

Department of Community Planning and Economic Development
Planning Division

Certificate of Appropriateness
BZH-26450

Date: June 22, 2010

Proposal: Request for COA to complete steel fence rehabilitation work

Applicant: Minneapolis Community Planning and Economic Development and Public Works Departments, Aaron Hanauer and Paul Miller

Address of Property: 2925 Cedar Avenue South

Project Name: Pioneers and Soldiers Fence Rehabilitation Project

Contact Person and Phone: Aaron Hanauer, (612) 673-2494

Planning Staff and Phone: Aaron Hanauer, (612) 673-2494

Date Application Deemed Complete: May 18, 2010

Publication Date: June 15, 2010

Public Hearing: June 22, 2010

Appeal Period Expiration: July 2, 2010

Ward: 9

Neighborhood Organization: East Phillips

Attachments:

- Attachment A: Materials submitted by CPED staff – (A0.1-A24)
- A0.1-A0.2: Certificate of Appropriateness Application
- A1: Pioneers and Soldiers Site Plan
- A2: Community Context Map
- A2.5: Proposed Phase I Rehabilitation
- A2.6-A2.8: Miller Dunwiddie 2008 Fence Restoration Plan and Details
- A3-A5: 2010 Rehabilitation Cost Estimate
- A6-A12: Scope of Work
- A13-A22: Cemetery Fence Restoration Project: Phase I
- A23-A24: Pioneers and Soldiers Design Guidelines

Department of Community Planning and Economic Development
Planning Division



Cedar Avenue Gates: Minneapolis Pioneers and Soldiers Cemetery Cedar Avenue Gates, circa 1930, Source: Unknown.

Department of Community Planning and Economic Development
Planning Division



Cedar Avenue Gates: Minneapolis Pioneers and Soldiers Cemetery Cedar Avenue Gates, 2005, Source: Jeff Adams.

Department of Community Planning and Economic Development
Planning Division

CLASSIFICATION:	
Individual Landmark	Minneapolis Pioneers and Soldiers Cemetery
Period of Significance	1853-1942
Criteria of significance	Criteria 1 (social significance)
Date of local designation	2006
Applicable Design Guidelines	Minneapolis Pioneers and Soldiers Cemetery Design Guidelines and Maintenance Agreement

PROPERTY INFORMATION	
Current name	Minneapolis Pioneers and Soldiers Cemetery
Historic Name	Layman's Cemetery
Current Address	2925 Cedar Avenue South
Historic Address	2925 Cedar Avenue South
Original Construction Date	Established 1853
Original Contractor	N/A
Original Architect	N/A
Historic Use	Cemetery
Current Use	Cemetery
Proposed Use	Cemetery

Department of Community Planning and Economic Development
Planning Division

BACKGROUND:

Layman's Cemetery, or Pioneers and Soldiers Memorial Cemetery as it is more commonly known, occupies a 27-acre site in south Minneapolis. Founded in 1853 on land adjacent to the farmstead of Martin Layman, it is the oldest surviving cemetery in Minneapolis. The cemetery is the sole surviving churchyard-style frontier cemetery in the city, as characterized by closely spaced graves arranged in a generally rectilinear pattern, and it is the final resting place of nearly 20,000 pioneers, veterans and immigrants.

The steel fence that lines Pioneers and Soldiers Cemetery is a contributing feature of the National Register of Historic Place listing and the local designation. The fence, which is 1,953 linear feet, was built in 1928 as part of the 1928-1936 Redesign that was completed to help commemorate the Minnesota pioneers and soldiers that were buried in the cemetery. Today, the fence is in poor condition and is in need of rehabilitation.

To prepare for the fence restoration efforts, the City of Minneapolis hired Miller Dunwiddie Architects in 2008 to complete an analysis of the existing fence, provide a scope of work, and cost estimates for rehabilitation. Miller Dunwiddie provided a high quality analysis report and proposed scope of work which helped the Minneapolis Planning Department receive two state Grant-in-Aid grants from the Minnesota Historical Society (a total of \$135,500 was received). In 2010, Miller Dunwiddie updated the restoration plan, reanalyzed the condition of the fence, and provided a revised cost estimate. The condition of the fence has not changed that much since 2008 (Attachment A14).

Due to the high cost of rehabilitation (approximately \$1.1 million), a multi-phased approach is proposed to rehabilitate all 66 sections of the fence (Attachment A3-A5). Phase I of fence restoration project is proposed to restore 21 of the 66 sections. Phase I work is anticipated to begin in the middle of July 2010 and be completed by mid October 2010.

The proposed work includes rehabilitating the following parts:

- Cedar Avenue main gate (Attachment A22);
- Lake Street gate (Attachment A19);
- Cedar Avenue and Lake Street sections of the fence that are in the worst condition (Attachment A2.5 and attachment A14 for photo key);
- Sections of the fence that are next to the Cedar Avenue gates and Lake Street gates that are in poor condition (Attachment A18-A19).

