: Chair Koski, Anderson, Crippen, Larsen, Lee, Messenger, and Selchow.

Excused absence: Commissioner Dunn and Ollendorf

Committee Clerk: Dan Villarreal (612) 673-2615

Call to order

Approval of the Agenda

Approval of Minutes

1. Approval of May 1, 2007 Meeting Actions

MOTION by Commissioner Anderson to **approve** the minutes. **SECOND** by Commissioner Selchow. **Motion approved** with one abstentions.

Public Hearings

Introduction to the Public Hearing

Public Hearing

1. **93 Nicollet Street, St. Anthony Falls Historic District, Ward 3 (Staff: Brian Schaffer)**

Certificate of Appropriateness for a rear addition to a single family home on Nicollet Island. This item was continued from the May 1, 2007 public hearing.

Action

Motion by Chair Koski to **adopt** staff findings and **approve** the application for

Certificate of Appropriateness, with conditions #1, #3, and #4, adding a condition that the egress window and window well are approved at the rear of the house, window type configuration and retaining wall will be reviewed and approved by staff and striking finding #8 and condition #2. Add finding based on historical documentation presented (Sanborn Map) that historically the house did have an addition of this size and mass, fitting within the district. Add finding that the skylight is not acceptable and a parallel condition that the skylight is not approved. **SECONDED** by Commissioner Anderson. **MOTION APPROVED** with no abstentions.

2. **414 7th Ave SE, Ward 3 (Staff: Erik Carlson)**

Certificate of Appropriateness to install rooftop cellular antennas and associated structures.

Action

Motion by Chair Koski to **adopt** staff findings and **approve** the application for Certificate of Appropriateness. Modifying condition #3 striking the word "fiberglass" to read "The material and color for the enclosure must be approved by the HPC." **SECONDED** by Commissioner Crippen.

3. **2019 Franklin Avenue Southeast, Ward 3 (Staff: Aaron Hanauer)**

Demolition of a Potential Historic Resource application to allow demolition of home.

Action

Motion by Commissioner Anderson to **adopt** staff findings and **approve** demolition permit. **SECONDED** by Commissioner Larson

Commission Business

Chair Koski reminded the commission of the HPC awards luncheon taking place this Thursday May 17, 2007.

Adjournment

Next Regular Heritage Preservation Commission Meeting: June 5, 2007

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

Heritage Preservation Commission decisions are final unless appealed.

Attention: If you want help translating this information, call **-Hmong** - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800; **Spanish** - Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700; **Somali** - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500

The meeting site is wheelchair accessible; if you need other disability related accommodations, such as a sign language interpreter or materials in alternative format please contact Rose Campbell at 612-673-2615.

[Minneapolis Community Planning and Economic Development \(CPED\) Department Home](#)

ARTICLE VIII. COMMUNICATION TOWERS, ANTENNAS AND BASE UNITS

535.470. Purpose. Regulations governing communication towers, antennas and base units are established to provide for appropriate locations for communication towers, antennas and base units, to ensure compatibility with surrounding uses, to promote the co-location of communication antennas, and to preserve the city's ability to provide a public safety communication system.

535.480. Definitions. As used in this article, the following words shall mean:

Base unit. An unstaffed single story structure or weatherproofed cabinet used to house radio frequency transmitters, receivers, power amplifiers, signal processing hardware and related equipment.

Communication antenna. A device intended for receiving or transmitting television, radio, digital, microwave, cellular, personal communication service (PCS), paging or similar forms of wireless electronic communication, including but not limited to directional antennas such as panels, microwave dishes and satellite dishes, and omni-directional antennas, such as whip antennas.

Communication antenna, facade mounted. A communication antenna mounted on the facade of a structure such as a building, water tower, clock tower, steeple, stack or existing light pole or communication tower.

Public safety communication system. A communication system owned or operated by a governmental entity such as a law enforcement agency, public works department, municipal transit authority or medical facility.

Communication tower or antenna, rooftop mounted. A communication tower or antenna located on the roof of a structure such as a building, water tower, clock tower, penthouse or similar structure.

Communication tower. Any pole, spire, structure or combination thereof, including supporting lines, cables, wires, braces and mast, designed and constructed primarily for the purpose of supporting one (1) or more antennas, including self supporting lattice towers, guyed towers or monopole towers. A communication tower may include, but not be limited to, radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers and personal communication service towers.

