Kris Nelson Community-Based Research Program

...a program of the Center for Urban and Regional Affairs (CURA)

Towards a Logan Park Neighborhood Conservation District

Prepared in partnership with
Logan Park Neighborhood Association

Prepared by
Collin Calvert
Research Assistant
University of Minnesota

2015

KNCBR Report # 1393

This report is available on the CURA website:
http://www.cura.umn.edu/publications/search
The Kris Nelson Community-Based Research Program is coordinated by the Center for Urban and Regional Affairs (CURA) at the University of Minnesota, and is supported by funding from the McKnight Foundation.

This is a publication of the Center for Urban and Regional Affairs (CURA), which connects the resources of the University of Minnesota with the interests and needs of urban communities and the region for the benefit of all. CURA pursues its urban and regional mission by facilitating and supporting connections between state and local governments, neighborhoods, and nonprofit organizations, and relevant resources at the University, including faculty and students from appropriate campuses, colleges, centers or departments. The content of this report is the responsibility of the author and is not necessarily endorsed by the Kris Nelson Community-Based Research Program, CURA or the University of Minnesota.

© 2015 by The Regents of the University of Minnesota. This work is licensed under the Creative Commons Attribution-NonCommercial-ShareAlike 3.0 Unported License. To view a copy of this license, visit http://creativecommons.org/licenses/by-nc-sa/3.0/ or send a letter to Creative Commons, 444 Castro Street, Suite 900, Mountain View, California, 94041, USA. Any reproduction, distribution, or derivative use of this work under this license must be accompanied by the following attribution: “© The Regents of the University of Minnesota. Reproduced with permission of the University of Minnesota's Center for Urban and Regional Affairs (CURA).” Any derivative use must also be licensed under the same terms. For permissions beyond the scope of this license, contact the CURA editor.

This publication may be available in alternate formats upon request.

Center for Urban and Regional Affairs (CURA)
University of Minnesota 330 HHH Center
301—19th Avenue South
Minneapolis, Minnesota 55455
Phone: (612) 625-1551
E-mail: cura@umn.edu
Web site: http://www.cura.umn.edu

The University of Minnesota is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, or sexual orientation.
WHAT IS A
CONSERVATION DISTRICT?

Why Does Logan Park Neighborhood Need It?

- To ensure compatible construction
- To protect neighborhood character
- To maintain the neighborhood’s visual appeal
- To protect affordable housing

The Conservation District Ordinance

Conservation Districts are a way for you and your neighbors to decide what defines Logan Park neighborhood’s visual character. It’s a process that involves the entire community and can help protect against development or alterations that are incompatible with the aesthetics of the properties in the district. The design guidelines that you can help create, and that developers must follow, can also be adapted if the community votes that they need to be changed.

210

2
Open slots for 2015 in the city of Minneapolis

Comparing a Conservation District and a Historic Preservation District

<table>
<thead>
<tr>
<th>Conservation District:</th>
<th>Historic Preservation District:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerns only major alterations or additions to the exterior of a property; more flexible</td>
<td>Concerns any/all design changes to the exterior of a property; very strict</td>
</tr>
<tr>
<td>Does not involve construction materials</td>
<td>Construction materials must remain constant</td>
</tr>
<tr>
<td>Rules are determined by the neighborhood</td>
<td>Rules come from The Secretary of the Interior’s Standards</td>
</tr>
</tbody>
</table>

Property values tend to increase by 10-20%
Success Stories:

**Cambridge, MA**

The Half Crown-Marsh conservation district was put in place to protect against the pervasive demolition of buildings to create parking lots and large apartment complexes. For 31 years it has successfully addressed these major issues, and residents have reported satisfaction with their involvement in the process. Neighborhood residents have, over time, been able to amend their district’s design guidelines to be more protective and meet the neighborhood’s changing needs.

**Cumberland, IN**

Concerns over the heavy regulations of a historic district led neighborhood residents to pursue a conservation district designation in 2002. Neighbors have reported being happy with the amount of input they have; everyone is able to voice their concerns at public hearings when reviewing major neighborhood changes. Yet because of the district’s flexibility, residents have still been able to introduce new designs and materials to their homes.

