

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

FILE NAME: 2527-2546 2nd Avenue South and 2531 Stevens Avenue South (BZH 25899)
CATEGORY/DISTRICT: Contributing Building to the Washburn-Fair Oaks Historic District.
APPLICATION: Certificate of Appropriateness
APPLICANT: Meyer Scherer and Rockcastle (Jeffrey Mandyck) on behalf of Minneapolis College of Art and Design
COMPLETE APPLICATION: June 10, 2009
PUBLICATION DATE: June 30, 2009
DATE OF HEARING: July 7, 2009
APPEAL PERIOD EXPIRATION : July 17, 2009
STAFF INVESTIGATION AND REPORT: Aaron Hanauer (612) 673-2494
REQUEST: Certificate of Appropriateness to allow for the construction of a new surface parking lot and Gateway Garden

SITE DESCRIPTION:

District/Area Information	
Historic District	Washburn-Fair Oaks Historic District
Period of Significance	1858-circa 1939
Neighborhood	Whittier
Historic Property Information	
Address	2538 2 nd Avenue South
Construction Date	Prior to 1895
Original Contractor	Unknown
Original Architect	Unknown
Historical Use	Residential
Current Use	Residential

District

The Washburn Fair-Oaks Historic District is an approximately 18-block area that was locally designated in 1976 (see Attachment A2). Washburn-Fair Oaks Park is centrally located within the district and provides a nucleus for the district. The district is bounded by Franklin Avenue on the north, Fourth Avenue and I-35W on the east, 26th Street on the south, and the alley between Nicollet and First Avenue on the west, including the northeasterly corner of 24th Street and Nicollet. The district's period of significance is from 1858 to circa 1939. The Washburn Fair-Oaks District is significant for its concentration of residences built in the late 19th and early 20th centuries. These structures range from some of the city's most prestigious residential structures to modest framed houses, as well as constructed multifamily buildings. The architectural styles include small vernacular cottages, Queen Anne residences, American foursquares, brick rowhouses, apartment buildings, and stone mansions. The collection of these structures adds to the visual cohesion of the area and describes the development period of the area at that time.

In addition to the residential structures, the district contains prominent art buildings and infill development. In 1915, the original Minneapolis Institute of Arts (MIA) Building, designed by McKim, Mead, and White, was completed. In 1916, the Julia Morrison Building, which was an addition to the Minneapolis Institute of Arts and new home to the Minneapolis School of Fine Arts was constructed (see Attachment A3). The district also contains MCAD's 1974 college building designed by world renowned architect Kenzo Tange, modern apartment buildings, and surface parking lots (see Attachment A3 and A4).

Besides Washburn-Fair Oaks Park, open space amenities include the tree-lined boulevards which provide a pleasant foil to the area's structures (Washburn-Fair Oaks: A Study for Preservation).

Washburn Fair Oaks: Blocks 11-13:

Today, Blocks 11-13 of the Washburn-Fair Oaks Historic District primarily consist of the MIA, Children's Theater Company (CTC), MCAD, and residential structures (see Attachment B3.1 and B8).

The 1913 Minneapolis Institute of Arts Building, which was designed by McKim, Mead, and White, and the 1916 Julia Morrison Building are located on Block 11. They were positioned and designed in a way that an axial relationship is formed with 2nd Avenue South (see Attachment B11).

From 1916, when the Julia Morrison Building was constructed, to the early 1970's, Blocks 11-13 went primarily unchanged (see Attachment B3.2). In 1974, a \$26 million dollar expansion took place which added to the arts complex the Children's Theatre Company auditorium, an expansion to the MIA, a new arts building, a bus parking lot, and the 3rd Avenue parking ramp (see Attachment B19). This area was dubbed the Minneapolis Society of Fine Arts Park. For this expansion, approximately 32 houses were demolished, however, plans that would have demolished an additional 24 houses for a surface parking lot were denied by the City Council in 1975 (see Attachment B20).

