

MEETING MINUTES

WASHBURN-FAIR OAKS HISTORIC DISTRICT

DESIGN GUIDELINES UPDATE

ENGAGEMENT: Focus Group 3

March 29, 2023

Virtual

Attendees:

Pigeon: Tamara Halvorsen

TEN x TEN: Maura Rockcastle, Rachel Salmela

City: Andrea Burke, Erin Que

Mia: John Cook, HGA

Mia: Joan Soranno, HGA

Mia: Michael Sanders COO

WNA: Kaley Brown

HPC: Kelly Mastin

Homeowners: Julie and Cully, Charles Block, Stephanie, Paulette Will, Steve Jacobson

Blind INC: Jennifer Kennedy, Daniel Ashman

The following minutes constitute TEN x TEN's understanding of the meeting. Please report any discrepancies to the author within seven (7) calendar days.

1. Introduction

- a. Rachel ran through the goals of the Focus Group:
 - i. Understand the difference between historic preservation guidelines, zoning, and the 2040 plan
 - ii. Review Character Areas and the logic being developed to organize the Historic District Design Guidelines
 - iii. Receive Feedback on Building Scale, Massing and Site Layout
 - iv. Receive Feedback on how Sustainability & Resilience is included in the guidelines.
 - v. Receive Feedback on Material Recommendations
 - vi. Identify any additional concerns or questions to address
- b. Joan Q: What is the difference between the character area boundary and the contributing property boundary?
 - i. All guidelines need to meet Secretary of Interior standards, but are we comparing apples to apples? What we are asking tonight is – does this feel true to you? Does the yellow area (modest character area) vs orange area (monumental character area) have a different scale and character?
 - ii. How does the character area relate to the 2040 zoning plan?
- c. Character Maps – Introducing the idea of two Character Areas (Modest/Human Scale – meaning anything 3,000 sf or smaller and Monumental Scale)
 - i. Tamara presented the idea of defining two “character areas” to help organize the guidelines.
 1. How do we address things with moving in and out of the character zones? Houses move around in the district (MCAD example raised).
 2. Kaley noted “The concept of two different scales of structures built makes sense to me based on my experience in the area”

3. Charles Block noted – that the concept makes sense, but things have gotten moved in the past in order to make way for bigger development, which is concerning.
4. Julie Q: We live in an early 1880's house, clearly not meant to be the beauties in the district. No longer rains on the inside of our house!! My question, because this is a new concept, different rules applying to the yellow vs the orange?
 - a. Tamara: All of the rules are about preserving the character of the neighborhood. Most of the rules will be the same, but we can look at general rules overall – but then refining some additional rules for the character areas.
 - b. Andrea: This is an idea that we are just testing given the diversity of building types and scales in the district. We are trying to figure out, and see what you think, about this idea – about what you see?
5. Stephanie: Hard to know how to react to this, not knowing how the character areas will be used. Character areas seems to be shaped by the diversity/types of buildings. I would argue that the diversity of building types is what contributes to the unique character of the district, so I don't see the value of separating them? Is there a way of defining character areas in such a way that doesn't erase or separate the diversity and unique aspect of the "mix".
6. Later Stephanie clarified that: "I think that level of variation (scale, materials) makes sense. Just wary about treating any one area as overly homogenous in what is a diverse neighborhood on construction type or explicitly subdividing by block."
7. Paulette: "Revised guidelines are driven to conserve amorphous concepts such as preservation of the character is subject to multiple subjective interpretations and is only open to a kind of sophistry and manipulation by powerful interests. I see no benefit in developing new guidelines for different entities within one district."
8. Process Summary for approvals:
 - a. Andrea: My section is land use, design and preservation, there is also a zoning and building code section. Projects come to us in multiple ways:
 - i. Submit by permit
 - ii. Come in to zoning counter or via a phone call
 - iii. Developers call or an architect
 - iv. Zoning handles homeowner type projects through the Board of Adjustment
 - v. Preservation is parallel to zoning – more folks here tonight are likely applying for a permit via the counter or online application process. A permit comes in, goes out to Zoning, Preservation, Building Code internally. We all review it internally for compliance with Secretary of Interior Standards or zoning code or building code.
 - vi. Minor alterations that meet the design guidelines can often be approved administratively by staff through a Certificate of No Change
 - vii. If it doesn't meet design guidelines and/or is a major alteration, this requires a Certificate of Appropriateness – it goes to HPC. It can be approved, sometimes it can be approved with changes, or it may be denied.
 - viii. Assigned a planner on the preservation team to take you through the application process, then you may go to board of