Communication tower, monopole. A communication tower consisting of a single pole, constructed without guyed wires and anchors.

Communication tower and antenna height. The height of a freestanding communication tower and antenna shall be measured as the distance from ground level to the highest point on the tower, including the antenna. The height of a rooftop communication antenna shall be measured as the distance from the point where the base of the tower and antenna is attached to the roof, to the highest point on the supporting structure, including the antenna.

Institutional use. Educational facilities, parks, cemeteries, golf courses, sport arenas, religious institutions, athletic fields and publicly owned property.

Publicly owned property. Land, buildings or structures owned by any governmental body or public agency including city, county, state or federally owned properties, other than public rights-of-way.

535.490. Permitted uses exempt from administrative review and approval.

Notwithstanding any other provisions to the contrary, communication towers and antennas designed for private reception of television and radio signals, used for amateur or recreational purposes, shall be permitted in all districts, provided such antennas and towers comply with the standards of section 535.540 and the following:

- (1) Notwithstanding the height limitations of the zoning district, freestanding towers and antennas shall not exceed thirty-five (35) feet in height and rooftop mounted antennas shall not exceed fifteen (15) feet in height.
- (2) Antennas shall not exceed one (1) meter in diameter in the residence and office residence districts and two (2) meters in diameter in all other districts.
- (3) Towers and antennas shall not be located in any required front, side or rear yard, nor shall they be located between a principal building and a required front or side yard.
- (4) Only one (1) freestanding tower and antenna shall be allowed per residential zoning lot.

535.500. Permitted uses subject to administrative review and approval.

(a) Uses. Notwithstanding the height limitations of the zoning district, the following uses shall be permitted in all zoning districts, subject to administrative review and approval by the zoning administrator, as specified in section 535.510, and the standards of this section:

- (1) Rooftop communication towers and antennas not exceeding fifteen (15) feet in height.
- (2) Facade mounted communication antennas.
- (3) Extension of the height of existing communication towers of not more than fifteen (15) feet, provided the total height of the communication tower and all antennas shall not exceed the total allowable height, as provided in section 535.530.

(b) Standards. Permitted uses subject to administrative review and approval shall comply with the standards of section 535.540 and the following:

- (1) The antenna and its supporting structure shall be aesthetically compatible with the structure upon which the proposed antenna is to be mounted and with surrounding uses. Facade mounted communication antennas shall be camouflaged, and rooftop mounted communication antennas and towers shall be camouflaged where it is determined to be necessary.
- (2) The structure upon which the proposed antenna is to be mounted shall have the structural integrity to carry the weight of the antenna and its supporting structure.
- (3) The base unit shall be aesthetically compatible with the structure upon which the proposed antenna is to be mounted and with surrounding uses.

(4) An existing communication tower shall be allowed only one (1) height extension of not more than fifteen (15) feet by administrative review. Additional extensions may be applied for as a conditional use.

535.510. Administrative review process. (a) In general. The zoning administrator, in consultation with the planning director, shall have up to ten (10) working days following the submittal of a complete application to approve or deny such application. The zoning administrator may impose such conditions and require such guarantees deemed reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this zoning ordinance and policies of the comprehensive plan.

(b) Submittal requirements. In addition to the general application requirements of Chapter 525, Administration and Enforcement, the applicant shall submit the following:

(1) Scaled schematic drawings and photographic perspectives showing the structure and the placement of the tower and antenna on the structure.

(2) A written certification from a registered engineer that the structure has the structural integrity to carry the weight of the tower and antenna.

(3) A scaled drawing showing the size, location, construction materials and screening of the base unit.

(4) A scaled drawing showing how the tower and antenna will be camouflaged.

(5) A letter from the director of public works stating that the proposed site, if located on publicly owned property, is not needed for the public safety communication system or stating that co-location is acceptable. The director of public works shall have ten (10) working days after receipt of a written request to make such determination.

(c) Appeals. Notwithstanding the provisions of Chapter 525, Administration and Enforcement, decisions of the zoning administrator regarding the administrative review of permitted telecommunication towers, antennas and base units shall be subject to appeal to the city planning commission.