**Iowa City, IA**

The Governor-Lucas neighborhood adopted a conservation district in the early 2000’s in response to the ever-increasing development of dormitory-style rental properties for university students. The changes have been positive: the renters in the area tend to be more community-focused, and all residents enjoy the relative peace of the neighborhood. Residents are a mix of university students, young professionals, families, and elderly.

---

**Steps To Becoming a Conservation District:**

**Step 1**
Submit application to become a conservation district

**Step 2**
Staff and property owners create desired design guidelines

**Step 3**
Design guidelines and district proposal are reviewed/voted in
Towards a Logan Park Neighborhood Conservation District

Collin Calvert
Summer 2015
Funded by the Center for Urban and Regional Affairs (CURA) Kris Nelson Community-Based Research Program
Acknowledgments

I would like to thank the folks at the Logan Park Neighborhood Association for the support they have provided throughout the research process, particularly Reanne Reed-Viken. I would also like to thank Jeff Corn and the rest of CURA’s staff for funding the project and providing guidance to keep the research on track. Also a big thank you also to all of the people who I interviewed with in-person and over the phone.
Executive Summary

A conservation district, in essence, is a set of regulations – often empowered by a city ordinance – aimed at preserving a neighborhood’s unique aesthetic characteristics. The Logan Park Neighborhood Association has expressed interest in the newly established Minneapolis ordinance, in hopes of preventing incompatible development and protecting their neighborhood’s visual character. The objective of this research report is to inform the Logan Park neighborhood of the conservation district establishment process, and provide guidelines for maintaining the district.

Unlike a historic preservation district, a Minneapolis conservation district:

- Focuses on aesthetic character rather than historic events or people
- Is more flexible than a historic district; residents tailor/amend the regulations
- Presents less of a financial burden to residents

Though conservation districts across the U.S. vary in their regulations, many can offer lessons on how to establish or manage a district that can be generalized to the Minneapolis ordinance.

- Take a grassroots approach; e.g. involve community leaders, hold forums/Q&A sessions
- Be specific with the district’s design guidelines, and be prepared to amend them if needed
- Establish a “starter district” where you will get the most support from property owners

The Logan Park neighborhood could benefit from a conservation district, and perhaps multiple districts in the future. With a diverse mix of history and aesthetics, different parts of the neighborhood could qualify for different protections and designations. With regards to a conservation district, it is important to keep in mind that demolitions are not outlawed; the ordinance tries to preserve an agreed-upon aesthetic character. That being said, there are a number of recommendations for Logan Park when moving forward in the process:

- Begin with a starter district, possibly encompassing a grouping of Victorian homes. Beginning with neighborhood residents as opposed to rental property owners or business owners may mean a better chance at getting 1/3 and 2/3 consent.
- Ensure information on the conservation district gets out early, and is not misinterpreted as historic preservation.
- Pursue other methods of preventing neighborhood gentrification. A conservation district can help slow the process, but can also lead to a rise in property values and – subsequently – rental prices. Regardless, it is a good option for stemming the tide of unfettered development.
Introduction

In October of 2014, the Minneapolis City Council adopted the conservation district ordinance. While a recent addition to Minneapolis’s toolbox for urban preservation, many other cities around the country have implemented similar ordinances and seen over two hundred districts created as of the year 2010. At the time of this project, in 2015, Minneapolis will accept two applications from different city sectors (north, east, downtown, south, and southwest) for a conservation district designation. The Logan Park neighborhood expressed interest in the ordinance, extending from their desire to preserve the aesthetic and historical character of their neighborhood. Funded and supported by the Center for Urban and Regional Affairs (CURA) Kris Nelson Community-Based Research Program, this project is aims to understand the new Minneapolis conservation district ordinance and assess its viability as a tool for protecting the Logan Park neighborhood.

The Logan Park neighborhood, located in northeast Minneapolis, stands at the center of the Minneapolis Arts District. Many of its structures, like the Northrup King building, tell of a history rooted in industrialism while its many Victorian-style homes provide a unique and varied aesthetic. The Logan Park Neighborhood Association has begun numerous projects aimed at preserving their neighborhood, including a small area plan, and addressing the looming threat of gentrification. The neighborhood has a high number of duplexes and the majority of residents are renters. Age of residents vary, and the neighborhood sits far enough away from the University of Minnesota that student housing development has not become an issue.