The 1974 MIA expansion and the new arts school building were designed by world renowned architect, Kenzo Tange (see Attachment B13-B18). Mr. Tange designed only one other building in the United States (The American Medical Association in Chicago, Illinois). Although the Tange Art School Building is not designated, it is a City of Minneapolis historic landmark.

The Tange Building located on the western side of 2nd Avenue South was built in a manner to respect the urban fabric that existed in the neighborhood. MCAD and the Minneapolis Society of Fine Arts in 1974 stated that one of the key reasons that Kenzo Tange was selected as the architect of the expansion was the, "Mutual concern for the interrelationship of buildings and their functions with the total fabric of an urban environment (see Attachment D1)."

In addition to respecting the residential fabric of the Washburn-Fair Oaks District, it is apparent that Tange's Art Building orientation and location respected the axial relationship the 1913 and 1916 arts buildings have with 2nd Avenue South (see Attachment 8.5 and 8.6).

Until 1987, the MIA, MCAD, and the CTC were collectively known as the Minneapolis Society of Fine Arts and overseen by one board of trustees). In 1987, a reorganization took place that separated the entities.

The southern portion of Blocks 12 and 13 have and continue to be primarily residential (see Attachment B3.1, B6.1, and B6.7). Currently there are nine structures south of the Kenzo Tange art

school building, eight are residential structures and six are contributing to the Washburn-Fair Oaks Historic District, including 2538 2nd Avenue South. The southern portion of Blocks 12 and 13 did have a greater concentration of contributing structures to the Washburn-Fair Oaks Historic District (see Attachment B3.1 and B6.1). However since 1988, MCAD has demolished five structures without providing infill development in their places (see Appendix B36 and B8).

- 2544 2nd Avenue South (1988)
- 2546 2nd Avenue South (circa 1988)
- 128 East 26th Street (circa 1989)
- 122 East 26th Street (1995)
- 2535 2nd Avenue South (2002)

Off-Street Parking Requirement

MCAD currently shows that they have 42 off-street parking spaces on their campus (see Appendix A46). MCAD, per the Minneapolis Zoning Code, is required to provide 98 off-street parking spaces based on its 1963 code parking requirement unless there is a building expansion. Therefore, if a shared-parking agreement can not be reached with the Minneapolis Institute of Arts would need to provide 56 off-street parking spaces to be in compliance with the Minneapolis Zoning Code.

BACKGROUND

At the February 10, 2009 Heritage Preservation Commission meeting, the HPC denied a Certificate of Appropriateness to allow for the demolition of 2538 2nd Avenue South (BZH 25748). At this meeting, the Commission also denied a Certificate of Appropriateness to allow for the construction of a new surface parking lot (BZH 25747). The applicant appealed both decisions to the Zoning and Planning Committee of the City Council but withdrew the applications prior to the public hearing.

PROPOSED WORK AND ANALYSIS

The applicant has revised their plans since the February 10, 2009 HPC meeting (see Appendix A). The applicant has now proposed to relocate the house at 2538 2nd Avenue South to 3245 Nicollet Avenue South, demolish the subject property garage, and build a 107-space surface parking lot, Gateway Garden, and Gateway sign. The Gateway Garden is proposed to be approximately 150 feet wide and 75 to 90 feet deep (see Appendix A51). The surface parking lot will be approximately an acre in size (40,118 square feet). It will be setback 70 feet at its closest point and will extend to be within 10 feet of Kenzo Tange Building and 15 feet of the brick Romanesque style double house at 200-204 East 26th Street. The parking lot is proposed to abut the alley between Stevens Avenue and 2nd Avenue South.

FINDINGS: CERTIFICATE OF APPROPRIATENESS: NEW CONSTRUCTION

The applicant has provided a general description of the parking lot and gateway garden as well as analysis on how they feel the proposed parking lot and gateway garden meet the Certificate of Appropriateness findings (see Appendix A28-A35). The following is a summary of the applicant's assessment on how the construction of the proposed Gateway Garden and surface parking lot meet the twelve Certificate of Appropriateness application findings set out in Provision 599.350 of the Heritage Preservation Ordinance as well as an analysis of the findings provided by CPED.

