

Department of Community Planning and Economic Development
Planning Division

Certificate of Appropriateness
BZH-26898

Date: July 12, 2011

Proposal: Certificate of Appropriateness for New Construction.

Applicant: Daniel Hunt, Hunt Associates, LLC

Address of Property: 24 University Avenue NE, Tract G

Project Name: Corner Apartments

Contact Person and Phone: Daniel Hunt, Hunt Associates LLC, 612-630-2448

Planning Staff and Phone: Chris Vrchota, 612-673-5467

Date Application Deemed Complete: June 17, 2011

Publication Date: June 28, 2011

Public Hearing: July 12, 2011

Appeal Period Expiration: July 22, 2011

Ward: 3

Neighborhood Organization: Nicollet Island- East Bank

Concurrent Review: N/A

Attachments: Attachment A: Materials submitted by CPED staff –

- A-1: 350' Map
- A-2 – A-8- May 17, 2011 Discussion Minutes

Attachment B: Materials submitted by Applicant –

- Notification letter to Council Member and neighborhood organization (B-1- B-2)
- Application form including project description (B-3 – B-6)
- Statements addressing findings (B-7 – B-11)
- Light and window details (B-12 – B-18)
- Photos (B-19 – B-29)
- Enlarged drawings and plans- 11x17 (B-30 – B-54)

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**Subject Property- Present Day
Photo submitted by Applicant**

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CLASSIFICATION:	
Local Historic District	Saint Anthony Falls Historic District
Period of Significance	1858-1940
Criteria of significance	Architecture and Social Significance
Date of local designation	1971
Applicable Design Guidelines	- Saint Anthony Falls Historic District Guidelines - Secretary of Interior Standards for Treatment of Historic Properties

PROPERTY INFORMATION	
Current Name	N/A- Open surface parking lot
Historic Name	N/A
Current Address	24 University Avenue NE
Historic Address	Unknown
Original Construction Date	N/A
Original Contractor	Unknown
Original Architect	Unknown
Historic Use	Hotel (1914 plat map shows a "Hotel Laberta" on the site. It is not known when this building was removed from the site.)
Current Use	Surface Parking Lot
Proposed Use	Residential

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BACKGROUND:

The subject property is presently a surface parking lot. When most of the remaining properties on the block were redeveloped and/or rehabilitated in the early 2000s, no plans were brought forward for the subject property, outside of a few minor improvements to the parking lot.

SUMMARY OF APPLICANT'S PROPOSAL:

The Applicant is proposing to construct a new 10-story apartment building with approximately 94 rental units. The proposed flat-roofed building would be 111 feet tall to the top of the main roof and 121.5 feet to the top of the proposed rooftop penthouse. The Applicant is proposing to use a combination of three different colors of brick along with cement fiber board panels as the primary cladding materials, with fiberglass windows, metal panels and metal balconies also being proposed on the building.

At the Applicant's request, the Commission did a concept review of this project at the May 17th, 2011 HPC meeting. Minutes from that meeting are attached. (See Appendix A-2- A-8.)

PUBLIC COMMENT:

No public comments have been received by the time of publication.

CETIFICATE OF APPROPRIATENESS: Certificate of Appropriateness for construction of a new 10-story apartment building in the Saint Anthony Falls Historic District.

Findings as required by the Minneapolis Preservation Code:

The Planning Division of the Minneapolis Community Planning and Economic Development Department has analyzed the application based on the findings required by the Minneapolis Preservation Ordinance. 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 St. Anthony Falls Historic District is significant for the falls and the water body that was the lifeblood of Minneapolis in the 19th century. In addition, the district is significant in that it still retains important mill and industrial buildings from the 19th century.

The site presently contains a surface parking lot and is non-contributing to the district. Because of this, concerns about the potential impacts of the proposed development are focused on how it would impact the adjacent buildings and the district as a whole, rather than how it impacts the subject site.

The proposed new construction has made efforts to be compatible with the criteria of significance and period of significance for which the St. Anthony Falls historic district was designated, as evidenced by its conformance to most of the applicable design guidelines (see finding #4). Most of the properties in the vicinity of the subject property are new construction. Efforts have been made to address the visual transition between the new construction and the adjacent Fire Barn building, one of the few historic structures remaining in the area.

However, there is little in the design of the building, outside of the use of brick for a portion of the exterior cladding and the size and orientation of the windows that speaks to the criteria or period of significance of the St. Anthony Falls Historic District. There is nothing distinct in the design that makes it identifiable as a part of this historic district.