adjustment for change of non-conforming use or a variance. Once that is taken care of, then building code reviews and then your permit is issued.

- ix. Historic Ordinance: we don't have many tools, we don't have financial incentives, etc., but something put forward in 2001 rewrite of the zoning code – is this “historic variance” tool. A historic variance can vary anything in the zoning code, but you must meet two findings– the project must further the preservation of the property AND you need to have a practical difficulty to support the request (height, use, setback, etc.).
 - x. Zoning and Preservation meet on this particular tool “historic variance.”
 - xi. HPC can overturn staff recommendations. There is an appeal process. The applicant or any member of the public who lives in Minneapolis can appeal. Then the project goes before Business, Inspections, Housing, & Zoning committee, and then City Council. Sometimes HPC decisions are overturned.
- b. TxT noted that the process seems very layered and confusing – will continue to work on a flow chart of possible paths through the process and the complexity to help explain it all.
9. Joan noted that she feels similar to Stephanie. Since we do not know how the character areas are really working, it is hard to understand how they might work.
- a. Andrea offering another example from a different part of the city. Same district, most of the DG apply, but the place where the guidelines split it up was when it came to scale (warehouse = scale, vs 19th century vs 20th century buildings, each with different heights).
 - b. Are the heights aligned with zoning? Do the guidelines trump zoning. Andrea noted that they can, to a degree. They can be more restrictive, but they are not an end all.
- d. Materials:
- i. Design guidelines in the SOIS are concerned with preservation of historic materials.
 - ii. What are the NPS rules? What are the treatment recommendations?
 - 1. Material replacement (lead paint mitigation, asbestos, toxic materials, etc.)
 - 2. What is the City's process to walk them through lead paint abatement?
 - a. From the preservation review, Andrea stated that her teams asks for a report or test to prove the lead paint hazard, then we can move towards replacement or encasement, if possible.
 - i. Ideally if the windows are historic, we would like to see them replaced in kind. Proposed materials you are replacing with need to be submitted.
 - ii. Other details are taken into consideration too (deterioration, egress changes, materials, and details of proposed replacements)
 - 3. Tamara noted there are a lot of creative materials out there that can be used.
 - 4. Comment in previous meetings about metal – participants felt metal shingles were ok because of scale.
 - 5. Participants felt there is a lot of metal panel cladding on new construction – Stephanie doesn't support it.
 - 6. Kaley: I think the Chroma building on the south side of 26th and Stevens is what we don't want to see - metal panel siding.

7. Charles: No controversy on this from me. Agreed vinyl isn't great.

2. Discussion:

- a. Paulette asked how many applications do they receive annually for new construction?
 - i. Andrea noted – not many. Most of them come in for vacant lots.

3. **Chat Questions:** The following comments were pulled directly from the chat throughout the evening.

Questions pertaining to the project and topics for this evening's Focus Group were answered during the discussion and at the end of the meeting during the Q+A period.

