

## Department of Community Planning and Economic Development

Certificate of Appropriateness  
BZH-27591

**Proposal:** Construct two four-story multi-family residential buildings

**Applicant:** Hess, Roise and Company

**Address of Property:** 1219 Marshall Street Northeast

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

**Date Application  
Deemed Complete:** December 10, 2012

**Public Hearing:** January 15, 2013

**Appeal Period Expiration:** January 25, 2013

**Ward:** 3

**Neighborhood Organization:** Sheridan Neighborhood Organization

### Concurrent Review:

1. The applicant is in the process of purchasing this property and 1215 Marshall Street Northeast from the city, pursuant to a 2011 request for proposals to reuse both sites.
2. The applicant has concurrently submitted a Certificate of Appropriateness to rehabilitate the office building and construct a plaza at 1215 and 1219 Marshall Street Northeast.
3. The new construction proposal will require land use approvals from the City Planning Commission and City Council including:
  - a. a petition to rezone the site from C1 Neighborhood Commercial District and R5 Multiple-family District to OR2 High Density Office Residence District;
  - b. a conditional use permit to allow a planned unit development (PUD), including allowing alternatives for more than one principal structure on a zoning lot, to the front yard requirement adjacent to Main Street Northeast for a building and a parking area, to the front yard requirement adjacent to Marshall St NE for the plaza and to the corner side yard requirement adjacent to 13<sup>th</sup> Ave NE for the plaza;
  - c. a variance of the parking location requirements to allow a parking area to be located between the building and the front lot lines adjacent to Main Street Northeast and Marshall Street Northeast in an office residence district;
  - d. Variance to reduce the rear yard requirement from 11 feet to 9 feet to allow a building and from 10 feet to 9 feet to allow balconies;
  - e. site plan review;
  - f. plat; and

Department of Community Planning and Economic Development  
BZH-27591

- g. administrative review of the plaza standards, to include possible art feature installation, which would have to be reviewed pursuant to the Heritage Preservation Regulations sometime in the future.
- 4. Due to the project's use of federal funds (a Housing and Urban Development loan), the plaza construction is subject to a review pursuant to Section 106 of the National Historic Preservation Act of 1966, currently in progress.
- 5. The applicant has applied for state and federal historic preservation tax credits for the office building rehabilitation. This review is currently in progress.

**Attachments:**

- o Staff Report (A)
- o Materials Submitted by CPED (B)
  - o Zoning district map
  - o Aerial photograph of site and landmark
  - o Site photograph
- o Materials Submitted by Applicant (C)
  - o Project description, photographs, and scope of work
  - o Statement addressing the applicable Certificate of Appropriateness findings
  - o Plans
- o Materials Submitted by Other Parties (D) – n/a

<b>CLASSIFICATION:</b>	
Landmark Name	Minneapolis Brewing and Malting Company (AKA Grain Belt Brewery)
Period of Significance	1891-1927
Criteria of Significance	Architecture, Events
Date of Local Designation	1977
Date of Listing in the National Register of Historic Places	1990
Applicable Design Guidelines	Amended <i>Grain Belt Brewery Area Development Objectives</i> (2000)  <i>The Secretary of the Interior's Standards for the Treatment of Historic Properties</i>

Department of Community Planning and Economic Development  
BZH-27591

PROPERTY INFORMATION	
Current name	Grain Belt Marshall Street Site
Historic Name	Minneapolis Brewing and Malting Company, Orth Brewery Site
Current Address	1219 Marshall Street Northeast (Orth Brewery Site, AKA 130 13 <sup>th</sup> Avenue Northeast)
Historic Address	1219 Marshall Street Northeast
Original Construction Date	n/a
Original Contractor	
Addition Contractor	
Original Architect	
Addition Architect	
Historic Use	Brewery site
Current Use	Vacant
Proposed Use	Multi-family residence

**BACKGROUND:**

The multi-family residential development in question is proposed to be located just east of the archaeological remnants of Minneapolis' first brewery and Minnesota's second brewery, the Orth Brewery, at 1219 Marshall Street Northeast (AKA 130 13<sup>th</sup> Avenue Northeast).

French immigrant John Orth opened Minnesota's second brewery on this site in 1850, two years after Anthony Yoerg established the state's first brewery in St. Paul. Orth continued in this business until his death in 1887 at which time his sons, long involved in the company, took over. The Minneapolis Brewing and Malting Company officially began in 1890 with the merger of Orth's brewery with three other long-standing local breweries: Germania Brewing, Heinrich Brewing, and Norenburg Brewing. The companies consolidated to be more competitive in a market increasingly being taken over by international investors. An initial rush of construction begun in 1891 resulted in a major brewery complex just north of Broadway Street Northeast on the east bank of the Mississippi River. The buildings that once comprised the Orth Brewery were maintained for several years and then demolished sometime between 1893 and 1900.

