

Department of Community Planning and Economic Development
Planning Division

Historic Designation

Date: July 13, 2010

Proposal: Local Designation of Prospect Park Historic District

Applicant: City of Minneapolis, Community Planning and Economic Development Department (CPED) on behalf of the Minneapolis City Council

Planning Staff and Phone: Aaron Hanauer, (612) 673-2494

Publication Date: July 6, 2010

Public Hearing: July 13, 2010

Ward: Ward 2

Neighborhood Organization: Prospect Park East River Road Improvement Association

Attachments:

Attachment A: Prospect Park Timeline Survey and Designation Timeline

Attachment B: Proposed Prospect Park Historic District Map

Attachment C1-C40: Prospect Park Designation Study/Registration Form

Attachment C41-C85: Prospect Park Historic Resource Table

Attachment C86-C165: Prospect Park Images

Attachment D: City Planning Commission Memo without Attachments

Attachment E: SHPO Letter

Attachment F: Prospect Park Questionnaire Results From March 23 HPC Business Meeting

Attachment G: Interim Protection and Local Designation Public Comments

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Background

The area of Prospect Park under consideration for nomination is a subset of the entire neighborhood; it includes the area shown on the attached map (See Attachment B1). This area generally included everything bounded by University Avenue SE on the north, Emerald Avenue SE on the east, Interstate 94 on the south, and Williams Avenue SE on the west. Note that several properties along University Avenue are exceptions and are not within the boundaries of the proposed district. The proposed historic district includes 592 properties and 990 resources (Attachment C1). There are 574 primary buildings. As part of the local designation study, 531 of the buildings are proposed to be contributing (93 percent).

The discussion of designation for the Prospect Park Historic District at the local level and listing on the National Register dates back to 2001, when the Prospect Park East River Road Improvement Association (PPERRIA) hired Hess Roise to complete a historic survey of the Prospect Park neighborhood (see Attachment A1 for timeline). In 2006, PPERRIA hired Hess Roise again to complete a National Register nomination and local designation study. In 2008, Hess Roise submitted a National Register nomination of the Prospect Park neighborhood to the State Office of Historic Preservation (SHPO) at the Minnesota Historical Society. SHPO provided comments on the designation study and requested changes to the designation study in November 2008. As of today, no decision has been made on the National Register listing of the Prospect Park Historic District.

At the regularly scheduled meeting of the Minneapolis City Council on August 22, 2008, Councilmember Cam Gordon of the Second Ward nominated an area within the Prospect Park neighborhood for consideration for local historic designation and to establish interim historic protection. The full City Council adopted the motion and directed staff to bring the nomination forward to the Heritage Preservation commission no later than September 16, 2008. On September 13, 2008 the Minneapolis Heritage Preservation Commission took action to establish interim protection until September 13, 2009 and directed the Planning Director to commence a designation study.

On September 1, 2009, CPED staff came back to the HPC to recommend that the Commission extend interim protection for six months to allow time for SHPO to complete their review of the National Register nomination, CPED staff to work on the local designation study, and for PPERRIA to convene a task force charged with drafting potential design guidelines for the district. The HPC approved this motion.

In late January 2010, CPED created a two-part work plan to complete the local designation study process that incorporates (1) a staff assessment of the local registration form prepared by Hess Roise and Company and (2) initiates a three-tiered survey of the community to gain stakeholder feedback on local designation. On March 2, 2010, CPED again recommended to the HPC a six-month extension of interim protection for Prospect Park. The purpose of this extension was to allow CPED time to analyze the historic consultant designation study and to conduct community survey efforts. The HPC approved this extension. CPED and the HPC were surprised, however, when PPERRIA testified against the extension, and later submitted an appeal of the March 2 HPC decision extending interim protection. The City Council, at their April 16, 2010 meeting, voted to grant appeal made by PPERRIA. Therefore, interim protection

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and heritage preservation review is no longer in place for the proposed Prospect Park Historic District.

Even though interim protection is no longer in place, per the Heritage Preservation ordinance, the City of Minneapolis is required to finalize all designation studies by having SHPO and the City Planning Commission review the designation study. In addition, the Heritage Preservation Commission and City Council are required to make a decision on the designation.

599.270 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. (2001-Or-029, § 1, 3-2-01).