- a. Charles Block: Would you be open to using some of the funds from the city to go to surveying the area for the way properties are currently used? Specifically concerning density of supportive housing of all types (drug dependency, mental illness, battered women, halfway houses). The city does NOT record or recognize many of these uses currently.
 - i. Tamara noted that design guidelines are about preserving buildings and materials and are not concerned with "use," so this would not be an activity that is consistent with updating the guidelines.
 - ii. CLARIFYING NOTE: The City received a grant from the State Historic Preservation Office via the National Park Service Certified Local Government program to do the design guidelines update, so the work undertaken by consultants must be consistent with the grant application and agreement.
- b. Paulette: Is there a way to attribute the differences that the 1. Modest/Human Scale; 2. Monumental Scale contribute to density and the accompanying proposed changes to the HPC Guidelines may create?
 - i. Tamara noted that this is what we are trying to sort out this evening. This is a new concept that we are starting to discuss. Rather than treat the whole neighborhood the same, we are raising the question of how you might treat your house vs your building?
- c. Paulette: If the HPC promulgates two or more separate sets of guidelines without recognizing those building guidelines will potentially have on the density of the neighborhood; the character of the neighborhood will potentially be dramatically changed.
- d. Charles Block: OK specifically referring to the Target Wing at Mia. They broke basically every code regulation in the book to build that loading dock and height they did. Point is large and powerful institutions don't need to follow the rules anyway
 - i. Charles: My concern is that there are large institutions and developers (specifically those reliant on heavy tax subsidies to turn a profit) who would greatly benefit from density changes. Hard to believe anyone is being objective or evidence based when the city has no idea of current density or actual use of existing buildings in this HPD.
 - ii. Charles: OK specific question. regarding 2040 plan. Wasn't there a lawsuit that stopped the city from using that plan without environmental review? Wasn't 2040 halted in the courts? 2040 plan, 2040 the year not even the courts can stop ;)
 - 1. The judge granted a stay in the case in July 2022, allowing implementation to continue. The city responded that there is another review in the case coming soon, could still move forward.
 - 2. Erin Que noted that the group can learn more about the Land Use Rezoning Study here: <https://minneapolis2040.com/implementation/land-use-rezoning-study/>
- e. Paulette: What about new construction and the use of a historic variance?
 - i. Andrea responded that she cannot think of an instance when historic variance has been used for new construction. What would be furthering historic character in new construction?
 - ii. Andrea and Tamara added that they have seen the variance used for a change to zoning, used for signs, and used in situations where the alternative is to clear the site.
 - iii. It was suggested that the variance may have been used for trash enclosures at one point, but Andrea later confirmed that this was not the case.

- f. Paulette: Shouldn't there be some consideration for new construction in terms of character preservation?
 - i. Tamara noted that yes, new construction will be considered within the HD Design Guidelines. She referenced the idea that new construction “should whisper”, not shout in how they respect the historic character.
 - g. Paulette: I received a notice on 2/22/23 about a Washburn Fair Oaks Historic Preservation Guidelines as it pertains to the Fair Oaks Park? Has that meeting taken place?
 - i. Maura responded: Paulette, MPRB attended our second focus group and was invited to this one as well but wasn't able to make it this evening. Any questions you have specifically about Fair Oaks Park, we'd love to hear them here and we can take them back to MPRB to discuss further!
 - h. Charles: One thing from the notes from last meeting that he found to be wildly inaccurate is the claim that there's lots of kids living around the neighborhood. Not true!! Families with young children from all economic strata and backgrounds have been sparse for years, and that has only gotten worse. I personally know many families that have left, including homeowners, renters, professionals, blue collar, etc. They universally went to nearby suburbs (or St. Paul) because, I think we can all acknowledge, this is an unwelcoming neighborhood to raise kids. However, there are a lot of kids coming/going to Children's Theater, perhaps there's some confusion there.
 - i. Maura responded that this comment would be included in the minutes from today for the record.
4. Next Steps
- a. Earth Day Clean Up (April 22) – The team will have a table at WNA's neighborhood Earth Day clean up.
 - b. Community Event #2 (April 29). Likely to be hosted at City of Lakes Waldorf school from 11-1pm. Working with the school to confirm space availability and will update the group and the City's website as soon as possible.