

Department of Community Planning and Economic Development - Planning Division

Certificate of Appropriateness
BZH-27307

Proposal: Construct a five-story apartment building with a church

Applicant: CPM Development, LLC, 612-823-3489

Address of Property: 401 8th Avenue Southeast

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

Date Application Deemed Complete: April 20, 2012

Public Hearing: May 15, 2012

Appeal Period Expiration: May 25, 2012

Ward: 3

Neighborhood Organization: Marcy Holmes Neighborhood Association

Concurrent Review: Site Plan Review, Variances, Minor Subdivision

Attachments:

- A. Staff Report – A1-A11
- B. Materials Submitted by CPED – B1-B4
 - Zoning District Map – B1
 - Figures – B2-B4
- C. Materials Submitted by Applicant – C1-C37
 - Application – C1-C8
 - Letter to Neighborhood Group and Councilmember – C9-C12
 - Plans – C13-C37
- D. Materials Submitted by Other Parties – D1-D2
 - Comment letter – D1-D2

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

PROPERTY INFORMATION	
Current name	Former Andrew-Riverside Presbyterian Church site
Historic Name	Andrew Presbyterian Church
Current Address	401 8 th Avenue Southeast
Historic Address	729 4 th Street Southeast
Original Construction Date	1890
Original Contractor	James Carlisle and Sons
Original Architect	Charles S. Sedgwick
Historic Use	Church
Current Use	Vacant
Proposed Use	Multi-family residence and church

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 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.

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.

The project would encompass 401 8th Avenue Southeast entirely, and a small portion of the property located at 414 7th Avenue Southeast (Figure 3). 401 8th Avenue Southeast is currently vacant (Figure 2). The lot held the historic Andrew Presbyterian Church (Figure 1) until 2003 when, after a partial collapse of the building, demolition was authorized by the City Council, notwithstanding the Heritage Preservation Commission's ruling.

The Applicant proposes to add a small portion of 414 7th Avenue Southeast to 401 8th Avenue Southeast through a minor subdivision (Figure 3). Variances, site plan review, and a minor subdivision will be required for the project which will be reviewed by the City Planning Commission. As of the date of the publication of this report, those applications had not been submitted. The historic St. Andrews Hospital building (now known as Remington Campus Apartments) at 414 7th Avenue Southeast would not be altered by the proposal (Figure 4).

At the November 29, 2011 meeting, the Heritage Preservation Commission denied the Applicant's request for a new six-story building on the church site at 401 8th Avenue Southeast. On January 27, 2011 the City Council denied the appeal, as recommended by the Zoning and Planning Committee, which heard the appeal on January 19. Concurrently, the HPC approved a set of townhomes at 414 7th Avenue Southeast and denied a two story addition to the St. Andrews Hospital Building. The denial of the historic hospital building's addition was also upheld by the City Council upon appeal.

On April 3, 2012, the Applicant brought this proposal to the Heritage Preservation Commission for a conceptual review.

SUMMARY OF APPLICANT'S PROPOSAL:

CPM Development seeks a Certificate of Appropriateness to construct a five-story apartment building with a church on the former site of the Andrew Presbyterian Church (401 8th Avenue Southeast).

PUBLIC COMMENT:

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

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 3), 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 compatible with and support the properties' designation. The Applicant is proposing to construct a building complementary to and subordinate to the historic St. Andrews Hospital building, 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.*

The Applicant is proposing a building that is higher, wider, and deeper than all other buildings in the district save the historic St. Andrews Hospital building and the First Congregational Church on the adjacent block. Nevertheless, if there was a place for a high, wide, and deep multi-family residence within the district, it would be at this end where historic building height, bulk, and density are greatest. The proposed five-story, flat roofed, brick and metal clad apartment building and church do not impair the district's integrity.

(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 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 save the historic St. Andrews Hospital building and the First Congregational Church on the adjacent block., yet the proposed

building complements and remains subordinate to the historic St Andrew's Hospital Building, immediately adjacent to the church site (Attachment C11-C19, Figure 4). The new building's proposed location is also at the end of the historic district where historic building height, bulk, and density are greatest.

