

Department of Community Planning and Economic Development
Planning Division

Certificate of Appropriateness
BZH-26996

Date: November 22, 2011

Proposal: Request for Certificate of Appropriateness for a six-story apartment building with a church

Applicant: CPM Development, LLC

Address of Property: 401 8th Avenue Southeast and 414 7th Avenue SE

Project Name: Andrew Riverside Mixed Use Development

Contact Person and Phone: Nick Walton and Daniel Oberpriller, 612-823-3489

Planning Staff and Phone: John Smoley, Ph.D., 612-673-2830

Date Application Deemed Complete: October 18, 2010

Publication Date: November 22, 2011

Public Hearing: November 29, 2011

Appeal Period Expiration: December 9, 2011

Ward: 3

Neighborhood Organization: Marcy Holmes Neighborhood Association

Concurrent Review: Rezoning, Conditional Use Permit for a Planned Unit Development, Site Plan Review, Preliminary Plat, Final Plat, Variances

Attachments:

- A. Staff Report – A1-A18
- B. Materials Submitted by CPED – B1-B2
 - Zoning district map – B1
 - Land use category map – B2
- C. Materials Submitted by Applicant – C1-52
 - Application – C1-C12
 - Letter to Neighborhood Group and Councilmember – C13-C18
 - Plans – C19-C52
- D. Materials Submitted by Other Parties – D1-D2
 - Comment letter – D1-D2

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Figure 1. 401 8th Avenue Southeast, n.d., source: CPED files

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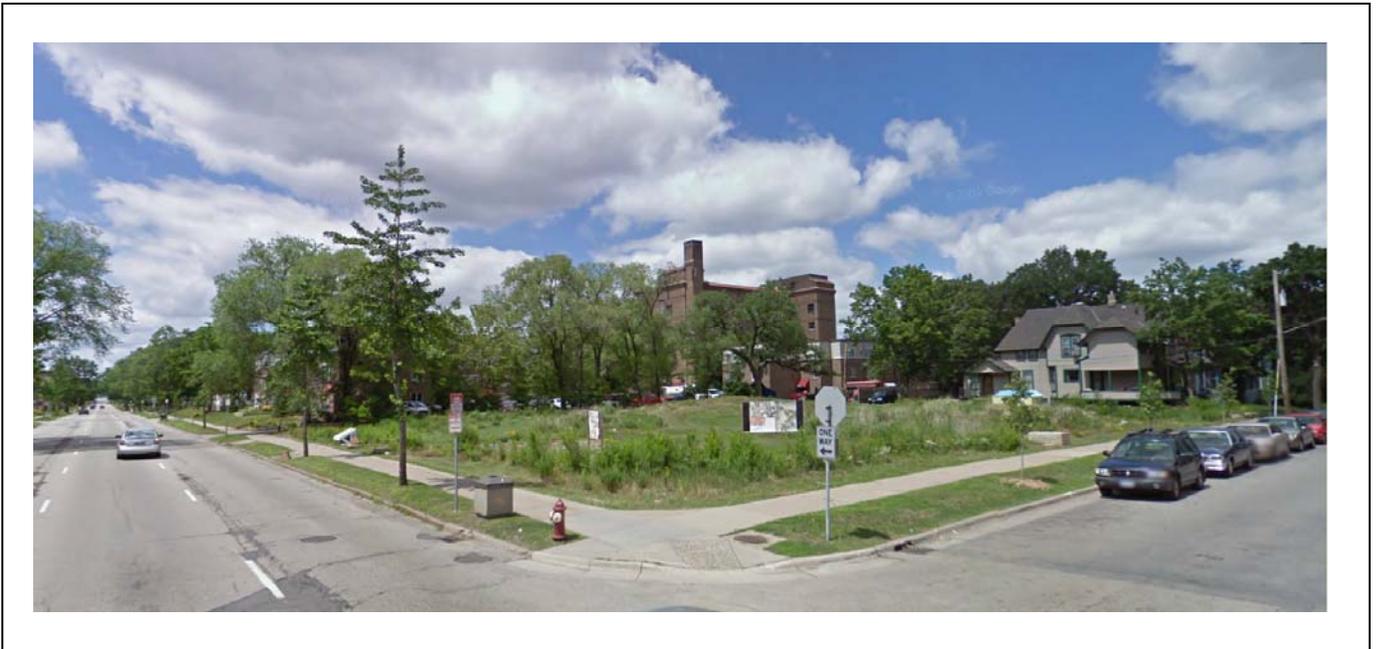