The rationale for choosing the proposed sections is two-fold. First, the restoration of the Cedar Avenue gates was chosen because they are the most prominent features of the fence and receive the most use (Attachment A22). The Cedar Avenue gates are opened and closed on a daily basis from April through October. The gates are in poor condition, and rehabilitation work will help alleviate a potential hazard if their condition continues to deteriorate.

Second, the rehabilitation of the worst sections of the fence at this time will allow for these sections of the fence to be preserved rather than replaced. If rehabilitation of the worst sections is put off to a later date, there is a chance that these sections may deteriorate to a point of being beyond repair.

The goal of the fence restoration project is to restore the entire fence to the same look, feel, and texture as the original fence (Attachment A6-A12 for scope of work). The fence rehabilitation work

Department of Community Planning and Economic Development
Planning Division

will be completed by a contractor chosen through a request for proposal (RFP) process. The work completed by the contractor will include temporary disassembly of the fence. The contractor will complete restoration and painting off site. The chosen contractor will also be reattaching the steel fence to the pillars when the restoration work is completed. The only work proposed to the fence piers is that required with the reattachment of the fence. The piers are in good condition. All attempts will be made to attach the fence in the original location. However, it is anticipated that a few piers will be required to have new holes drilled into the mortar joints. In any case where new mortar is required, it will be required that the mortar match the existing mortar in strength, color, and composition.

To ensure that the final fence rehabilitation product will have the same look and feel of the original and is completed as proposed, two important steps have been include in the scope of work (Attachment A6-A12). First, the work will be completed under the direction of a preservation architect. Second, the Minneapolis Heritage Preservation Commission and the Minnesota Historical Society (MHS) will have the opportunity to review the restoration work progress at two different intervals of the project (after rust removal and after paint application) to ensure that the work meets their approval (Note: State Historic Preservation Office approval is required as part of the Minnesota Historical Society State Grants-in-Aid grant agreements).

SUMMARY OF APPLICANT'S PROPOSAL:

Same as above.

PUBLIC COMMENT:

Public notices of the fence rehabilitation project went out on June 2. As of June 14, 2010 no public comments have been received.

CETIFICATE OF APPROPRIATENESS: Certificate of Appropriateness to rehabilitate the steel fence as part of Phase I of the fence restoration project.

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 proposed fence rehabilitation is compatible with and continues to support the criteria of significance and period of significance for which Pioneers and Soldiers Cemetery was designated. The steel fence with limestone pillars was built in 1928 as part of the 1928-1936 Redesign that was completed to help commemorate the Minnesota pioneers and soldiers that were buried in the cemetery. The fence has been the public face of the cemetery for the past 82 years. It is also a contributing feature of the local and National Register designation. The rehabilitation of the fence as proposed in the scope of work will help preserve the historic fence indefinitely (Attachment A6-A12).

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

The proposed alteration is compatible with and does support the designation of the Cemetery. The steel fence is a contributing feature of Pioneers and Soldiers Cemetery. The rehabilitation of the fence will allow for retention of the cemetery's historic public face. The rehabilitation of the fence will also strengthen and improve the best protection against vandalism that the cemetery has.

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

The alteration is compatible with and will ensure continued integrity of the landmark. Minneapolis Public Works and CPED are proposing to retain, protect and maintain, and repair the historic steel fence by using the Secretary of Interior Guidelines for the rehabilitation of metals as the guide. In addition, the Minnesota Historical Society has reviewed and approved the scope of work as part of the 2008 and 2009 State Grants-in-Aid applications.

Both the Minneapolis Heritage Preservation Regulations and the National Register of Historic Places identify integrity as the authenticity of historic properties and recognize

Department of Community Planning and Economic Development
Planning Division

seven aspects that define a property's integrity: location, design, setting, materials, workmanship, feeling and association. Based upon the evidence provided below, the proposed rehabilitation work will ensure continued integrity of the fence.

Location: Minneapolis Public Works and CPED propose no changes to the contributing resource's location, thus the project will not impair the contributing resource's integrity of location.

Design: Minneapolis Public Works and CPED propose to rehabilitate the steel fence to the same look, feel, and texture as the original fence. Since no design changes will occur, the property will maintain its integrity of design.

Setting: Minneapolis Public Works and CPED propose no offsite changes, thus the project will not impair the contributing resource's integrity of setting.

Materials: Minneapolis Public Works and CPED propose to rehabilitate the steel fence. The rehabilitation work will help improve the integrity of the fence and the cemetery.