535.520. Conditional uses. (a) In general. The following communication towers, antennas and base units may be allowed as a conditional use, subject to the provisions of Chapter 525, Administration and Enforcement, and sections 535.530 and 535.540:

(1) Freestanding communication towers and antennas, including antennas mounted on light poles and similar structures that are not facade mounted, provided that towers and antennas located in the residence and office residence districts shall be located on institutional use sites of not less than twenty thousand (20,000) square feet. Freestanding communication towers and antennas shall be prohibited in the downtown area bounded by the Mississippi River, I-35W, I-94, and I-394/Third Avenue North (extended to the river) except that antennas may be mounted to light poles existing on the effective date of this ordinance.

(2) Rooftop mounted communication towers and antennas exceeding fifteen (15) feet in height.

(3) Communication towers and antennas designed for private reception of television and radio signals and used for amateur or recreational purposes which exceed thirty-five (35) feet in height if freestanding or fifteen (15) feet in height if rooftop mounted, or antennas which exceed one (1) meter in diameter in the residence and office residence districts or two (2) meters in diameter in all other districts.

(4) Communication towers and antennas that use any portion of a structure, other than the roof or penthouse, for structural support and do not meet the definition of a facade mounted communication antenna.

(Ord. No. 2006-Or-104, § 1, 9-22-06)

535.530. Specific standards for conditional uses. All communication towers and antennas requiring a conditional use permit shall be subject to the provisions of Chapter 525, Administration and Enforcement, and the submittal requirements of section

535.510(b). In addition, the applicant shall comply with the following standards and submit written documentation indicating such compliance:

(1) Tower type. Communication towers shall be of a monopole design. The city planning commission may consider the substitution of alternative tower types in cases where structural, radio frequency, and design considerations, location or the number of co-locators suggests a tower other than a monopole.

(2) Co-location of communication antennas. Shared use of existing communication towers shall be preferred to the construction of a new tower.

(3) Height of freestanding towers and antennas.

a. Residence, office residence and commercial districts. The height of freestanding communication towers and antennas located in the residence, office residence and commercial districts shall not exceed seventy-five (75) feet.

b. Industrial districts. The height of freestanding communication towers and antennas located in the industrial districts shall not exceed one hundred (100) feet.

c. Excess height. The city planning commission may increase the height of freestanding towers and antennas, provided that in the residence, office residence and commercial districts such increase shall not exceed the maximum height by more than fifty (50) percent. The applicant shall submit an inventory of existing and approved communication towers within a one (1) mile radius of the proposed site outlining opportunities for shared use as an alternative to the construction of a new tower, and shall demonstrate to the satisfaction of the city planning commission the following:

1. The proposed antenna cannot be accommodated on an existing or approved tower due to one (1) or more of the following reasons:

i. The unwillingness of the owner of the existing or approved tower to co-locate an additional antenna.

ii. The planned antenna would exceed the structural capacity of existing or approved tower.

- iii. The planned antenna would cause radio frequency interference with other existing or planned equipment, which cannot reasonably be prevented.
 - iv. Other reasons affecting technical performance, system coverage and system capacity make it impractical to place the proposed equipment on existing or approved towers.
 - v. The proposed co-location on an existing or approved tower would not conform to the requirements of the zoning ordinance.
- 2. The surrounding topography, structures, vegetation and other factors make a tower that complies with the district height regulations impractical.
 - 3. The proposed tower is designed to structurally accommodate both the applicant's antenna and at least one (1) additional user. The applicant shall submit a letter indicating the proposed tower is available for co-location with a phone number for interested parties to call.
 - (4) Height of all other towers and antennas allowed by conditional use. The maximum height of all other towers and antennas shall be as approved by conditional use permit.