Figure 2. 401 8th Avenue Southeast, present day, source: Google



**Figure 3. 414 7th Avenue Southeast, 1957, source: Minnesota Historical Society, NOTE:
Affected portion of lot lies behind (south of) the historic hospital building pictured.**

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Figure 4. 414 7th Avenue Southeast, present day, source: Google, NOTE: Affected portion of lot lies behind (south of) the historic hospital building pictured.

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CLASSIFICATION:	
Local Historic District	Fifth Street Southeast Historic District
Period of Significance	1856 to circa 1940
Criteria of significance	Architecture, Persons
Date of local designation	1976
Applicable Design Guidelines	<i>The Secretary of the Interior's Standards for Treatment of Historic Properties</i> <i>Fifth Street Southeast Historic District Design Guidelines</i>

PROPERTY INFORMATION	
Current name	vacant lot and Remington Campus Apartments
Historic Name	Andrew Presbyterian Church site and St. Andrews Hospital
Current Address	401 8th Avenue SE and 414 7 th Avenue SE
Historic Address	700 block of 4 th Street SE and 700 block of 5 th Street SE
Original Construction Date	1890-1891 (church and addition), 1927 (hospital)
Original Contractor	James Carlisle and Sons (church), Field-Martin Company (hospital)
Original Architect	Charles S. Sedgwick (church), Lund and Durham (hospital)
Historic Use	Church, residences, and hospital
Current Use	Vacant lot and multi-family residence
Proposed Use	Church and multi-family residence

BACKGROUND:

The Fifth Street Southeast Historic District exhibits popular nineteenth century architectural styles built by influential citizens of Minneapolis. Primarily centered along Fifth Street Southeast extending from 4th Avenue to I-35W, the district generally includes those properties facing Fifth Street, in addition to a few properties facing Fourth and Sixth Street Southeast. Beginning as a scattered residential development in the late 1850s, the district expanded on the edge of the pioneer milling town of St. Anthony. When St. Anthony and Minneapolis merged in 1873, the street names were changed to numeric identities and lots along Fifth Street Southeast were sold to prominent families for further development.

During the early years of St. Anthony and after the merge, Fifth Street Southeast remained one of the finer streets of residence. Many of the people who resided in this neighborhood were merchant families originally from New England. The flour and milling industry drew these early

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residents to St. Anthony and Minneapolis. In order to be near their business, Fifth Street Southeast was a reasonable choice for settlement, due to its close proximity to the river.