The following study, “Towards a Logan Park Neighborhood Conservation District,” seeks to understand and explain what Minneapolis’s new conservation district ordinance can do for neighborhoods like Logan Park. Research consisted of a combination of literature review, site visits, and semi-structured interviews. Informants are kept anonymous in this report, and ranged from residents of the Logan Park neighborhood (to assess understanding of the ordinance, and learn more about the neighborhood’s unique characteristics), residents of Prospect Park (the neighborhood responsible for initiating the conservation district ordinance), preservation experts, and city government officials involved in urban planning and preservation. Aside from this culminating report, informational materials were developed to begin the conversation among residents about the new conservation district ordinance.

The first section of this report will examine what a conservation district is and compare this with the more well-established historic preservation district. The next section will provide an overview of the Minneapolis conservation district ordinance, explaining the steps for neighborhoods to gain the designation and what protections it provides to established districts. The following section reviews other conservation districts throughout the United States, to provide insight into the designation and management process. The final section will assess the feasibility and impact of a conservation district within the Logan Park neighborhood. Attachments to this report are a copy of Minneapolis’s conservation district application sheet and a flowchart of the steps a Minneapolis neighborhood will go through when pursuing the conservation district designation.
Defining the Neighborhood Conservation District

In simplest terms, a neighborhood conservation district (NCD) is a set of land use regulations primarily geared towards preserving the distinct characteristics of a neighborhood or part of a neighborhood. However, a universal definition is difficult to find given the broad range of neighborhood conservation districts throughout the United States, all of which have unique rules and requisites. Additionally, there is often confusion between the definition of a neighborhood conservation district and the more well-known historic preservation district.

Some authors have attempted to provide more precise definitions of neighborhood conservation districts. In her examination of numerous NCD ordinances, Carole Zellie states: “conservation districts offer a means to recognize the special historic or neighborhood character, and provide planning assistance and improvement without passing through the often arduous process of historic designation and design review” (1998: 9). Expanding upon this definition, NCDs are areas that have a distinct aesthetic character regardless of whether they may qualify for historic preservation. The historic materials or past events of an area are de-emphasized in favor of a neighborhood’s character, the intention being to prevent alterations or new construction considered incompatible with an area’s shared aesthetics (Miller 2004).

When comparing neighborhood conservation districts with historic preservation districts, the most prominent difference, and what often attracts people to the former, is the amount of flexibility – or perceived flexibility – afforded to residents when making alterations to their property. In many cases, historic preservation districts are heavily regulated; building exteriors are to be kept static and constant throughout time, to match with its original appearance as closely as possible. Communities often believe that historic districts will impose heavy burdens on residents or property owners when they seek to make changes (Bissinger 2007), and indeed some cities regulate paint color or require identical building materials when making repairs. Conservation districts are seen as a form of “preservation-lite,” with guidelines more lenient than the standards of a historic preservation district.

Some authors contend that the perceived inflexibility of historic preservation may differ from reality. Bissinger notes that historic districts can include guidelines with enough flexibility to ease the heavy burdens they impose (2007: 5). Another paper, supported by the Center for Urban and Regional Affairs, points out that, as of 1998, over a quarter (28%) of historic districts in the U.S. has only advisory powers with no mandatory enforcement or protections (McClurg 2011). Additionally, there is a great deal of variance in where historic preservation regulations come from state to state, and thus variance in how strict these regulations are. Roughly 50% of historic districts follow the Secretary of the Interior’s Standards for Rehabilitation while the other half follow sets of locally-generated design guidelines. This level of divergence means that while some cities, like Savannah, Georgia, regulate exterior paint colors of buildings within a historic district, others around the United States do not monitor alterations at this strict of a level.
To sum up, there may be situations in which the regulations of a neighborhood conservation district are significantly less strict than that of a historic preservation district, but there are also situations in which flexibility can be found in both ordinances. What is important is not necessarily to comb through the similarities or differences between NCDs and historic preservation districts. Rather, the point here is that perception can be an important part of the political process to become a neighborhood conservation district. The variation that exists for historic preservation districts also exists for neighborhood conservation districts, but many will either mistake the NCD for historic preservation or they will fear it as a form of “preservation-lite” with no adequate protections, or “teeth” to it. Both of these perceptions are incorrect regarding Minneapolis’s conservation district ordinance in particular, but they are perceptions that may come up and need to be dealt with during the NCD process.