Per Provision 599.350, the commission may approve, approve with conditions, or deny an application for certificate of appropriateness. In general. Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings based upon, but not limited to, the following:

(1) The alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.

The applicant states that the integrity of the Historic District around the subject site has been substantially compromised by earlier demolition and new construction. The applicant states that the Gateway Garden will provide a strong linkage connecting the campus to the surrounding area (see Appendix A28).

Surface Parking Lot Analysis: CPED believes the proposed parking lot is not compatible with and does not continue to support the criteria of significance and period of significance for which the Washburn-Fair Oaks Historic District was designated because it would require the demolition/moving of a wood-framed house that contributes to the historic district. The subject building is in good condition, and adds to the collection of properties that range from small vernacular cottages to stone mansions that were built during the period of significance. There are few small vernacular wood-framed structures in the Washburn-Fair Oaks Historic District that are in as good of condition as the subject property.

MCAD is an important part of the Washburn-Fair Oaks Historic District and the visitors, students, and faculty create a parking demand. CPED has continued to support a shared parking agreement between the three art institutions which has worked since the 1970's. If a shared parking agreement can not be reached, CPED believes the applicant is able to design a parking facility (structure or underground) or surface parking lot that comes close to meeting their off-street parking requirement (they are required to provide an additional 56 off-street parking spaces), is sensitive to the Washburn-Fair Oaks Historic District, does not require the demolition of 2538 2nd Avenue South, and allows for the construction of the proposed Gateway Garden (if approved).

Gateway Garden: CPED believes that the proposed Gateway Garden will not adversely impact the criteria of significance and the period of significance. Even though the Gateway Garden will not allow for a continued building wall along 26th Street East, the garden will not detract from the current situation of Blocks 12 and Block 13 (see Appendix A71-A78). Staff recognizes that the art campuses play a special role in the history of the Washburn-Fair Oaks Historic District and that the architectural needs of the campus will vary from the residential structures. The Gateway Garden has the opportunity to provide additional identity for the campus.

If the Gateway Garden is built it will honor the applicant's commitment made during their 1995 appeal of the Heritage Preservation Commission decision to build a "heavily landscaped entrance area that would provide visual recognition of the college [along 26th Street East]" coincident with the public streetscape project (see Appendix B51-B55). The Nicollet Avenue Streetscape Project was completed in 1997. However, the applicant has not created the landscaped area along 26th Street East to date (see Appendix B7).

(2) The alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.

The applicant points out that since the building at 2538 2nd Avenue South is not listed in the top two tiers/categories of the "Washburn-Fair Oaks A Study for Preservation and that the relocation/demolition of the property would not threaten the continued designation of the district (see Appendix A22-A23). The applicant also states that the, "parking lot will have minimal visual impact on the Historic District, particularly with the Gateway Garden that will be added along East

26th Street as part of the project. Moreover, the parking plan supports the continued college use (see Appendix A29).”

CPED disagrees with the applicant’s reading of the *Washburn-Fair Oaks A Study for Preservation* report and the assumed lessened significance of the subject building. The *Study for Preservation* report states in the introduction: “Buildings of greatest interest are ranked accordingly, but not at the exclusion of structures of less importance.”

Surface Parking Lot: CPED also disagrees with the assessment that the proposed parking lot is compatible with the exterior designation in which the property was designated. The Washburn-Fair Oaks Historic District was designated for its architecture (from large stone mansions to modest wood-framed houses). *The Washburn-Fair Oaks: A Study for Preservation* states that, “The development of Washburn-Fair Oaks is unusual in Minneapolis because of the uniformity of the quality and history of many of the buildings. Most unusual is the plan of the Fair Oaks Apartments (see Appendix B6). It is a model for the pleasant effects that can be achieved when a high density development is planned by a master architect. It should be the inspiration for more proposals of this sensitivity.” A characteristic of the Fair Oaks Apartments is that the complex was built with underground parking and a green courtyard was placed above the parking.