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

The proposed new construction contains elements that are compatible with the exterior designation for which the property was designated and help relate to the neighboring properties. Use of brick as one of the primary construction materials, especially near street level, ties back to the brick used on the adjacent Fire Barn building, as well as other historic properties in the area and throughout the district. The use of brick for a portion of the exterior cladding is compatible with the district, where brick was widely used for

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construction. Additionally the stepped back design of the façade helps with the visual transition between the 1-story Fire Barn building and the proposed new 10-story building.

However, some of the proposed materials are not compatible with the district. The proposed cement fiber and painted metal panels are not materials that would have been used in the district during the period of significance and would not be compatible with the designation of the district.

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

Both the City of Minneapolis' Heritage Preservation Regulations and the National Register of Historic Places identify integrity as the authenticity of historic properties and recognize seven aspects that define a property's integrity: location, design, setting, materials, workmanship, feeling and association. Based upon the evidence provided below, the proposed work would impact but not impair the integrity of the contributing resource.

Location: The Applicant is not proposing to change the contributing resource's location, thus the project will not impair the contributing resource's integrity of location.

Design: The proposed new construction would have a limited impact on the integrity of design. The area around the subject site contains a mix of both modern and historic buildings, though the majority are modern. This mix of buildings includes both historic and modern commercial buildings, modern high-rise residential buildings, and modern townhouses, as well as a structured parking ramp. Each of these uses features a design unique to its use, as the proposed new construction would.

The proposed 10-story apartment building would be very identifiable as a modern building. While it is not advisable to try to make new construction appear to be old, there is little in the design of the building that speaks to the milling or industrial heritage of the St. Anthony Falls historic district.

Setting: The new construction would replace a surface parking lot, which would have a positive impact on the setting of the area. The proposed new building would be built to the property lines along both 1st Avenue NE and 2nd Street NE, maintaining the street wall along these roads, another positive impact on the integrity of setting.

Materials: The Applicant is proposing to use brick and cement fiber board as the primary cladding material, along with painted metal panels, painted perforated metal balconies and fiberglass composite window frames also proposed for the building.

The use of brick would be compatible with the integrity of materials for the St. Anthony Falls historic district and the adjacent properties.

Cement fiber and painted panels are not materials that would have been used in the district during the period of significance. While the use of these materials would break up the visual massing of the building, this type of design is not in keeping with the

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historic character of the district. The use of these materials would impair the integrity of materials.

The proposed fiberglass windows would have an impact on the integrity of materials. Windows in the district are generally constructed of wood or metal, depending on the use of the building and date of construction. True metal window systems would be a more appropriate treatment than the proposed metallic painted fiberglass windows.

Workmanship: It is not possible to determine if the new construction would have an impact on the integrity of workmanship. The Applicant has provided basic elevation drawings, but has not provided architectural details for The proposed new construction would not altar any historic buildings in the district and would not impair the integrity of workmanship.

Feeling: Any new construction in a historic district will have an impact on the integrity of feeling. New construction will inevitably stand out as modern and different from the historic surroundings. In the case of the subject property, the number of historic properties in the immediate vicinity are limited, though the historic Fire Barn building does sit adjacent to the site. The design features brick construction at street level and on the 4 stories above on the façade adjacent to the Fire Barn building, easing the visual transition between the two. This helps to limit the impact on the integrity of feeling.

The use of materials not found in the district during the period of significance would have an impact on the integrity of feeling.

Association: The project will not impair the district's integrity of association.

(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 relevant design guidelines for this project are the Saint Anthony Falls Historic District Guidelines, adopted by the Heritage Preservation Commission in 1980. The applicable sections of these guidelines are in the general guidelines and in Section J, East Hennepin-Central Avenue. (Commissioners can find the guidelines on pages 5.6.1-5.6.10 of their Preservation Resource Binders.)

Siting: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.9)

- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to siting.*
- *Sub district J: The principal aims of new construction shall follow the existing grid.*

The site sits at the intersection of 2nd Street NE and 1st Avenue NE, within the existing street grid. The proposed building would be built to the property line along both streets,

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maintaining the existing street wall. The proposed construction is in keeping with this guideline.

Height: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.10)

- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to height.*
- *Sub district H: New buildings to be no higher than that of existing silo-mills in the area.*

The proposed new construction is in compliance with the Sub district J Guideline for height. The proposed new construction is 111 feet to the top of the main structure and 121.5 feet to the top of the proposed penthouse, which is shorter than the Red Tile Mill which reaches 189 feet in height

The proposed new construction is generally in keeping with the general guideline for height for the district. While it is substantially taller than the adjacent Fire Barn building, the use of a stepped back design adjacent to this building and the use of compatible brick material help to ease the visual transition. Other buildings in the area around the subject property range from 2 story commercial buildings and townhomes to the Pinnacle building at 28 stories, which sits across 2nd Street NE from the subject site.