The Minneapolis Conservation District Ordinance

In 2014, an amendment to Title 23, Chapter 599 of the Minneapolis Code of Ordinances established the neighborhood conservation district ordinance for the city of Minneapolis. The Prospect Park and East River Road Improvement Association (PPERRIA) pushed to establish the ordinance after discontinuing their application for historic designation. Among the reasons behind this cessation in the process were frustrations with how the Department of Community Planning and Economic Development (CPED) was reviewing the Prospect Park neighborhood’s applications for alterations, as well as a fear over the strict regulations governing alterations or repairs like window replacements. “We learned it’s not a one-size fits all,” noted a Prospect Park resident, heavily-involved in both the historic preservation and conservation district process. “It just wasn’t for us; we wanted something with more flexibility to it.”

The first line of the Minneapolis ordinance establishes the aim and purpose of a conservation district, stating: “This article is established to maintain and enhance the visual character, land use, or activity…by regulating changes to those attributes and adopting design guidelines for properties within a defined area.” In essence, this means a property’s aesthetics – as opposed to significant historic events or people – is the focus of the ordinance. Visual character can encompass a range of features, including (but not limited to) scale, architectural style, or streetscape. However the term itself is not defined; keeping “visual character” vague is essential to the flexible and community-oriented nature of the conservation district, as it requires neighborhood residents to discuss and agree upon what defines their neighborhood’s unique aesthetics.

In determining eligibility, a number of criteria must be met:

1. Seventy-five (75) percent of the properties in the proposed district must exhibit a shared visual character, and that visual character must be distinct or unique in some way.
2. The proposed district must include one complete block face with at least two principal buildings, or must be centered on an intersection of at least two streets with all of the corner lots included in the district.
There is no ceiling as to the size of the proposed district, however the area must always meet the seventy-five percent benchmark for a cohesive visual character. Additionally, and of crucial note, is that the Minneapolis ordinance does not consider cultural facets of the community – neighborhood events, religious beliefs or other demographics, crime rates, etc. – to be a factor in determining eligibility of an area for a conservation district designation. The focus is entirely on visual character, and thus any other aspects of the neighborhood are relevant only insofar as they provide context for the proposed area’s shared and unique character.

The application phase consists of a number of steps. A pre-application meeting with the appropriate city planner is required before moving forward in the process; contacting John Smoley with the city of Minneapolis Department of Community Planning and Economic Development can be a way for each neighborhood to find the appropriate person. The conservation district Application Worksheet (URL and form provided in the appendix) must be completed and an application fee of $350 (plus a $25 publication fee) paid to the Minneapolis Finance Department. Additional costs include the need to purchase a list of all property owners and mailing labels from the Hennepin County Taxpayer Services Division. The application must also include a plat map of the proposed district boundaries and a description of why a zoning amendment or historic district designation would not be as appropriate. Additionally, the application must include evidence documenting that 1/3 of property owners in the proposed district consent to the initiation of the conservation district plan. The Application Worksheet includes pages where these property owners may sign as evidence of consent.

Described as one of the most difficult parts of the process, the conservation district application also requires a written description of the proposed district’s unique design characteristics. In essence, these characteristics are what the conservation district will aim to protect, making this step one of the most crucial. Applicants must include a property-by-property inventory with photographs that both illustrate the agreed-upon characteristics and represent at least seventy-five percent of properties in the proposed district. Because the application requirements are so resource-intensive, it is highly recommended that the neighborhood organization meet with the appropriate city planner before investing in the other steps. Organizers may also meet with city planning and policy experts of their own volition; this can better inform hopeful applicants before beginning the process, and is discussed more in-depth in the “Tips and Strategies” section of this report.

Once the exhaustive application is fully completed and submitted to the city planning commission, the next step of the process – another resource intensive and crucial step – is the preparation of the proposed district’s design guidelines, which must be directly related to the notable features described in the Application Worksheet. The planning director will work with property owners to create these guidelines. At this stage, property owners must identify all changes that will require review for compliance with the ordinance, and may establish the need for a public hearing when reviewing major construction or alteration. The public hearing can be especially important for including renters in the conservation district process, as the district is otherwise dependent solely upon the cooperation and voice of property owners. However the necessity for the support of property owners remains predominant, as two-thirds of property
owners in the proposed district must consent to the design guidelines and establishment of the conservation district itself within one year of when the planning director began work upon the conservation district application.