At a meeting on May 7, 2010 between PPERRIA, Second Ward Office, and CPED, neighborhood officials pleaded with CPED to end all efforts related to the three-tiered survey strategy since a survey of neighborhood residents and property owners is not a requirements of the preservation ordinance, CPED consented to this request.

Designation Study Analysis

Hess Roise and Company submitted the final draft of the Prospect Park Historic District Local Designation Study/Registration Form to CPED in March 2010. The designation study identified the district including 592 properties and 574 primary buildings. Of those 574 primary buildings, 531 are proposed to be contributing (93 percent). CPED believes that without interim protection in place since April 2010, alterations may have taken place that have impacted the integrity of buildings and structures within the historic district and might therefore call into question the contributing status of some resources.

Hess Roise and Company in their designation study state that the proposed period of significance for Prospect Park is 1884-1968. The Consultant's state that the district is worthy of nomination as a local historic district because of its significance in the following areas (Attachment C12):

- *Local criteria 1:* The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.
- *Local criteria 3:* The property contains or is associated with distinctive elements of city identity.
- *Local criteria 4:* The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.
- *Local criteria 5:* The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.
- *Local criteria 6:* The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.

In the designation study, Hess Roise state that "Landscape patterns and topography are the most important features that set Prospect Park apart from other communities of Minneapolis and help to define its essential character." CPED agrees with the consultant analysis, and believes that Criterion 5 might one day be the primary consideration for designating Prospect Park.

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CPED also believes that the eventual designation of Prospect Park one day could be considered consistent with the following Minneapolis Comprehensive Plan policies:

Policy 8.1: Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture.

The designation of the Prospect Park historic district would be in compliance with Policy 8.1 of the Comprehensive Plan. The designation of Prospect Park would help protect this discrete, primarily residential community that is characteristic of a historic residential suburb. In addition, designation would help protect the landscape pattern and topography that are the most important features that set Prospect Park apart from other communities of Minneapolis and help to define its essential character.

Policy 8.5: Recognize and preserve the important influence of landscape on the cultural identity of Minneapolis.

The Designation of the Prospect Park historic district would be in compliance with Policy 8.5 of the Comprehensive Plan. Landscape patterns and topography are the most important features that set Prospect Park apart from other communities of Minneapolis and help to define its essential character. Prospect Park is significant because of its plan, laid out for Louis F. Menage, S[amuel] Harlan Baker and J[oseph] H. Gilmore, civil engineers and surveyors who were influenced by the work of their contemporary, Horace William Shaler Cleveland. The result, continued in subsequent plats, was in the tradition of a romantic suburban landscape that created a distinct section of the city (Attachment C).

City Planning Commission Review of Designation Study

CPED brought the Prospect Park designation study to the June 17, 2010 City Planning Commission (CPC) Committee of the Whole (COW) for review and comment, per the Heritage Preservation. CPED provided an analysis on the designation in terms of three factors as outlined in provision 599.260 (Attachment D1-D4):

- (1) The relationship of the proposed designation to the city's Comprehensive Plan.

CPED stated that the designation would be in compliance with the city's Comprehensive Plan in that it would help protect a unique part of Minneapolis. Prospect Park Historic District is a discrete, primarily residential community that is characteristic of a historic residential suburb. In addition, Prospect Park contains a landscape pattern and topography that is unique to the City of Minneapolis.

- (2) The effect of the proposed designation on the surrounding area.

CPED stated that the designation would not have an adverse impact on the area surrounding the historic district. The district is an enclave of residential development surrounded by commercial, industrial, and interstate. As proposed, the district only includes one commercial property along University Avenue, the Prospect Park Pharmacy (now Schneider Drug) at 3400 University Avenue.

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- (3) The consistency of the proposed designation with applicable development plans or development objectives adopted by the city council. (2001-Or-029, § 1, 3-2-01)

CPED stated that the designation of Prospect Park would be consistent with the City of Minneapolis goals that were adopted by the Mayor and City Council on April 2, 2010. The designation of Prospect Park would assist with the Livable Communities, Healthy Lives goal by encouraging thoughtful neighborhood design. One of the benefits of local historic designation is to have guidelines in place that help ensure that additions are done in a sensitive manner to the particular building and to the surrounding area. In addition, the designation of Prospect Park would assist with the city's Eco-Focused goal by encouraging the rehabilitation of buildings rather than the demolition and replacement. Given the embodied energy of an existing building, it is often the case that the most sustainable practice is to rehabilitate a building rather than demolishing the property and building a new building in its place.