Workmanship: The main gates are a prominent feature of the fence and are an example of quality workmanship of the early 20th century. The rehabilitation of these gates and other portions of the fence will retain the quality workmanship that went into building the fence.

Feeling: The Applicant proposes to rehabilitate the fence. The feeling that the original fence gives to those passing the cemetery and those within the cemetery will be preserved with the fence rehabilitation work.

Association: Minneapolis Public Works and CPED's proposed rehabilitation work of the fence will help maintain the direct link to which the cemetery is significant. The steel fence with limestone pillars was built in 1928 as part of the 1928-1936 Redesign that was completed to help commemorate the Minnesota pioneers and soldiers that were buried in the cemetery.

- (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 proposed work is consistent with the Minneapolis Pioneers and Soldiers Guidelines and Maintenance Agreement. The cemetery guidelines, which were adopted by the Minneapolis Heritage Preservation Commission in April 2008, call for the retention of features by rehabilitating and repairing the historic material (Attachment A24). The guidelines also state that when the material is deteriorated to a point of not being able to be repaired, it "should be replaced with material used in the original construction or with materials that resemble the appearance of the original as closely as possible."

Department of Community Planning and Economic Development
Planning Division

The proposed rehabilitation work will be rehabilitating the original material by retaining the original material whenever possible. If a fence segment is beyond repair, or its retention would only marginally extend the functional life of the steel element, replacement will be chosen. This will only take place in extreme circumstances. Replacement parts will duplicate the original part in material and appearance in accordance with the Secretary of Interior's Standards. The Miller Dunwiddie report has indicated that for Phase I, the portions of the lower, horizontal channel rails and other fencing components that require replacement.

- (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.***

Minneapolis Public Works and CPED's proposed rehabilitation of the fence will follow the rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. The Secretary of Interior Guidelines for the Rehabilitation of metal provides additional detail on how to carry out the work. The guidelines for the rehabilitation of metal encourages parties to identify, retain, and preserve the original materials.

Identifying, retaining, and preserving the original material is the intention of the Pioneers and Soldiers fence rehabilitation project. All portions of the fence have been evaluated for their condition as part of the Miller Dunwiddie analysis. For those portions of the fence in the best condition, rust removal and painting will be completed. When rehabilitating of the historic materials requires greater attention, straightening, splicing, and reinforcing of existing metal parts will be chosen over replacement whenever economically and structurally feasible (Attachment A9). When Straightening takes place, it will be done with a great consideration of not causing grain separation. When there are holes in the steel, an epoxy will be used to patch holes in the steel.

The replacement of historic material will only take place in extreme circumstances (e.g. there are only five pier steel brackets that are proposed to be replaced). Replacement will only be chosen if a fence segment is beyond repair, or its retention would only marginally extend the functional life of the steel element. The replacement materials will duplicate the original part in material and appearance in accordance with the Secretary of Interior's Standards.

- (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.***

Policy 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 proposed fence restoration project using recognized preservation

Department of Community Planning and Economic Development
Planning Division

methods will ensure that the historic character of the cemetery is retained rather than replaced or negatively altered.

Policy 8.7 of the Minneapolis Plan for Sustainable Growth states that the City shall create a regulatory framework and consider implementing incentives to support the ethic of “reduce, reuse, and recycle” and revitalization for buildings and neighborhoods. The restoration of the fence rather than replacement will help support this policy.

- (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 include the destruction of the subject 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.***

CPED is proposing to rehabilitate the steel fence along Cedar Avenue and Lake Street. The Lake Street and Cedar Avenue fence is an important part of the cemetery’s historic significance and its historic designation. The rehabilitation of the fence, which will follow recognized preservation methods, will help preserve this important historic element of the cemetery indefinitely.

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

Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review does not regulate fence rehabilitation.

(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.*

Minneapolis Public Works and CPED will be using the standards for rehabilitation and guidelines for rehabilitation as the guide for the proposed repair work. The proposed repair work will help the longevity of the fence and provide a good defense against vandalism.

Department of Community Planning and Economic Development
Planning Division

STAFF RECOMMENDATION

CPED-Planning staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the Certificate of Appropriateness to allow for the fence restoration work at Minneapolis Pioneers and Soldiers Cemetery (2925 Cedar Avenue South) as part of Phase I of the project with the following condition(s):

1. The Heritage Preservation Commission receives and approves Phase I progress report(s) while Phase I work is underway;
2. All workmanship must be completed in conformance with the Secretary of Interior Standards, see: <http://www.nps.gov/history/hps/tps/standguide/>;
3. The Certificate of Appropriateness approval shall expire if it is not acted upon within one year of approval, unless extended by the Planning Director in writing prior to one-year anniversary date of approvals.

Department of Community Planning and Economic Development
Planning Division

Attachment A: Submitted by CPED staff: A01.-A24