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 neighborhood." Most floors in the proposed building are 10.5 feet high, almost exactly the same as the St Andrew Hospital building's typically 11 foot high floors. The first and fifth floors on the proposed building are higher (12 feet 8 inches and 12 feet respectively), much as the first and top floors on the hospital building are higher.

Materials

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." The Applicant proposes to clad all but the top story of the proposed building in brick (Attachment C19-C23). This is the material used by its immediate district neighbor: the historic St. Andrew's Hospital building. The top story will be clad in metal. Both materials were widely available during the district's period of significance.

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 C19-C23) 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 all ten of the rehabilitation standards.

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.

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.

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 clearly differentiates the proposed building from the adjacent historic construction in a complementary manner. The brick used to clad the building is quite characteristic of multi-family residential construction during the district's period of significance, yet the fenestration pattern, metal (window frames, cornices, top floor cladding, etc.), and fifth floor terrace clearly indicate to passers-by that the proposed building is not historic.

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.

No historic features and materials remain on the lot.

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 at the southeastern corner of the district adjacent to other multi-story brick multi-family residences and mixed use buildings. The reduced bulk of the proposed building will permit views of the historic St. Andrews Hospital Building from Fourth Street Southeast (Attachment C22-C23).

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's extensive use of brick and flat roofed-design complement the historic hospital yet remain subordinate in height and bulk to the hospital building (Attachment C22-C23, Figure 4). Subsequent sections on size, scale, proportion, and massing also highlight this differentiation.

Compatibility with Historic Materials

The building is proposed to be clad in metal and brick: materials found within the district and used during the district's period of significance.

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. The proposed building will be flat-roofed and clad primarily in brick, like its multi-family counterparts within the district.

Compatibility with Historic Size

The Applicant is proposing a building that is higher, wider, and deeper than any other building in the district save the historic St. Andrews Hospital building and the First Congregational Church on the adjacent block, yet the proposed building complements and remains subordinate to the historic St Andrew's Hospital Building, immediately adjacent to the church site (Attachment C11-C19, Figure 4). The new building's proposed location is also at the end of the historic district where historic building height, bulk, and density are greatest.

Compatibility with Historic Scale

Most floors in the proposed building are 10.5 feet high, extremely close to the St. Andrew Hospital building's typically 11 foot high floors. The first and fifth floors on the proposed building are higher (12 feet 8 inches and 12 feet respectively), much as the first and top floors on the hospital building are higher.

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. While the contrast created between the new and old is noticeable, it can be said to help distinguish the proposed brick building from the historic brick (hospital) building.

Compatibility with Historic Massing

The new construction appears to employ boxy, deep massing similar to that of the historic St. Andrew's Hospital building and adjacent multi-family residences just outside 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 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 not attached to any historic construction, ensuring the change could be reversed with no adverse effects to the historic district.

(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 fit in with the higher, denser, bulkier construction at the southeastern corner of the historic district, 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 height, flat roof form, and materials (brick and metal) are compatible with adjacent historic and nonhistoric multi-family residential construction.

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 nine years after the church's demolition.

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.

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 compatible with the neighborhood's character, as discussed in findings 4 and 5.

(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.

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-C5).

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

This proposal requires a Site Plan Review, Variances, and a Minor Subdivision 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 in compliance with the rehabilitation standards of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Recommendation of the Department of Community Planning and Economic Development – Planning Division:

The Community Planning and Economic Development Department - Planning Division recommends that the Heritage Preservation Commission adopt staff findings and **approve** the Certificate of Appropriateness for a five-story apartment building with a church located at 401 8th Avenue Southeast subject to the following conditions:

1. By ordinance, approvals are valid for a period of one year from the date of the decision unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than May 15, 2013.
2. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed.

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Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.

3. CPED-Planning Staff shall review and approve the final plans and elevations prior to building permit issuance.