535.540. Development standards for all permitted and conditional communication towers, antennas and base units. In addition to the standards of sections 535.490, 535.500 and 535.530 above, all communication towers, antennas and base units shall be subject to the following standards:

- (1) Encroachments and setbacks.
 - a. The tower site and setback shall be of adequate size to contain guyed wires, debris and the tower in the event of a collapse.
 - b. Communication towers shall maintain a minimum distance from the nearest residential structure equal to twice the height of the tower. For the purposes of this article, residential structures shall also include any parking structure attached to a principal residential structure.
 - c. No part of any communication tower, antenna, base unit, equipment, guyed wires or braces shall extend across or over any part of a public right-of-way.
 - d. Communication towers, antennas and base units shall comply with applicable regulations as established by the Federal Aviation Administration.
 - e. Communication towers, antennas and base units shall comply with the minimum yard requirements of the district in which they are located.
- (2) Compatibility with nearby properties. Communication towers, antennas and base units shall utilize building materials, colors and textures that are compatible with the existing principal structure and that effectively blend the tower facilities into the surrounding setting and environment to the greatest extent possible. Metal towers shall be constructed of, or treated with, corrosive resistant material. Outside of the industrial districts, unpainted, galvanized metal, or similar towers shall be prohibited, unless a self-weathering tower is determined to be more compatible with the surrounding area.

(3) Screening and landscaping. A screening and landscaping plan designed to screen the base of the tower and the base unit shall be submitted. The plan shall show location, size, quantity and type of landscape materials. Landscape materials shall be capable of screening the site all year. One (1) row of evergreen shrubs or trees capable of forming a continuous hedge at least six (6) feet in height within two (2) years of planting shall be provided to effectively screen the base of the tower and the base unit, except for towers and antennas designed for private reception of television and radio signals and used for amateur or recreational purposes. A maintenance plan for the landscape materials shall also be submitted. The city planning commission may consider the substitution of other architectural screening plans such as a decorative fence or masonry wall in lieu of planted materials.

(4) Rooftop mounted towers and antennas. Rooftop mounted communication towers and antennas shall not be located on residential structures less than fifty (50) feet in height, except for towers and antennas designed for private reception of television and radio signals and used for amateur or recreational purposes.

(5) Facade mounted antennas.

a. Mounted on freestanding towers and poles. A facade mounted antenna shall not extend above the facade of the tower or pole on which it is mounted, but otherwise may project outward beyond such facade.

b. Mounted on all other structures. A facade mounted antenna shall be mounted flush against the structure on which it is mounted and shall not extend beyond the facade of such structure, except that antennas designed for private reception of television and radio signals, used for amateur or recreational purposes, may extend above the facade of the structure.

(6) Base units. Base units shall not exceed five hundred (500) square feet of gross floor area. The city may require as a condition of approval that base units be located underground.

(7) Security. All sites shall be reasonably protected against unauthorized climbing. The bottom of the tower, measured from ground level to twelve (12) feet above ground level, shall be designed in a manner to discourage unauthorized climbing.

(8) Signage. Advertising or identification of any kind on towers, antennas and base units shall be prohibited, except for applicable warning and equipment information signage required by the manufacturer or by federal, state or local regulations.

(9) Lighting. Communication towers and antennas shall not be illuminated by artificial means, except when mounted on an existing light pole or where the illumination is specifically required by the Federal Aviation Administration or other federal, state or local regulations.

(10) Heritage Preservation Ordinance compliance. Communication towers and antennas proposed for any locally designated historic structures or locally designated historic districts shall be subject to all requirements of the city's Heritage Preservation Ordinance.

(11) Radio frequency emissions and noninterference. The applicant shall comply with all applicable Federal Communication Commission standards.

(12) Public safety communication system. The location of the proposed antenna, if located on publicly owned property, shall not be needed for use by the public safety communication system, or if needed, it shall be determined by the director of public works that co-location of the proposed antenna with a public safety antenna is agreeable.

535.550. Obsolete or unused towers. All obsolete or unused communication towers, antennas and base units or accessory facilities shall be removed within twelve (12) months of the cessation of operations unless an extension is approved by the city planning commission. If an extension is not approved, such towers, antennas and base units shall be deemed a nuisance, and the city may act to abate such nuisance and require their removal at the property owner's expense. The operator shall provide the city with a copy of the Federal Communications Commission notice of intent to cease operations at the same time it submits such notice to the Federal Communications Commission. In the case of multiple operators sharing the use of a single tower, this provision shall not become effective until all operators cease operations for a period of twelve (12) consecutive months, provided each operator shall provide the city with notice of intent to cease operations. After the facilities are removed, the owner or operator of the site shall restore the site to its original, or to an improved, condition.