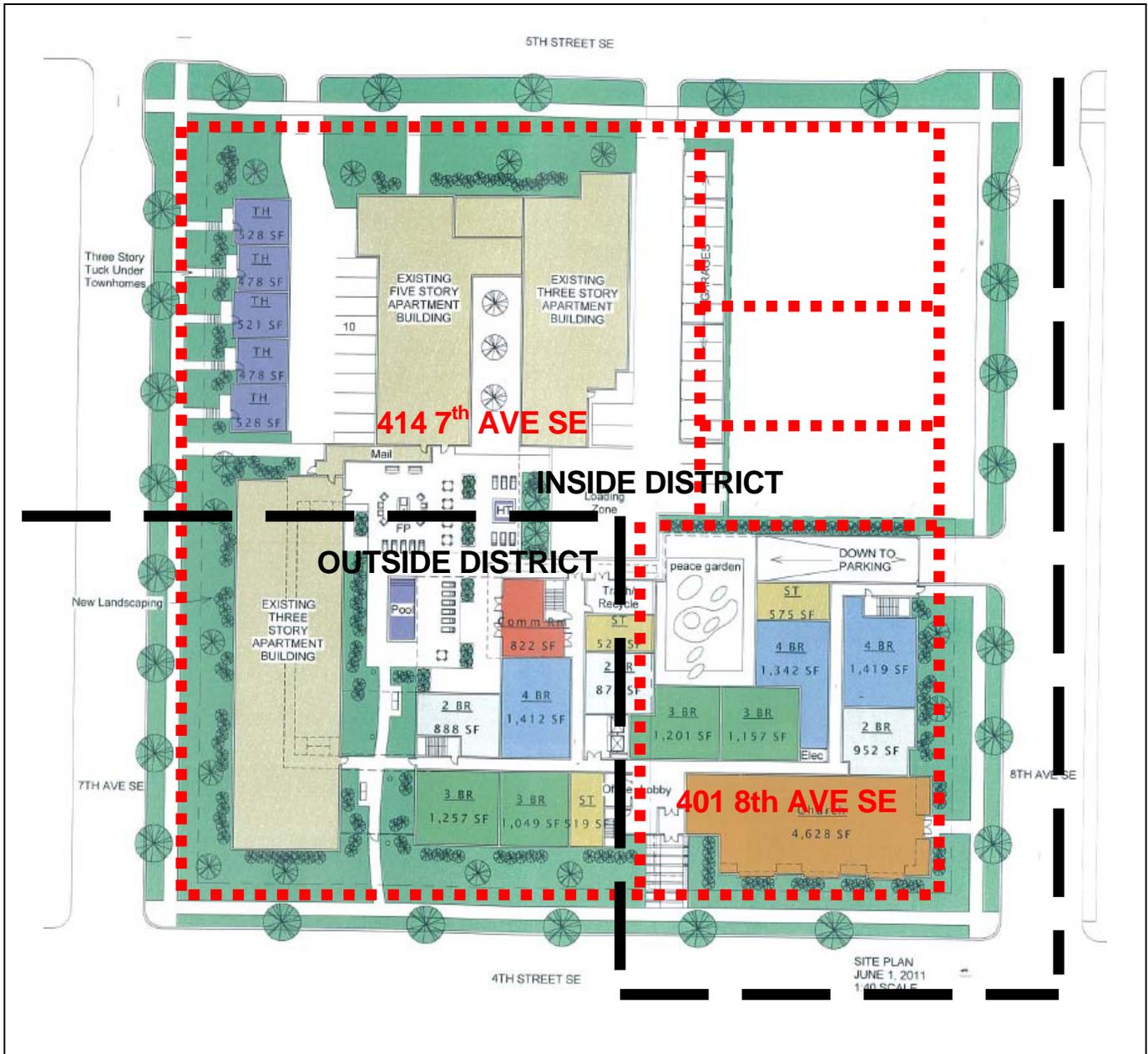


Figure 5. Approximate parcel lines (dotted) and historic district boundary (dashed), 400 block of 8th and 7th Avenues Southeast

Combinations of large and small homes were built in the district, along with several institutional buildings, such as Andrew Presbyterian Church. In addition to Italianate, the district also features excellent examples of Greek Revival, Queen Anne, and Richardsonian Romanesque styles.

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The proposed development sits on two parcels (401 8th Avenue Southeast and 414 7th Avenue Southeast) which encompass an entire block, excepting three two-story frame houses at the northeast corner of the block. The block and the proposed project straddle the edge of the Fifth Street Southeast Historic District. The only portions of the project that lie entirely outside of the district are several proposed site amenities: a pool, hot tub, and some landscaping (Figure 5 and 6).

401 8th Avenue Southeast is currently vacant. The lot held the historic Andrew Presbyterian Church until 2003 when, after a partial collapse of the building, demolition was authorized by the City Council, notwithstanding the Heritage Preservation Commission's ruling (Figure 1 and 2).