Rhythm of projections: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.10)

- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to rhythm of projections*
- *Sub district J: No restrictions.*

The proposed new construction is in keeping with both of these guidelines. The building is proposed to be built out to the property line along 1st Avenue NE and 2nd Street NE. The portions of the building built to the property line would feature French balconies flush to the building wall. On the stepped back portions of the building, the balconies project out to the property line.

Directional emphasis: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.10)

- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to directional emphasis*
- *Sub district J: No restrictions.*

The proposed infill construction is in compliance with the both the Saint Anthony Falls general guideline and the East Bank Mill sub district guidelines in regards to the directional emphasis. The building has a strong vertical emphasis, largely due to the small size of the lot. The proposed building's fenestration and openings are vertical in nature, which compliments the design of the building.

Materials: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.10)

- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to materials*

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- *Sub district J: The exterior surface of new buildings shall be constructed of brick, brick veneer, or wood siding.*

On all elevations, the Applicant is proposing to use a mix of brick and cement fiber board as the primary cladding material, along with painted metal panels, painted perforated metal balconies and fiberglass composite window frames also proposed for the building. The amount of brick vs. cement fiber board varies by elevation, with a greater proportion of brick being proposed for the street-facing elevations. The use of brick is in keeping with the guidelines for materials.

The proposed cement fiber panels do not meet these guidelines. The Applicant submitted photos of a project in the city where the panels have been used. (See Appendix B-25 – B-29.) However, the project shown in these photos is not located the St. Anthony Falls Historic District and was not subject to the design guidelines or review and approval by the Heritage Preservation Commission.

The proposed fiberglass windows would not be in keeping with the guidelines. Windows in the district are generally either wood or metal. True metal windows would be more compatible with the district than the proposed metallic painted fiberglass windows.

Nature of openings: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.10)

- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to windows*
- *Sub district J: Openings should appear in a consistent and repeated pattern across the principal facades. Windows should have vertical dimensions 1 ½ - 3 times the horizontal dimension.*

Most of the proposed windows meet the Saint Anthony Falls Historic District guidelines and guidelines for the East Hennepin- Central Avenue sub district. All windows meet the guideline have having vertical dimensions 1 ½ - 3imes the horizontal dimension.

However, on each elevation, some windows are shown in a “saw-tooth” pattern. Staff does not find this arrangement to meet the definition of consistent and repeated. These windows are not in keeping with the design guidelines.

Roof Shape: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.10)

- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to roof shape*
- *Sub district J: Roofs should be flat, nearly flat, or gabled.*

The proposed construction is in compliance with both applicable sections of the Saint Anthony Falls guidelines. The proposed new construction contains a flat roof.

Details: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.10)

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- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to details*
- *Sub district J: No restrictions.*

The use of brick at the street level and as a transition between the lower portions of the building and the neighboring structure meet the general guideline for the district. The size, shape and fenestration pattern of the windows are also in keeping with this standard, except for the windows in the “saw-tooth” pattern. Little else in the design of the building references the details found in adjacent historic buildings or in the district.

The Applicant did not provide detailed drawings for a number of design elements, including the proposed balconies, mechanical equipment screens and rooftop penthouse. It is not possible to determine if these details are in keeping with this guideline.

Color: (See St. Anthony Falls Historic District Design Guidelines pp. 5.6.3 & 5.6.10)

- *General: Infill construction shall be visually compatible with historic structures within the sub-area with regards to color*
- *Sub district J: New buildings should be buff, dark red, or brown on the primary surfaces and should have subdued colors on the trim.*

The proposed new construction is partially in compliance with the guidelines in regards to color. The Applicant is proposing to use three different colors of brick- two shades of red and a dark brown, all in compliance with this guideline.

The cement fiber panels are proposed to be charcoal in color. This is not one of the shades specifically listed in the design guidelines and is not in keeping with the guidelines.

(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.

Regarding new construction on historic properties or within historic districts, the Secretary of the Interior's Standards state:

“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.”

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The proposed new construction would replace an existing surface parking lot, which is not considered to be historic or to characterize the St. Anthony Falls Historic District. The new construction would be clearly identifiable from historic buildings within the district. It would be compatible with the massing, size, and scale of the adjacent non-historic, non-contributing properties.