CITY OF MINNEAPOLIS

CPED – PLANNING DIVISION

HERITAGE PRESERVATION COMMISSION STAFF REPORT

FILE NAME: 414 7th Avenue SE (706-08 5th Street SE)

APPLICANT: T-Mobile, Charles Beisner

DATE OF APPLICATION: April 10, 2007

APPLICATION DEEMED COMPLETE: April 20, 2007

DATE OF HEARING: May 15, 2007

HPC SITE/DISTRICT: Fifth Street SE Historic District

CATEGORY: Contributing

CLASSIFICATION: Certificate of Appropriateness

STAFF INVESTIGATION AND REPORT: Erik Carlson

DATE: May 15, 2007

SITE DESCRIPTION:

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The Andrews House is a red brick five story apartment building located in the 5th Street SE Historic District. The building has clay tiles along its flat roof line. The structure was formerly St. Andrews Hospital first built in 1911. The hospital received a large addition in 1927 when it was converted to apartment buildings. The building is not described as contributing in the historic district nomination but fits within the period of significance for the district.

The 1911 structure is "T" shaped. The 1927 addition is attached to the top of the "T" and forms an easterly wing (see Appendix A). The top of the "T" faces 5th Street SE and the stem of the "T" fronts 7th Avenue SE. The building entrance is on 5th Street. On-site parking is provided along 7th Avenue SE. Tree cover along 7th Avenue SE near the building at issue is well developed.

B. BACKGROUND:

In July 2005, the applicant, T-Mobile Wireless, submitted a request for administrative zoning approvals for the construction of a cellular tower at this address. The application included a copy of a letter from the Minnesota State Historic Preservation Office dated June 2, 2005 which indicated that "no properties eligible or listed on the National Register of Historic Places are within the project area's effect." (See Appendix B). CPED-Planning staff reviewed the application. No information was noted on the worksheet about the properties location within a locally designated historic district. Administrative Review and approval of the zoning request was granted by CPED-Planning on July 18, 2005 (Appendix C) with the following conditions:

1. "Antennas, supporting structures, coax cables and base equipment are located as illustrated on plans dated May 4, 2005.
2. Antennas are not more than six (6) feet in length.
3. Antennas do not extend more than ten (10) feet above the roofline of the building.

Antennas and the base equipment enclosure are located behind a faux brick screen enclosure. Error on the part of CPED-Planning caused the zoning application to be approved without consideration or review in relation to the locally-designated historic district.

Based on complaints about the project made to CPED-Planning's Zoning Enforcement Team, CPED asked the applicant to submit applications for proper preservation review and approvals. After some delay, the applicant submitted the enclosed application on April 10, 2007 seeking approval for a Certificate of Appropriateness.

As of April 2007, the cellular tower project is now partially constructed (See Appendix C). To date, the applicant has installed four antennas, equipment cabinets, ladder and catwalk, and the steel frame which would support fiberglass walls to screen the equipment.

C. PROPOSED CHANGES:

The applicant proposes to install four cellular antennas six feet in length and four equipment cabinets and screen this equipment within a fiberglass enclosure supported by a steel frame. The installation would be constructed on the roof of the building at 414 7th Ave SE on top of the building's uppermost roof at the north end of the building near 5th Street SE. The fiberglass enclosure would be 20 feet long, 13 feet 8 inches wide, 6 feet tall, ¼ inch thick and be painted to match the color of the building. The enclosure would be elevated 2 feet above the roof of the mechanical equipment structure supported by four steel posts.

The cellular antennas would be fixed to the steel frame of the enclosure. Three lightening rods would be located inside the enclosure. A metal ship's ladder and catwalk to access the antennas would also be installed. The ladder extends up from the building's roof to a point above the height of the mechanical equipment structure. A catwalk extends from the ladder to the antenna installation.

The top of this mechanical equipment structure is 90 feet from grade. The distance from the midpoint of the cellular antenna enclosure to grade would be 94 feet 6 inches. To date, the applicant has installed four antennas, equipment cabinets, ladder and catwalk, and the steel frame as described above which would support fiberglass walls to screen the equipment (see Appendix D). This was a part of the original July 18, 2005 City approvals.