414 7th Avenue Southeast, St. Andrews Hospital (now known as Remington Campus Apartments) is not described as contributing in the historic district nomination, but it fits within the period of significance for the district. The building, originally designed for use as a hospital, received two large, three-story additions on its northeast and southwest sides when it was converted for use as an apartment building in 1970. The complex remains in use as a multi-family residence. One-story brick additions, one of which bears cellular antennae, top the historic building (Figure 3 and 4).

On June 21, 2011 the Applicant brought this proposal to the Heritage Preservation Commission for a conceptual review.

SUMMARY OF APPLICANT'S PROPOSAL:

The Applicant seeks a Certificate of Appropriateness to construct a six-story apartment building with a church on the former site of the Andrew Presbyterian Church (401 8th Avenue Southeast). The proposed building will connect to one of the existing three-story additions to the St Andrews Hospital (now Remington Campus Apartments at 414 7th Avenue Southeast). Around the building the plans call for numerous new amenities: a pool, hot tub, fire pit, peace garden, landscaping, subsurface parking, a driveway, and at-grade parking garages (Attachment C3, C26-C27). With the exception of driveways, landscaping, and at-grade parking garages, these amenities were not present in the district during its period of significance, but all will be almost completely screened from public view. The Applicant also proposes to replace the vinyl siding on the additions with cement panel siding (Attachment C3, C31-C35).

This proposal also appears to require a Rezoning, Conditional Use Permit for a Planned Unit Development, Site Plan Review, Preliminary Plat, Final Plat, and Variances from the City Planning Commission. As of the date of the publication of this staff report those applications had not been submitted.

The Applicant has also submitted two additional Certificate of Appropriateness applications for this site. They are being reviewed concurrently.

PUBLIC COMMENT:

Staff has received one comment letter from the neighborhood group in opposition to the project (Attachment D).



Figure 6. Project area (circled) in relation to existing buildings (in gray) and lots (street numbers indicated)

CERTIFICATE OF APPROPRIATENESS:

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 Fifth Street Southeast Historic District exhibits popular nineteenth century architectural styles built by influential citizens of Minneapolis. Regardless of what changes are made to the subject properties, they will maintain their historical significance, but proposed changes will affect their integrity (i.e. the properties' ability to communicate their historical significance), as discussed in finding #3 (below). The project area encompasses the site of the demolished Andrew Riverside Church and demolished residences outside of the historic district (Figure 6), thus the project area has lost its integrity.

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

The proposed alterations are not compatible with and do not support the properties' designation. The Applicant is proposing to construct a building whose size, height, massing, materials, colors, and fenestration are out of character with the rest of the historic district, as discussed in findings #4 and 5.

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

Based upon the evidence provided below, the proposed work will impair the integrity of the district.

Location: The Applicant proposes no changes to the district's location, thus the project will not impair the district's integrity of location.

Design: The Applicant proposes to construct a building whose size, height, massing, colors, and fenestration are out of character with the rest of the historic district. The proposed changes will damage the district's integrity of design.

Setting: The proposed development sits on two parcels (401 8th Avenue Southeast and 414 7th Avenue Southeast) which encompass an entire block, excepting three two-story frame houses at the northeast corner of the block. The block and the proposed project straddle the edge of the Fifth Street Southeast Historic District. The only portions of the project that lie entirely

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outside of the district are several proposed site amenities: a pool, hot tub, and some landscaping (Figure 5). The proposed building, whose size, height, massing, colors, and fenestration are out of character with the rest of the historic district, straddles the district boundary. Nevertheless, the portions of the proposed building that lie within the district will impair the district's integrity of setting.

Materials: The project does not propose to remove historic building materials because it is new construction. The majority of the proposed building will be clad in eight different colors of fiber cement panels and two different colors of fiber cement lap siding (Attachments C39-C49). Fiber cement panels and siding were not available during the district's period of significance. Vinyl siding on the two 1970s hospital building additions is proposed to be replaced with cement panel siding (Attachment C45). The substitution of one material not available during the district's period of significance with another material in that same category will not improve the district's integrity. The project will impair the district's integrity of materials.