The proposed parking lot alteration is not compatible and does not support the exterior designation of the district for the following reasons:

1. Require the demolition/moving of 2538 2nd Avenue South which is a contributing structure to the Washburn-Fair Oaks Historic District and retains its integrity.
2. The approximately one-acre surface parking lot is not a model of the pleasant effects of high density development. Surface parking lots of this size (approximately one acre in size) are rather an often used example in nonurban, low density developments areas. The applicant is requesting to construct a parking lot with 51 spaces more than what is required. *The Washburn-Fair Oaks Historic District: A Study for Preservation* highlights the Fair Oaks Apartments as model for high density development. A characteristic of the Fair Oaks Apartments is that the complex was built with underground parking and a green courtyard was placed above the parking.
3. Destroy the axial relationship that exists between the iconic art buildings and 2nd Avenue South (see Appendix B5 and B11).
4. Further erode the traditional grid system of the Washburn-Fair Oaks Historic District. The proposed parking lot would erode the grid system that is in place along 2nd Avenue South. Staff realizes 2nd Avenue South has not extended to 25th Street East for decades. However, the avenue’s current configuration is still there and provides visual clues of the grid system that is an important aspect of the district (see Appendix B 3.3.2). The portion of 2nd Avenue that still remains has the traditional form of sidewalks and trees planted in the boulevard on both sides of the street that continue to provide those visual clues (see Appendix B8.1). The applicant’s proposal would ruin the character of the street and further erode the Washburn-Fair Oaks Historic District street grid (see Appendix B3.3.1 and A51)

Gateway Garden: The proposed Gateway Garden would not detract form the exterior designation for which the district was designated for the reasons found in finding 1 above.

(3) *The alteration is compatible with and will ensure continued integrity of the landmark or historic district for which the district was designated.*

The applicant states that, “The revised parking lot plan and recently developed Gateway Garden mitigates the proposed parking use to ensure compatibility with the Historic District. MCAD has balanced the historic district goal with the community needs to ensure that the College provides its required parking count as well as fit within the historic context of the neighborhood (see Appendix A29 and A30).

Surface Parking Lot: CPED disagrees with the applicant’s assessment in regards to the proposed parking lot. The proposed surface parking lot is not compatible with and will not ensure continued integrity of the Washburn-Fair Oaks Historic District for which it was designated for the following reasons:

1. The proposed surface parking lot would require the demolition/moving of 2538 2nd Avenue South which is a contributing structure to the Washburn-Fair Oaks Historic District.
2. The southern boundary would be adversely impacted by the surface parking lot proposal. Although, the Gateway Garden would screen the surface parking lot, the contributing structure at 2538 2nd Avenue South, which is proposed to be demolished as part of the project, provides a link between the contributing structures to the east and west along the southern boundary (see Appendix B3 and B6.1).
3. The brick Romanesque style double houses at 200-204 and 206-210 East 26th Street would be adversely impacted by the proposal in that the surface parking lot would come within 15 feet of the structure at 200 East 26th Street (see Appendix A51). This proposal would detract from the dense residential character of the area of these buildings (see Appendix B6.1 and B10).

Furthermore, staff is unaware of the City of Minneapolis Heritage Preservation Commission approving a demolition of a contributing structure to a historic district or a city landmark for approval of a surface parking lot.

The following is a partial list of City Council and Heritage Preservation Commission decisions that have dealt with the demolition of contributing structures in the Washburn-Fair Oaks Historic District pertaining to the Minneapolis Society of Fine Arts and MCAD:

1. In 1974, a surface parking lot for the Minneapolis Society of Fine Arts was denied and the construction of the 3rd Avenue parking lot was required. The main reason the surface parking was denied was because it would have required the destruction of additional residential structures (see Attachment B20).
2. On March 12, 2002, MCAD proposed tearing down the house at 2535 2nd Avenue South for a surface parking lot. The Heritage Preservation Commission denied this request. MCAD appealed this decision to the Zoning and Planning Committee, and they were granted the appeal on April 23, 2002 to allow for the demolition. The house was torn down, but a surface parking lot was not constructed.
3. On February 10, 2009, MCAD proposed tearing down the house at 2538 2nd Avenue South and constructing a surface parking lot. The Heritage Preservation Commission denied these requests. The applicant appealed both decisions and withdrew the appeals prior to the scheduled Zoning and Planning Committee meeting.