D. GUIDELINE CITATIONS:

FIFTH STREET SOUTHEAST HISTORIC DISTRICT DESIGN GUIDELINES

(Adopted July 30, 1976)

Overview

The Fifth Street S.E. and Washburn-Fair Oaks Preservation Districts contain a concentration of structures, lands, and space which is distinguished by past historical and cultural events, by architecture quality and by aesthetic appeal. The areas were designated for heritage preservation by City Council on July 30, 1976.

In an area designated for heritage preservation, the Heritage Preservation Commission reviews requests for city permits that would change or significantly alter the nature of a preservation district. Before approving permit requests the Heritage Preservation Commission must consider certain aspects for each type of permit requested.

General Regulations

Alteration or addition to an existing building "will not materially impair the architectural or historic value of the building." Written findings shall consider existing appearance (building height, width, depth, and other dimensions, roof style, type of building materials, ornamentation, paving setback, and color).

Design Considerations (for additions, alterations, and new construction)

1. Dimensions of height, width, and depth of additions and new construction shall take into consideration the directionality of adjacent and nearby structures.

6. Materials - generally new materials shall be compatible with the existing.

e. General facade guideline Avoid fake brick or stone, asphalt or asbestos siding.

7. Roof design The original roof design should be maintained, but the insertion of dormers may be allowed depending on the building's design and the location of the proposed dormer. Where unusual roof styles exist they should be retained, but the roofs of additions should be a complementary type. For example, a gambrel roofed house may have a gabled roof addition.

The Secretary of the Interior's Standards for Rehabilitation

U.S. Department of the Interior National Park Service, 1990

-Constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.

-Designing new additions in a manner that makes clear what is historic and what is new.

-Considering the attached exterior addition both in terms of the new use and the appearance of other buildings in the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids, and color.

-Installing mechanical and service equipment on the roof such as air conditioning, transformers, or solar collectors when required for the new use so that they are inconspicuous from the public right-of-way and do not damage or obscure character-defining features.

- Not installing mechanical or service equipment so that it damages or obscures character-defining features; or is conspicuous from the public right-of-way.

E. FINDINGS:

1. The building at 414 7th Avenue SE is a contributing structure to the Fifth Street SE Historic District.
2. The recently constructed and proposed alterations materially impair the architectural or historic value of the building and its existing appearance, in particular the building's height, roof line, and character-defining façade along Southeast 5th Street. The directionality of the enclosure matches the wing of the building on which it sits.
3. The district guidelines call for original roof design to be retained. The district guidelines allow for additional roofs if they are of a complimentary type.
4. The antenna installation would not maintain the flat roof line of the building.
5. The original zoning approval determined that an enclosure was needed to screen cellular tower equipment that can be seen from the ground. Because the district guidelines call for new materials and the avoidance of fake brick or stone, the originally suggested faux brick wall is not appropriate for this location.
6. Cellular antenna signals would be blocked by a brick enclosure. The proposed painted fiberglass enclosure would clearly differentiate between what material is historic and what is not. However, painted fiberglass is not an appropriate material for this highly-visible character-defining façade.
7. Historic material of building would not be lost, damaged or obscured.

8. The recently constructed and proposed alterations are for mechanical and service equipment. The location of the alterations is not in keeping with the Secretary of Interior Standards because they would create a protuberance conspicuous from the public right-of-way due to its prominent position on the roof.

F. STAFF RECOMMENDATION:

Staff recommends that the HPC **adopt** staff findings and **approve** the Certificate of Appropriateness application with the following conditions:

1. The existing and proposed installation shall be relocated to a location on the building roof other than on the wing of the original building.
2. The location of the installation shall be at the farthest feasible point away from the exterior building walls, including the 5th Street SE façade.
3. Faux brick will not be used. The material and color for the fiberglass enclosure must be approved by the Heritage Preservation Commission (HPC).
4. Antennas are not more than six feet in length.
5. Antennas do not extend more than 10 feet above the roofline of the building.
6. Final drawings including plans, elevations and details shall be reviewed and approved by CPED-Planning staff.

Appendices

- A: Aerial Photographs of Building
- B: SHPO Letter
- C: Prior City Approval
- D: Photos of Project
- E: Application Material

Appendix A

Appendix B

Appendix C

Appendix D

Appendix E