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## **HERITAGE PRESERVATION APPLICATION PROCESS GUIDE**

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The Department of Community Planning and Economic Development (CPED) provides preservation related services to Minneapolis. These services include professional review for permit applications, long-term planning, and education and outreach efforts. On small projects that include minor alterations, CPED staff is authorized to conduct historic reviews administratively. On larger projects that include major changes to a designated property or a property in a locally designated historic district, CPED staff conducts reviews and prepares recommendations that are delivered at public hearings before the Heritage Preservation Commission (HPC). The department's Land Use, Design and Preservation staff of planners review proposals and prepares findings and recommendations for heritage preservation applications that require a public hearing, as required by the heritage preservation regulations.

Although many types of development may proceed without formal review by the HPC, this document outlines the application process where one or more HPC applications may be required. Review and approval by the HPC is required for construction and remodeling projects for properties designated as a historic landmark, properties that are located in a locally designated historic district or properties which are under interim protection pending the completion of a designation study, and proposed demolitions of a historic resource.

### **1. Pre-application meeting with a planner**

All applicants must meet with a planner to determine if one or more heritage preservation applications are required for the proposed project and if so, whether the application(s) must be reviewed by the HPC. A planner needs to be assigned to the proposed development as indicated below. A brief overview of the process will be given in response to calls made to Minneapolis 311 (612-673-3000) or to walk-in customers at Room 300 of the Public Service Center (250 S. 4<sup>th</sup> St.), but a separate meeting is required to complete the pre-application meeting.

For applications going to the HPC, contact the Land Use, Design and Preservation manager to schedule the pre-application meeting.

The meeting with the assigned planner is most effective when the applicant prepares beforehand. This meeting with the planner is important to ensure that you are assembling all of the information that will be required for a complete application and to aid the planner in fully understanding the scope of work included in your application. At this meeting, the planner can provide you with guidance and feedback based on your preliminary project objectives and designs as well as identify any land use applications that may be required in addition to the heritage preservation applications. The planner may also be able to direct you towards additional resources that could be helpful as you work towards finalizing your proposed project designs.

At the meeting, the applicant and the planner discuss the issues presented by the project. If a heritage preservation application is required, the planner will provide the form(s) that outlines the materials that must be submitted as part of a complete application. The planner also explains the application process and the associated fees and costs which may include the following:

<p>For reasonable accommodations or alternative formats please contact 311 at 612-673-3000. People who are deaf or hard of hearing can use a relay service to call 311 at 612-673-3000. TTY users call 612-673-2157 or 612-673-2626. Para asistencia 612-673-2700 - Rau kev pab 612-673-2800 - Hadii aad Caawimaad u baahantahay 612-673-3500.</p>
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- application fee(s); including postage and publication fees
- detailed description of the scope of work
- drawings: preliminary and final site plans, landscaping plans, elevations
- mailing labels
- presentation materials for meetings such as photographs and renderings
- professional assistance, such as provided by a surveyor, engineer, architect, lawyer, etc.

(Please note that the above costs do not include actual project costs such as site improvements or other potential costs that may be required by other City departments, including Licensing, Public Works, or Regulatory Services.)

## **2. Submit HPC Application(s)**

Heritage preservation applications may be submitted by appointment directly to the assigned planner. Once a meeting is scheduled, the applicant returns to the Public Service Center at the scheduled time to submit the application(s). When a development requires more than one heritage preservation application, all applications must be processed concurrently. The planner conducts a preliminary review of the application. The planner will only accept applications that include all of the items identified in the heritage preservation application form. If any items are missing at the time of submittal, the application is considered incomplete and is not accepted.

After the application has been submitted, staff will review it for completeness as outlined in section 599.160 of the City's Heritage Preservation Regulations (see references section at the end of this guide for access to this ordinance). In addition to the items listed in the application checklist, staff will determine if other information is needed to determine compliance with adopted city ordinances and design guidelines. Projects of greater complexity may require more information than is listed in the checklist.

## **3. Review Application(s) for Completeness**

Acceptance of an application by a planner does not deem the application complete. The planner determines whether the heritage preservation application is complete by conducting a thorough review of the application materials. The staff review may determine that additional information is required. In the case of an incomplete application, the planner will send a letter to the applicant within 15 business days specifying what information is missing. Applications that remain incomplete for 30 days or more will be returned to the applicant (except for the first one hundred dollars of the total fees paid). In such case, an applicant who still wishes to proceed with the proposed development must resubmit the application(s).

Once an application is determined to be complete, the assigned planner schedules the application for a public hearing or makes an administrative decision. For applications requiring administrative review, the assigned planner makes a decision as soon as possible following determination of completeness. The decision can be either to approve the application, to approve it with conditions, or to deny the application. For applications requiring approval by the HPC, the assigned planner schedules the item for a public hearing. Public hearing dates are pre-scheduled meetings and typically occur twice a month.