The City Planning Commission did not have objections to the designation study or the staff analysis of the designation study in terms of its consistency with the Comprehensive Plan, its impact on the surrounding area, or its consistency with the development objectives adopted by City Council. However, the City Planning Commission expressed concerns about designating the proposed district without the consent and support of the neighborhood property owners.

State Historic Preservation Office Review of Designation Study

On June 28, 2010, the State Historic Preservation Office provided required comments to CPED on the Hess Roise designation study (Attachment E). SHPO expressed concerns with the designation study's analysis of contributing resource and integrity. As proposed, 93 percent of the 574 buildings within the district are proposed to be contributing. SHPO stated that, "A substantial number of houses have been greatly remodeled resulting in a loss of physical integrity (Attachment E1). In addition, "Over the years the physical integrity of many of these houses has been compromised by alterations (Attachment E1). Furthermore, "Numerous buildings in the district have been modified, some to the extent that the only recognizable aspect of their original construction is their massing. Despite that fact that the designation is classified as a district, this does not support the concept that any alteration undertaken during the period of significance is acceptable. For these reasons, the list of contributing and non-contributing resources needs to be reexamined (Attachment E2)."

SHPO also had concerns with the proposed period of significance (1884 to 1968). SHPO stated that "Considering the low number of residences constructed during this time period, and the fact that construction had slowed in the 1930s, it is not clear why the period of significance was extended to 1968, rather than using the standard 50-year rule or choosing a year that coincides with the date when significant activities or events ended. Generally, the period of significance for a suburb begins with the date the streets, house lots, and utilities were laid out, and extends to the date when the plan was fully realized and the construction of the houses substantially completed."

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The letter concludes by stating, "Therefore, it is the opinion of the State Historic Preservation Office that the district documentation as presented does not support the local designation of the Prospect Park Historic District (Attachment E2)."

Public Participation

In discussions with PPERRIA board members and Ward 2 office, CPED-Planning has advised that local designation should not come forward to the HPC or City Council for a final vote until such time when (1) a thorough review and analysis of the local designation study is complete, and (2) the neighborhood organization demonstrates through a petition with signatures that at least a two-thirds majority of property owners favor local designation. The neighborhood has not submitted a petition or other form of information showing that demonstrates a level of support at or around 67 percent during the past 21 months. The signatures requested by CPED are not a defined requirement in the Minneapolis Preservation Ordinance. The HPC and City Council have it within their authority to grant protections through local designation status regardless of whether or not there is specific consent from the property owner or owners. That said, CPED considers such evidence from the neighborhood to be a prudent measure in this case given the very large number of properties under consideration and because the majority of these properties are not currently under immediate danger of irreparable harm.

In January 2010, CPED prepared a four-prong public outreach process to educate Prospect Park stakeholders on local designation and to gain feedback on the idea of being a historic district. The feedback from these four outreach efforts was to be used in conjunction with SHPO and CPC comments for determination of designation to be made by HPC and City Council.

The outreach process was as follows:

1. **February 22 PPERRIA Meeting:** CPED presentation at the Prospect Park East River Road Improvement Association (PPERRIA) February neighborhood meeting on *What Does it Mean to Be in a Local Historic District*.
2. **March 23 HPC Business Meeting:** Regularly scheduled Heritage Preservation Commission business meeting on March 23 in the Prospect Park neighborhood (instead of at the regular City Hall venue) to (1) provide Heritage Preservation Commissioners a walking tour of the proposed district (weather permitting), (2) have a forum to gain feedback from the residents on having a historic district, and (3) have a discussion on the proposed design guidelines.
3. **Paper Survey:** CPED will send to all property owners by U.S. mail a survey seeking written responses about their understanding of local/National Register designation and their commitment (or lack of commitment) for local designation.
4. **On-Line Survey:** CPED will post a survey on Survey Monkey or similar website to allow for feedback from all community members regardless of whether they own property or not. The on-line survey will have similar questions/consideration as paper survey, but will allow for more stakeholders to participate.

CPED completed the first two parts of the public participation process; however, after receiving direction from the PPERRIA Board in May 2010, CPED did not complete a paper or on-line survey of Prospect Park property owners.