Workmanship: The project does not propose to remove evidence of workmanship evident in historic building materials, thus the project will not impair the district's integrity of workmanship.

Feeling: The Applicant proposes to construct a building whose size, height, massing, colors, and fenestration are not emblematic of low density late nineteenth and early twentieth century architecture (Attachment C48). The proposed changes will damage the district's integrity of feeling.

Association: The size, height, massing, colors, and fenestration of the proposed building will damage the district's association with the turn-of-the-century residential development of the city, thus the project will 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 new building is not consistent with the applicable design guidelines adopted by the commission.

Height, Width, and Depth

The *Fifth Street Southeast Historic District Design Guidelines* state, "Dimensions of height, width, and depth of additions and new construction shall take into consideration the directionality of adjacent and nearby structures." The Applicant is proposing a building that is higher, wider, and deeper than any other building in the district (Attachment C25, C39, C40). This is clearly not in keeping with the design guidelines.

Scale

The *Fifth Street Southeast Historic District Design Guidelines* state, "Scale of additions, alterations, and new construction shall be consistent with the existing pattern in the

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neighborhood.” While the building’s height is clearly out of character with neighboring construction, the proposed building’s scale is not. Floors in the proposed building are 10.5 feet high except on the first floor which is 12 feet high. Perspective images submitted by the Applicant (Attachment C47-C49) indicate that the height of the proposed building’s floors is similar to that of its neighbors.

Materials

Although the Applicant proposes to use some stone and brick, the majority of the building will be clad in eight different colors of fiber cement panels and two different colors of fiber cement lap siding (Attachment C39-C49). The Applicant also proposes to replace vinyl siding on the two 1970s hospital building additions with cement panel siding (Attachment C45). The *Fifth Street Southeast Historic District Design Guidelines* stipulate that new materials shall be compatible with the existing. The guidelines require Applicants, “Avoid fake brick or stone, asphalt or asbestos siding.” Fiber cement panels and siding would not appear to meet the design guidelines. Furthermore, fiber cement products were not available during the district’s period of significance. But the design guidelines also state, “Where a synthetic or aluminum siding is used, it should match direction, dimensions, and texture of original covering.” The original covering on the hospital building was brick, not stucco or wood siding Attachment C23). Additionally, the Applicant has not provided the dimensions and texture of the proposed panels and siding.

Signs

The *Fifth Street Southeast Historic District Design Guidelines* detail specific standards for signs within the district. The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* detail specific standards for signs on locally designated properties throughout the city. The Applicant’s elevations include signs (Attachment C39-C40) but the Applicant has not submitted sign plans. The Applicant understands that proposals not in compliance with these design guidelines will require a Certificate of Appropriateness application.

(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 is conducting a rehabilitation of the subject property. There are ten standards for rehabilitation. The application complies with eight of ten of the rehabilitation standards. Staff has concerns related to standard #3 and #9, however.

Rehabilitation standard #1 of *The Secretary of the Interior’s Standards for the Treatment of Historic Properties* states that a property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

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The lots in question were historically used for residences and a church. No changes of use are requested.

Rehabilitation standard #2 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that the historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

The Applicant proposes to alter no historic building materials. The Andrew Riverside Church was demolished in 2003. The portion of the Remington Campus Apartment building that the new building will connect to is a nonhistoric three-story addition that was constructed when the hospital was converted for use as an apartment building in 1970.

Rehabilitation standard #3 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

The proposal very clearly differentiates the new work from the old. Indeed, the contrast is too great. The majority of the building will be clad in eight different colors of fiber cement panels, two different colors of fiber cement lap siding, three different colors of brick, at least three different colors of metal (used as vertical siding, horizontal louvers, doors cornices, and roofing materials), plus stone blocks (Attachment C39-C49). Such a rainbow of colors, textures, and finishes cannot be found anywhere else in the district, nor can such extensive use of louvers to vent mechanical equipment through building walls.