The brewery had its ups and downs, surviving war-rationing, prohibition, labor unrest, and major competition from local and national brands. In 1967 the company officially changed its name to Grain Belt Breweries, Inc. It possessed 30% of the Minnesota beer market and was roughly the twentieth largest brewer in the nation. Within a decade the brewery's fortunes changed dramatically. In 1975 Irwin Jacobs purchased Grain Belt, promising to continue brewery operations. He owned the Northwestern Bag Co but had no experience brewing. Within eight months he'd sold the company to the Heileman Brewing Company of La Crosse, which had just bought St. Paul's Schmidt Brewery. The last batch of beer rolled off the production line on Christmas Day 1975. Shortly after, Jacobs applied for wrecking permits to demolish the brewery complex and redevelop the riverfront site. The City denied the application and designated the complex as a landmark in 1977. After years of neglect, the City

purchased the property in 1989. It was listed in the National Register of Historic Places in 1990.

Since then the City has worked with local developers and the State Historic Preservation Office (SHPO) to secure capital, rehabilitate, and reinvigorate portions of the main brewery complex, which now includes architectural offices, Park Board facilities, a public library branch, a union office, and artist studios. Restoration of five of the six larger structures garnered preservation awards from the National Trust for Historic Preservation (2005), the Preservation Alliance of Minnesota (2002), the Minnesota Chapter of the American Institute of Architects (2002), the Minneapolis Heritage Preservation Commission (2002), the Minnesota Real Estate Journal (2001) and others.

The office building and adjacent Orth Brewery site are the last portion of the complex owned by the City and in need of redevelopment. A recent request for proposals for redevelopment of the sites has resulted in a fully-executed Contract for Sale and Redevelopment of Property between the City and Orth-Grain Belt LLC dated November 28, 2012, regarding the Grain Belt office building, and work is currently in progress on a similar agreement regarding the adjacent housing site at 1219 Marshall Street Northeast. Everwood Development, LLC has retained the applicant, Hess, Roise, and Company, as their historical consultant. Closing on the properties is anticipated between May and July 2013.

The proposal is subject to both Heritage Preservation Commission (HPC) and SHPO review. Since both lots lie within the landmark boundaries of the Minneapolis Brewing and Malting Company, the HPC will review alterations to the property. The applicant has also applied for federal funding for the proposed multi-family development, thus changes to the Orth Brewery site are being reviewed by the SHPO for compliance with Section 106 of the National Historic Preservation Act of 1966.

A rezoning, a conditional use permit, variances, a site plan review, a plat, and an administrative review of the plaza standards will be required for the project. Planning staff, the City Planning Commission, and the City Council will review these applications, submitted on December 10, 2012.

On June 5, 2012, the applicant brought their proposal to the Heritage Preservation Commission for a conceptual review.

**SUMMARY OF APPLICANT'S PROPOSAL:**

The Applicant wishes to construct two four-story multi-family residential buildings.

**PUBLIC COMMENT:**

Staff has received no public comment on the project.

***Findings as required by the Minneapolis Preservation Code:***

*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.***

Regardless of what changes are made to the subject property, it will maintain its historical significance, but proposed changes may affect its integrity (i.e. the property's ability to communicate its historical significance), as discussed in finding #3 below.

***(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 two buildings that will be complementary to and subordinate to the historic Grain Belt brewhouse located immediately across Marshall Street, 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 to construct two buildings that are higher, wider, and deeper than the Grain Belt office building, to which it is immediately adjacent, but the proposed design's height, width, and depth are far more compatible with the other brewery buildings covered by the landmark designation. If there was a place for high, wide, and deep multi-family buildings within the boundaries of this landmark, it would be at this edge where historic building height, bulk, and density are greatest, as evident in the design of the brewhouse immediately across Marshall Street from the project location. The proposed four-story, flat roofed, brick, concrete masonry unit (CMU), cement-fiber, and metal-clad residential buildings will not destroy the landmark'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.***

Alterations to this landmark are subject to the amended *Grain Belt Brewery Area Development Objectives* (Attachment B). Section F (New Construction) of this document states:

In the area east of Marshall Street, new construction should be of the character, material and placement compatible with the existing Grain Belt office building. Such new construction should be limited in height so as not to obscure the easterly view of the brewhouse.