The proposed building would not meet be compatible with the architectural features of the district or protect the integrity of the district. The proposed use of fiber cement and painted metal panels are not in keeping with the historic character of the St. Anthony Falls Historic District and would not be in keeping with this standard.

(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 proposed alterations are considered a major alteration and require a Certificate of Appropriateness application.

The proposal would **not** be fully in keeping with policy 8.1.2: “Require new construction in historic districts to be compatible with the historic fabric.” While the proposal isn’t expressly incompatible with the historic fabric of the district, there is also little in the design that makes it compatible with the district, outside of the use of brick for a portion of the exterior cladding and the size and orientation of the window openings.

The proposed construction project is in keeping with the policy 1.2.1: “Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.” There is a wide range of building heights in the surrounding area. The proposed 10-story building would act as a transition between the 28-story tall Pinnacle building across 2nd Street NE and the 1-story Fire Barn building adjacent to the site. The stepped back design and mix of materials help to aid this visual transition. The proposed zero foot setback would maintain and strengthen the existing street wall, also in keeping with this policy.

The proposal would also be in keeping with policy 3.1.1, which states: “Support the development of new medium- and high-density housing in appropriate locations throughout the city.” The proposed development adds additional density to the riverfront area near other medium and high-density residential development.

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:

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

The Applicant has **not** demonstrated that consideration for the description and statement of significance in the original designation was made. There is little in the design of the building, outside of the use of brick for exterior cladding and the window size and orientation that speaks to the significance St. Anthony Falls Historic District. There is nothing distinct in the design that makes it identifiable as a part of this historic district.

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

In addition, to the Certificate of Appropriateness, the proposal will require land use approvals. The Applicant is working with CPED- Development Services staff for necessary City Planning Commission reviews.

(9) 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.

As outlined in finding #5 of this report, staff does find that sections of the Secretary of the Interior's Standards for the Treatment of Historic Properties do apply to this project. Staff found that the project is not fully in keeping with the Secretary of the Interior's Standards, illustrating that the Applicant has not made adequate consideration of them.

The Applicant submitted a document addressing the 12 required findings (see Appendix B-7 – B-11). The Applicant stated that they do not believe that the Secretary of the Interior's Standards for the Treatment of Historic Properties apply to the project, as it does not involve the preservation, rehabilitation, restoration or reconstruction of any existing properties.

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:

(10) 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 has not submitted detailed architectural elevation drawings or details for a number of elements for the project, such as the mechanical equipment screens and rooftop penthouse. It is not possible to determine if the proposed project is compatible with and will ensure the continued significance and integrity of all contributing properties within the district.

(11) 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 spirit and intent of the City of Minneapolis' Heritage Preservation Regulations is to preserve historically significant buildings, structures, sites, objects, districts, and cultural landscapes of the community while permitting appropriate changes to be made to these properties. The Applicant is proposing to construct a new residential building on what is currently an open surface parking lot. The overall proposal to develop a new building on the site is in keeping with the spirit and intent of the ordinance. However, as outlined in the previous findings, a number of details in the proposed project are not in keeping with the historic nature and character of the district and would alter the essential character of the district.

(12)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.

Some elements of the proposed project, such as the use of materials that do not meet the local design guidelines, would have an adverse impact on the significance and integrity of the district. The proposed design does not reference the historic nature of the district and is not identifiable as part of the historic district in any way, which would have a further impact on the integrity of the district.

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STAFF RECOMMENDATION

CPED-Planning staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the Certificate of Appropriateness for construction of a new 10-story apartment building with the following conditions:

1. CPED-Planning reviews and approves final site plan, floor plans, signage, lighting and elevations.
2. The window openings throughout the building shall have a *consistent and repeated pattern*; the saw-tooth window pattern is not approved.
3. Fiber cement panels and metal panels are not allowed or approved.
4. Use of fiberglass windows is not approved. Windows shall be metal or metal clad.
5. All glass must be clear, non-tinted, non-reflective glass. One coat of Low-E glazing is permitted on the interior surface of the windows.
6. Detailed architectural elevations (not schematic drawings) shall be submitted for review and approval by the Commission.
7. All material samples must be submitted for review and approval by the Commission.
8. The Applicant shall obtain all other necessary City approvals prior to the commencement of work.
9. The Certificate of Appropriateness approval shall expire if it is not acted upon within one year of approval, unless extended by the Planning Director in writing prior to one-year anniversary date of approvals.

Attachment A: Submitted by CPED staff

Attachment B: Materials submitted by Applicant