Rehabilitation standard #4 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that changes to a property that have acquired historic significance in their own right will be retained and preserved.

The proposed new building will not alter historic materials or designs.

Rehabilitation standard #5 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

The project, as proposed, will not result in the removal of historic materials or designs.

Rehabilitation standard #6 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

The only historic features and materials on the lots exist on the hospital building, which is outside of the proposed work area for this Certificate of Appropriateness application.

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Rehabilitation standard #7 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

The project, as proposed, will not result in the removal of historic materials.

Rehabilitation standard #8 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Staff is aware of no archaeological resources onsite.

Rehabilitation standard #9 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that new additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. Staff's compatibility analysis follows this format.

Destruction of Spatial Relationships

The new building is proposed to be placed on the southern edge of the district. Not only will this make the nonhistoric construction very visible from the public right of way, the height of the proposed building will block views into the district from Fourth Street Southeast (Attachment C47-C49).

Destruction of Historic Materials and Features

The proposal does not involve the destruction of historic materials and features.

Differentiating the New Work From the Old

The proposal differs markedly from the historic construction within the district . It is far higher, far more massive, and far more colorful than the historic buildings and even the noncontributing buildings in and around the district. Rather than subordinating itself to the historic construction with a complementary design, the bold design of the large building overpowers the historic construction (Attachment C47-C49). Subsequent sections on size, scale, proportion, and massing also highlight this differentiation.

Compatibility with Historic Materials

The building uses some materials found within the district such as brick and stone, but these materials are far less apparent than cement fiber panels and siding, which comprises the majority of wall cladding on the building (Attachment C39-C49). Fiber cement products were not available within the district's period of historical significance. No evidence has been provided to demonstrate that the panels will be specifically

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designed to match the texture, profile, or reveal of stucco or wood siding: the historic building materials to which they are most similar.

Compatibility with Historic Features

The Fifth Street Southeast Historic District is mostly comprised of 2 to 2.5 story wood frame residences clad in wood and stucco and featuring gabled and hipped roof forms. Five flat-roofed brick apartment buildings and one stone church are notable exceptions. All but one of the apartment buildings have been considered non-contributing properties within the district. The lone exception is the St. Andrews Hospital building. The proposed building's flat roof and extensive use of materials besides wood and stucco is out of character with every building in the district save the church and the St. Andrews Hospital Building. Permitting additional exceptions to the district's character in the form of a new building will not, "...protect the integrity of the property and its environment." Around the building the plans call for numerous new amenities: a pool, hot tub, fire pit, peace garden, landscaping, subsurface parking, a driveway, and at-grade parking garages (Attachment C3, C26-C27). With the exception of driveways, landscaping, and at-grade parking garages, these amenities were not present in the district during its period of significance, but all will be almost completely screened from public view.

Compatibility with Historic Size

The proposed building clearly subordinates all buildings within the historic district, whose contributing resources are nearly all 2.5 to 3 story buildings.

The height of the proposed six-story building (as defined by the Zoning Code) appears greater than all of its neighbors, to include the five-story hospital building, though the tip of adjacent church's four-story steeple roof may rise above the proposed building's roofline.

The footprint of the proposed building appears greater than that of its historic and nonhistoric neighbors as well, with one possible exception being the adjacent church. Once the building is attached to the historic St. Andrews Hospital building and its 1970s additions, it will have no rival in the district.

The proposed building clearly possesses more floor area than any historic or nonhistoric building in the district (Attachment C26). Indeed, the 154,146 square foot new building will more than double the square footage of the current hospital building, even with its large, nonhistoric additions.

Compatibility with Historic Scale

The scale of existing and proposed construction is relatively similar. Floors in the proposed building are 10.5 feet high, with an extra 1.5 feet in the first story. This includes all sub-floor and ceiling materials (Attachment C39-C49).