Gateway Garden: The proposed Gateway Garden may help ensure continued integrity of the landmark in providing additional identity to the campus. CPED recognizes that the art campuses plays a special role in the history of the Washburn-Fair Oaks Historic District. The applicant states

that the Gateway Garden is the first step in establishing the new main entry to MCAD on 26th Street (see Appendix A14). The gateway garden is proposed to have permanent and temporary installations as well as a monument sign. These items may provide a positive identity to the historic art school and the historic district.

(4) The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.

The applicant highlights two Washburn-Fair Oaks Historic District Guidelines in their review of the fourth finding.

1. 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). 34.070 (1)
2. Demolition of a building Before the demolition of a building, findings must be made regarding: (1) the architectural and historic merit of the building; (2) the effect of the building's demolition on surrounding buildings' (3) the effect of any new construction to the rest of building (in partial demolition) and to surrounding building; (4) the possible economic value or usefulness of building (as it now exists or if altered or modified) compared to the value or usefulness of proposed structure. 34.070 (2)

In the analysis the applicant points out the proposed Gateway Garden and the proposed parking lot conforms to the existing lot depths of the properties that were located along 26th Street East and provides a street edge along East 26th Street and complements the two double townhouses to the east (see Appendix A30).

Surface Parking Lot: CPED agrees with the applicant in the identification of the two district guidelines that pertain to this application. CPED, however, disagrees that their proposal for the surface parking lot is in compliance with these guidelines. The proposed surface parking lot will materially impair the significance and the integrity of the historic district in that it is not consistent with the Washburn-Fair Oaks Historic District Guidelines that were adopted by the Heritage Preservation Commission in 1976 in the following ways:

1. The applicant's proposal to demolish/move the subject building at 2538 2nd Avenue South will materially impair the historic value [and integrity] of 2538 2nd Avenue South. This proposal is not in compliance with the district guidelines that state that "Alterations will not materially impair the architectural or historic value of the building.
2. The applicant's proposal to demolish/move the subject building is not in compliance with the New Building guideline which states, "Proposed new buildings shall not "materially impair the architectural or historic value of buildings on adjacent sites or in the immediate vicinity within the preservation district." The applicant's proposal would in particular have an adverse impact on the pair of brick Romanesque style double houses at 200-204 and 206-210 East 26th Street. The surface parking lot would come within 15 feet of the double house at 200-204 East 26th Street (see Appendix A51). In 1994, SHPO and the Minneapolis 1-35W Community Task Force identified the double houses as eligible as a National Register sites. They are significant as an example of an increasingly rare property type in Minneapolis (see Appendix B49 and B50). Furthermore, this proposal would break up the existing residential rhythm and tear away the residential character and setting of Blocks 12 and 13 (see Attachment A20 for site plan).

Gateway Garden: The proposed Gateway Garden will not materially impair the architectural or historic value of buildings on adjacent sites or in the immediate vicinity within the preservation district. The proposed garden with the contemporary art displays will be a contemporary design.

(5) *The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.*

The applicant explains that the proposed parking lot and gateway garden are in compliance with Secretary of Interior Standard 9 and Standard 10 (see Appendix A31):

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Surface Parking Lot: CPED agrees with the applicant in calling out the standards that are most applicable to the proposal. However, CPED does not agree with the applicant's assessment of the Standards. The applicant's proposal is not consistent with the Secretary of the Interior's Standards in the following ways:

1. The proposal would require the demolition of the building at 2538 2nd Avenue South, which is a contributing structure of the Washburn-Fair Oaks Historic District.
2. The proposed surface parking lot, which will be approximately one acre, is not compatible with the massing, size, scale, and architectural features of the historic Washburn-Fair Oaks Historic District. The historic district is known for containing high-density development and a surface parking lot that provides more parking than required is not a characteristic of high density development.
3. The proposed surface parking lot would have an adverse impact on adjacent contributing structures to the historic district, in particular 200-204 East 26th Street.
4. The applicant's proposal would further erode the grid system of the Washburn-Fair Oaks Historic District.