A public hearing requires that notice of the heritage preservation application be given to affected property owners within 350 feet of the subject property, the registered neighborhood group(s), and a newspaper of general circulation. The minimum notification period is 21 calendar days. CPED staff prepares and mails the public hearing notices, not the applicant. However, the applicant is responsible for posting the required notice of the time, place and purpose of the public hearing on the property.

## **4. Receive Preliminary Development Review**

Preliminary Development Review (PDR) is an informal staff meeting that allows representatives of City departments including Public Works, Licensing, Park Board, and Public Safety to determine compliance with

requirements and/or discuss the issues presented by the project. **Not all projects require PDR.** However, most projects involving new construction for commercial or industrial uses, or residential uses with three or more dwelling units require PDR. Depending upon their complexity, other projects that involve existing uses and buildings may also require PDR. Applicants can choose to have a PDR before submitting an HPC application; however, a development project should be reviewed at a PDR meeting before being presented at an HPC meeting. Changes to a development proposal after the HPC takes action may require that an applicant repeat the PDR.

For PDR to occur, the applicant submits copies of the site plan, applicant contact information and a description of the project to the Minneapolis Development Review (MDR) office. A checklist outlines the specific information that must be included. The checklist can be obtained from the MDR office. Upon receipt of **all** of the required materials, the project can be reviewed. Within 3 to 5 business days, a written document is presented to the applicant that covers the issues identified by the representatives at the meeting.

Once the applicant receives the PDR document, the applicant can contact the representative identifying the issue to ask questions to gain a better understanding of the requirements of City departments for the development proposal. These issues must be resolved before submittal of the final development plan.

**Note:** The PDR meeting is **not** an approval of the project and does **not** guarantee project approval.

## **5. Evaluate Application**

For applications requiring approval by the HPC, the planner writes a staff report to evaluate the application(s) based on the applicable standards of the ordinances, policies of the Comprehensive Plan, applicable local design guidelines and the Secretary of the Interior's Standards for the Treatment of Historic Properties. The report includes a staff recommendation. Prior to completing the report and recommendation, the planner may consult additional resources (i.e. city records, books, library archives, etc.) and may request additional information from the applicant or may suggest modifications to the proposed project to better conform to the applicable standards and policies.

A copy of the report and meeting agenda are sent to the applicant prior to the public hearing.

## **6. Attend Public Hearing**

The planner presents the analysis and recommendation at the HPC public hearing, and the applicant and general public have an opportunity to speak. Following the close of the public hearing, the HPC takes action on the application(s).

The action can be either to approve the application, to approve it with conditions, to deny the application, or to continue the application to a later meeting. All decisions of the HPC, except decisions to commence designation studies, designations, historic variances, and transfers of development rights, shall be final subject to appeal to the city council and the right of subsequent judicial review. No action shall be taken by any person to alter the property in any manner until expiration of the ten (10) day appeal period and, if an appeal is filed pursuant to this section, until after a final decision has been made by the city council.

## **7. Appeal of Decision**

Appeals must be submitted to CPED staff on a form approved by the Planning Director.

Any affected person may appeal a decision of the HPC. Appeals **must** be filed within 10 calendar days from the date of the hearing, or the decision is final. The Minneapolis City Council hears appeals of HPC decisions.

## **8. Final Plan Approval**

Once an application is approved and the appeal period has expired or any appeal has been decided, the applicant must submit a final version of the plan(s) to the assigned planner. The final version of the plan must reflect any conditions required by the HPC.

All final plans must be full-sized, scaled, dimensioned, and signed by an authorized professional unless the assigned planner indicates otherwise. Final plans may **not** say “Not for Construction,” “For Bid Only,” “Preliminary,” etc.

If the project required a PDR, two copies of the plans must be submitted to the MDR office. Upon receipt of the plans, they will be reviewed to ensure that all HPC actions and Public Works comments from the PDR meeting have been incorporated. Once all departments have verified that all required changes have been made, the applicant will be asked to submit five full-size and one 11-inch by 17-inch copy of the final plans to the MDR for Formal Routing. This review process generally takes one to three weeks from the time final plans are submitted. The applicant receives two copies of the plan(s) with all of the necessary department approvals for their records.

Once a plan has received all of the required department approvals, it will be reviewed by Building Plan Review staff for compliance with the building code prior to issuance of any required building permit. Contact the Building Plan Review Office by calling 311 from within Minneapolis or 612-673-3000 from outside the city to determine the length of the review process. Applicants who may wish to obtain building permits more quickly should contact the Building Plan Review office during the land use application process in order to start the building code review of their plans.

## **9. Implementing the Approved Plan**

All heritage preservation approvals, except designations, are valid for two years during which time the action approved must be substantially begun and proceeds on a continuous basis toward completion, or the use is established within such period by actual operation pursuant to the applicable conditions and requirements of such approval. Upon a showing of good cause, the planning director may approve up to a one-year extension of this time limit.