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Compatibility with Historic Proportion

In terms of proportion, the distinction is greater and less complementary. Individual single- and double-hung windows characterize the fenestration on most buildings in the district, excepting high stained glass windows in the church and sets of fixed and casement windows in the hospitals 1970s additions (Attachment C39-C49). The use of smaller fenestration gives the historic construction a cozier feel than the new building's large fixed windows, occasionally flanking sliding glass doors.

Compatibility with Historic Massing

The new construction appears to employ distinctly different massing than the historic construction within the district. Aerial views of the district demonstrate how the majority of buildings in the district are comparable to the three homes on the northeastern corner of the block (Attachment C22). These two-story buildings have small footprints and narrow facades facing the street. The proposed building has a large footprint and broad facades facing the street. Five flat-roofed brick apartment buildings, one of which is the St. Andrews Hospital building, are notable exceptions to this standard. Permitting another exception, especially such a large exception, will not protect the integrity of the historic district.

Rehabilitation standard #10 of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* states that new additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The proposed new construction is attached to the historic hospital through a non-historic 1970s addition, ensuring the change could be reversed with no adverse effects to the historic building.

(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.

Action 8.1.1 of the Minneapolis Plan for Sustainable Growth indicates that the City shall protect historic resources from modifications that are not sensitive to their historic significance. The project will damage this 2.2-5 story wood frame turn-of-the-century residential historic district's ability to communicate its historical significance, as discussed in item 3 above.

Comprehensive plan policy 8.1 states that the City will, "Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture." The proposed work will not help to preserve the district. While the height, flat roof form, and limited materials (brick and stone) are compatible with an extreme minority of the historic district, they are not compatible with the vast majority of the historic district and will not help remind residents of the city's architecture, history, and culture. Indeed,

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the construction of such a tall, massive building at the edge of the Fifth Street Southeast Historic District will block views into the district.

Action 3.5.10 of *The Minneapolis Plan for Sustainable Growth* states that the City will “Support the timely development of infill housing on vacant lots.” The project area historically served as a site for the Andrew Riverside Church and nearby residences. The Applicant proposes to construct new residences and a church eight years after the church’s demolition.

Policy 10.8 of the comprehensive plan includes two applicable actions designed to ensure compatibility of infill with surrounding residential construction:

- 10.8.1 Infill development shall reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- 10.8.3 Building features of infill development, such as windows and doors, height of floors, and exposed basements, shall reflect the scale of surrounding dwellings.

The project is not compatible with the neighborhood's character, as discussed in findings 4 and 5.

Action 3.6.3 of *The Minneapolis Plan for Sustainable Growth* states that the City will, “Maintain a healthy supply of multifamily ownership and rental housing...” The proposed building will increase the supply of multifamily housing.

Comprehensive plan action 3.6.4 indicates that the City will, “Provide and maintain moderate and high-density residential areas, as well as areas that are predominantly developed with single and two family structures.” The proposed development is a multi-family building at the intersection of low and medium to high density residential areas.

(7) Destruction of any property. Before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make findings that the destruction is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the property a reasonable opportunity to act to protect it.

The project does not involve the destruction of any property, historic or nonhistoric.

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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:

(8) 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 made adequate consideration of the description and statement of significance in the original nomination upon which designation of the landmark or historic district was based, as noted in their prepared statement. The Applicant's analysis of the proposed development focused upon its architectural compatibility with the Fifth Street Southeast Historic District, historically significant for its architecture (Attachment C4-C8). Staff disagrees with the analysis, but the Applicant has clearly considered the description and significance statement.

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

This proposal also appears to require a Rezoning, Conditional Use Permit for a Planned Unit Development, Site Plan Review, Preliminary Plat, Final Plat, and Variances from the City Planning Commission. As of the date of the publication of this staff report those applications had not been submitted.

(10) 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 discussed in finding #5, the application is not in compliance with two of the rehabilitation standards of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

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STAFF RECOMMENDATION

CPED-Planning recommends that the Heritage Preservation Commission **adopt** staff findings and **deny** the Certificate of Appropriateness.