Gateway Garden: The proposed Gateway Garden is not in opposition to the Secretary of Interior Standards as it pertains to the Washburn-Fair Oaks Historic District. The proposed Gateway Garden would not destroy historic materials that characterize the property.

(6) The certificate of appropriateness conforms to all applicable regulations of this preservation ordinance and is consistent with the applicable policies of the comprehensive plan and applicable preservation policies in small area plans adopted by the city council.

The applicant provides their analysis on how the proposed surface parking lot and gateway garden is in compliance with the Comprehensive Plan (see Appendix A31-A33).

Surface Parking Lot: CPED believes that the applicant's proposal for the surface parking lot is not in compliance with the following comprehensive plan policies:

1. **Policy 1.13** "Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places.

- a. **Implementation Step 1.13.3** “Discourage uses that diminish the transit and pedestrian character of areas around transit stations, such as automobile services, surface parking lots, and drive-through facilities.”

Comments: The subject property is located one block outside of a pedestrian overlay district (see Appendix B33). In addition, the subject property and the MCAD campus is located two blocks from Nicollet Avenue. Nicollet Avenue provides some of the most frequent transit lines in the Twin Cities metropolitan area. Furthermore, there is additional bus service to downtown Minneapolis along 3rd Avenue South.

2. **Policy 8.1** “Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture and Implementation.”
 - a. **Implementation Step 8.1.1** “Require new construction in historic districts to be compatible with the historic fabric.”
 - b. **Implementation Step 8.1.3.** “Encourage new developments to retain historic resources, including landscapes, incorporating them into new development rather than removal.”

Comments: The construction of the proposed surface parking lot that replaces a contributing structure to a historic district is not compatible with the historic fabric of the neither district nor neighborhood. In addition, the applicant is not proposing building expansion plans and does not have a definitive date on a building expansion for the MCAD campus.

If a shared-parking agreement can not be accomplished with the other art institutions, the applicant is only required to build an additional 56 off-street parking spaces to be in compliance with the zoning code. Therefore, MCAD could construct the proposed Gateway Garden, build a parking structure/lot that provides enough off-street parking to their meet their zoning code requirement that is sensitive to the historic district, while retaining the buildings at 2538 2nd Avenue South.

3. **Policy 8.7** Create a regulatory framework and consider implementing incentives to support the ethic of “reduce, reuse, and recycle” and revitalization for buildings and neighborhoods.
 - a. **Implementation Step 8.7.4.** “Encourage relocation of historic resources as a last means of preservation for endangered properties.”

Comments: The relocation of the subject building does not have to be a last means. There are alternatives to the demolition of the subject property such as constructing an underground parking facility or smaller surface parking lot that is sensitive to the historic district.

4. **Policy 8.8** “Preserve neighborhood character by preserving the quality of the built environment.”

Comments: The applicant’s proposal of a 107-space surface parking lot which is approximately an acre in size does not add in a positive way to the Washburn-Fair Oaks Historic District nor the surrounding urban environment. The applicant is only required to provide an additional 56 off-street parking spaces to be in compliance with the Zoning Code.

Gateway Garden: The proposed Gateway Garden is not out of compliance with the Comprehensive Plan. The proposal is part of a plan to provide identity to the art school campus. CPED, however, disagrees with the applicant’s statement that the landscaping is “voluntary.” It was in 1995 when the applicant stated they would construct a heavily landscaped entrance along 26th Street East in order to provide the campus identity coincidental with the Nicollet Avenue Streetscape Project. The

Streetscape Project was completed in 1997 and the applicant has still not completed the landscaping project.

(c) Adequate consideration of related documents and regulations. Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings that alterations are proposed in a manner that demonstrates that the applicant has made adequate consideration of the following documents and regulations:

(1) The description and statement of significance in the original nomination upon which designation of the landmark or historic district was based.