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Even though, public opinion was not received via the paper and on-line survey, CPED staff took a public opinion survey of Prospect Park stakeholders at the March 23 HPC meeting held in Prospect Park. At that meeting, 49 people responded to the survey. Approximately 98 percent of those taking the survey owned a property within the proposed historic district (Attachment F1). When asked the question, “Do you believe Prospect Park should be a historic district?” 64 percent either stated they strongly agree or somewhat agree with the statement (Attachment F5). However, when asked, “Do you support the designation of Prospect Park as a local historic district?” 51 percent stated that they somewhat disagree or strongly disagree with the designation of Prospect Park, while 41 percent stated they either strongly agree or somewhat agree that Prospect Park should be a local historic district (Attachment F4).”

In addition to the neighborhood survey, CPED received 11 public comments from property owners in February and March 2010 when they were notified of the public hearings for interim protection; 10 of the letters were in opposition of the extension of interim protection, 9 of these letters voiced opposition to local designation (Attachment F).

Given the technical and scholarly concerns raised by SHPO about the designation study, and the strong indicators that the neighborhood board does not support designation of a local historic district, CPED has determined that the creation of a new local historic district in Prospect Park is not prudent at this time.

Findings:

1. The proposed Prospect Park Historic District boundaries are University Avenue SE on the north, Emerald Avenue SE on the east, Interstate 94 on the south, and Williams Avenue SE on the west.
2. The proposed historic district includes 592 properties and 990 resources.
3. On August 22, 2008, Councilmember Cam Gordon of the Second Ward nominated an area within the Prospect Park neighborhood for consideration for local historic designation and to establish interim historic protection, and the full City Council adopted the motion.
4. On September 13, 2008 the Minneapolis Heritage Preservation Commission took action to establish interim protection until September 13, 2009 and directed the Planning Director to commence a designation study.
5. On March 2, 2010, the HPC approved a six-month extension of interim protection for Prospect Park so that CPED could complete the designation study and community survey efforts.
6. On March 12, 2010, PPERRIA submitted an appeal of the March 2 HPC decision extending interim protection.
7. On April 16, 2010, the City Council voted to grant the PPERRIA appeal. Therefore, interim protection and heritage preservation review is no longer in place for the proposed Prospect Park Historic District.
8. CPED believes that without interim protection in place since April 2010, alterations could have taken place that could impact the integrity of buildings and structures within the historic district which may compromise their contributing status.

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9. Hess Roise and Company in their designation study state that Prospect Park district is worthy of nomination as a local historic district because it meets Local Criterion 1, 3, 4, 5, and 6.
10. Landscape patterns and topography are the most important features that set Prospect Park apart from other communities of Minneapolis and help to define its essential character.
11. The proposed period of significance is 1884-1968.
12. CPED believes that the designation of Prospect Park would be consistent with the Minneapolis Comprehensive Plan policies: 8.1 and 8.5.
13. At the June 17, 2010 City Planning Commission Committee of the Whole meeting, the City Planning Commission did not have objections to the Prospect Park designation study or the staff analysis of the designation study in terms of its consistency with the Comprehensive Plan, its impact on the surrounding area, or its consistency with the development objectives adopted by City Council. However, the City Planning Commission expressed concerns about designating a district without the consent and support of the neighborhood property owners.
14. On June 28, 2010, the State Historic Preservation Office wrote a letter outlining concerns about local designation of Prospect Park. In this letter, SHPO also stated that, "It is the opinion of the State Historic Preservation Office that the [Prospect Park] district documentation as presented does not support the local designation of the Prospect Park Historic District."
15. CPED received 11 public comments from property owners in February and March 2010 when they were notified of the public hearings for interim protection; 10 of the letters were in opposition of the extension of interim protection, 9 of these letters voiced opposition to local designation.
16. At the March 23 HPC meeting held in Prospect Park. 51 percent of survey respondents stated that they somewhat disagree or strongly disagree with supporting the designation of Prospect Park as a local historic district.

Staff Recommendation

CPED staff recommends that the Minneapolis Heritage Preservation Commission **adopt** the Prospect Park Historic District Designation Study and attachments as findings of fact and submit the same together with a recommendation to the Zoning and Planning Committee of the City Council to **deny** a local designation of the Prospect Park Historic District.