The Applicant is proposing to construct two buildings that are higher, wider, and deeper than the Grain Belt office building, to which it is immediately adjacent, but the office building is smaller than most of the other Minneapolis Brewing Company landmark buildings. The proposed buildings' four-story height is subordinate to the adjacent brewhouse, portions of which exceed seven stories in height. Like other Grain Belt landmark buildings, the proposed multi-family buildings will be flat-roofed and clad mostly in masonry. The buildings' basement level will be made of rock face concrete masonry unit blocks, which could be considered a modern complement to the typically exposed stone foundations found in other Grain Belt landmark buildings. While the four-story height of the proposed buildings will obscure some views of the brewhouse, the proposed pedestrian promenade separating the buildings will help retain partial views of the brewhouse from Main Street while still allowing reasonably dense development. Historically, buildings which partially obscured views of the brewhouse have existed on this lot, though those buildings were lower than the proposed buildings. In terms of placement, the limited setbacks of the proposed residential buildings complement the placement of the Grain Belt landmark buildings which are typically built right at the back edge of the sidewalk.

***(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. As conditioned, the proposed project follows the applicable rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

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 Historic Materials and Features*

The plans do not indicate that the proposal will result in the destruction of any historic materials and features. The proposed buildings will remain outside the area of significant archaeological remnants of the Orth Brewery, as identified in archaeological studies conducted in 2006 and 2011 (Attachment B).

*Destruction of Spatial Relationships*

The new buildings are proposed to be placed at the northeastern corner of the landmark boundary. The bulk of the proposed buildings will partially block views of the historic brewhouse, but the greater height of the brewhouse and inclusion of a pedestrian promenade through the site should reduce this impact.

*Differentiating the New Work From the Old*

The proposal's extensive use of brick and its flat roofed-design are characteristics shared, in whole or in part, with all historic buildings in this industrial complex. Yet the use of metal panels, cement fiber board, and balconies clearly distinguishes these buildings from the contributing resources within this landmark's boundaries.

*Compatibility with Historic Materials*

According to the applicant's calculations, fiber cement board is proposed to be the buildings' primary exterior material at 41% (33% lap siding and 8% panel). Glazing comprises 25% of wall areas, followed by brick (19%) and metal panels (9%). These percentages do not include rock face concrete masonry unit blocks, which cover the buildings' highly exposed basement level. Metal and brick are materials found within this landmark's boundaries and used during the landmark's period of significance though, admittedly, metal was more frequently used as roofing material rather than wall cladding. The rock face concrete masonry unit blocks could be considered a modern complement to the rough faced Platteville limestone foundations found in other brewery landmark buildings.

The sheer number (four) of proposed wall cladding materials is, however, not characteristic of the landmark. Staff recommends that the project be conditioned to reduce the number of these materials and eliminate the material not available during the landmark's period of significance by prohibiting the proposed cement fiber lap siding and panels. Brick, so prevalent in every other contributing resource within the Grain Belt landmark boundaries, is the recommended alternative. At minimum, staff recommends the cement fiber cladding be limited to large panels, to better reference the masonry that dominates this landmark's contributing resources, which are completely devoid of lap siding.

*Compatibility with Historic Features*

This landmark is comprised of industrial masonry buildings of various heights (from one to over seven stories). Flat roofs dominate the landmark, though hipped, gabled, mansard, and tent roofs exist. The proposed buildings will be four stories, flat-roofed and clad primarily in masonry.

*Compatibility with Historic Size, Scale and Proportion*

The applicant is proposing buildings that appear comparable with the majority of landmark buildings in terms of their width, bulk, and the height of their average stories (scale).

*Compatibility with Historic Massing*

The new construction employs boxy massing similar to that of numerous industrial buildings within the landmark's boundary.

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 landmark.

**(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 brewery's other landmark buildings, 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 (masonry and metal) are compatible with adjacent historic 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 not only a brewery but also residences. The Applicant proposes to construct new residences on a vacant lot during a time when the housing market is beginning to recover and demand for housing continues to rise.

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 buildings 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 consists of two multi-family buildings at the intersection of low, medium and 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 the property.

**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's proposed building design, related rehabilitation of the office building, and encapsulation of the archaeological remnants of the Orth brewery demonstrate that the applicant is considering not only the description and statement of significance in the original nomination form but also subsequent investigations, the most recent of which was commissioned by the applicant.

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

The City Planning Commission will be reviewing the Site Plan Review application submitted on December 10, 2012.

**(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 conditioned, the application complies with the rehabilitation guidelines of *the Secretary of the Interior's Standards for the Treatment of Historic Properties* as discussed in finding #5 above.

## **STAFF RECOMMENDATION**

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt the findings above and **approve** the Certificate of Appropriateness to construct two four-story multi-family buildings at 1219 Marshall Street Northeast subject to the following conditions:

1. The proposed cement fiber lap siding and panels are not approved. Brick shall be installed in their place.
2. By ordinance, approvals are valid for a period of two years 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 January 15, 2015.
3. 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. 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.
4. Community Planning and Economic Development Staff shall review and approve the final plans and elevations prior to building permit issuance.