The applicant claims that the removal of the building at 2538 2nd Avenue South and surface parking lot will not significantly alter the district and that the Gateway Garden will be an amenity to the area (see Appendix A33).

CPED disagrees with this assessment. Please see general findings 1-6 in how the proposed surface parking lot does not meet the intent of the original nomination upon which designation of the Washburn-Fair Oaks Historic District was based. Also, see general findings 1-6 on how the proposed gateway garden will not be out of compliance with the original nomination.

(2) Where applicable, Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review.

The applicant believes that the proposal is minor given the building's altered setting and isolated location. Moreover, the parking plan will have little to no significance on the noted historic buildings that are in the vicinity of the parking lot.

If the Heritage Preservation Commission approves the surface parking lot and gateway garden the proposal will be required to be in compliance with Chapter 530, Site Plan Review. This analysis will require a public hearing in front of the City Planning Commission.

(3) The typology of treatments delineated in the Secretary of the Interior's Standards for the Treatment of Historic Properties and the associated guidelines for preserving, rehabilitating, reconstructing, and restoring historic buildings.

The applicant highlights one of the recommended Secretary of Interior guidelines for setting as it pertains to parking (see Appendix A34)

- 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.

The applicant also highlights three not recommended guidelines for buildings and three not recommend Secretary of Interior guidelines as it pertains to the placement of off-street parking:

- (Building) Locating any new construction on the building site in a location which contains important landscape features or open space, for example removing a lawn and walkway and installing a parking lot.

- (Setting) 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.
- (Setting) Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the setting.
- (Setting) Removing a historic building, building feature or landscape feature that is important in defining the historic character of the setting.
- The applicant argues that their application does not destroy historic relationships on the site or important landscape features (see Appendix A35).

CPED agrees with the Secretary of Interior guidelines the applicant highlights in their analysis of the finding. However, CPED disagrees with their assessment as highlighted in the staff analysis of general findings 1-6 in regards to the proposed surface parking lot.

(d) Additional findings for alterations within historic districts. Before approving a certificate of appropriateness that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:

(1) The alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.

The applicant states that the location of the Gateway Garden and parking lot have been compromised by earlier demolition and new construction and that neither the Gateway Garden nor the parking lot will affect the significance and integrity of the other contributing properties in the Historic District (see Appendix A35).

CPED disagrees with the applicant's assessment as found in the assessment of general findings 1-6 above in regards to the proposed surface parking lot.

(2) Granting the certificate of appropriateness will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.

The applicant states that the removal of the Blue House will not negatively alter the essential character of the Historic District.

CPED disagrees with the applicant's assessment as found in the assessment of general findings 1-6 above in regards to the proposed surface parking lot.

(3) The certificate of appropriateness will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.

The applicant states that the relocation of the Blue House will not be injurious to the significance and integrity of other resources in the Historic District, and as discussed above, the construction of the park and parking lot will foster, rather than impede, preservation efforts in the historic district.

CPED disagrees with the applicant's assessment as found in the assessment of general findings 1-6 above in regards to the proposed surface parking lot.

PUBLIC COMMENTS

CPED notified property owners within 350 feet of the Demolition of Historic Resource application on January 27, 2009. As of February 2, 2009, the Whittier Alliance and one neighbor have submitted comments (see Attachments C).

STAFF RECOMMENDATION

CPED recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the construction of a surface parking lot and gateway garden with the following conditions:

1. MCAD is allowed a total of 98 off-street parking spaces on campus including the existing off-street parking spaces;
2. The current configuration for the surface parking lot is not approved. The new configuration of a surface parking lot that provides the campus a total of 98 spaces off-street parking must come back to the HPC for approval.
3. The materials of the Gateway Garden are consistent with the Washburn-Fair Oaks Historic District Guidelines.
4. CPED-Planning Preservation Staff shall review and approve the final plans prior to permit issuance.

APPENDIX

Appendix A: Application
Appendix B: CPED Information
Appendix C: Public Comments