This marks the end of the neighborhood’s resource-heavy involvement in the conservation district adoption process, and the beginning of review by various city government groups. The State Historic Preservation Office and City Planning Commission will review and comment on the proposed conservation district establishment and design guidelines, followed by a public hearing with the Historic Preservation Commission and a decision by the City Council. Given that no conservation district has been established yet in the city of Minneapolis, there is no average amount of time this lengthy review process may take.

Once a conservation district has been adopted, anyone seeking to make alterations or do new construction within the area must apply for a conservation certificate. The ordinance describes this process in three steps: submission of the application form itself, a public hearing where the heritage preservation commission may decide upon the certificate application, and final approval or denial by the planning director. It is important to note that, even under the protection of a conservation district, demolitions are still permitted. As long as new construction, or any exterior alterations, do not impair the established visual character of the conservation district, there is a chance that a conservation certificate will be approved for the applicant.

**Other Conservation Districts – Tips and Strategies**

Because Minneapolis does not yet have an established conservation district, strategies for successful adoption and management of a NCD must come from other cities and states with districts already in place. Additionally, it can be difficult to accurately determine the success of conservation districts due to the economic downturn following the real estate housing bubble in the early 2000s (McClurg 2011). As a result of the downturn, most building and development had stalled out until recently. However, a number of themes still emerge in the variety of NCDs around the nation, and which neighborhoods in Minneapolis should be aware of when pursuing the designation here. In this section I will highlight these themes, but for a more detailed look into conservation district case studies one may refer to the CURA online publication “Alternative Forms of Historic Designation: A Study of Neighborhood Conservation Districts in the United States.”

As stated earlier, the neighborhood conservation district process is a political one – both during the application phase and post-adoption. Because property owners are who must consent to following through with the designation process, the individual or organization spearheading the application must take a bottom-up approach to convincing residents. One way to do this is host information sessions within the neighborhood, led by a city planner or other expert directly involved in the conservation district process (Duffy et al. 2005: 23). This approach has proven successful in other districts, such as Cumberland, Indiana. Additionally, contacting residents of other conservation districts, ideally with some representing areas with strict guidelines while
others represent areas with more lenient guidelines, would be an effective approach. The emphasis here is on face-to-face interaction and giving residents the space to ask questions and express worries, which can help sway them toward supporting a conservation district.

In addition to holding forums, knowing and involving community leaders can be an integral part of the top-down approach. For example, religious leaders or civic groups can be valuable advocates for the conservation district ordinance. Because a conservation district can have beneficial effects for the wider community, and not simply the properties within the district itself, neighborhood groups and leaders with influence could be convinced to help in swaying others. Ultimately, assessing the wants and needs of neighborhood residents, and taking a community-driven approach, is the most effective way to gain consent for the district. A neighborhood activist of the Prospect Park and East River Road Improvement Association echoed this: “You don’t want to give a ‘doorstep speech.’ It’s not a top-down approach, but a bottom-up; you have to ask questions of what [residents] would like to see.”

One major obstacle to be prepared for is neighborhood residents equating the term “conservation” with “preservation” or “historic preservation.” Many property owners will be protective of their homes and businesses, fearing strict regulations. In other cases, such as Boulder, Colorado, a lack of understanding about what conservation districts are led to a lack of interest and support (McClurg 2011). Be prepared to draw a clear distinction between a NCD and a historic preservation district, highlighting the flexibility and the greater input that residents have in the ordinance’s design guidelines.

It may be advantageous to approach neighborhood media to help spread the message, ensuring that misperceptions do not filter into the papers. One preservationist warned that many of his projects were brought to a halt or terminated as a result of “bad publicity,” where false rumors spread while he conducted the project and effectively shut down public support. Moving forward with the application process without first broaching the topic to the community, and clearly defining terms and goals, would be detrimental to the success of the district designation process.

Even with forums and a bottom-up approach, some residents may still be unconvinced of a conservation district’s value. However if one is able to drum up the support to move forward in the process, it is recommended to focus on a “starter district.” “Figure out where you’ll get the largest percentage of a buy-in,” a preservation expert recommended. “You only need one-third to agree for [an area] to be studied, then two-thirds to approve it.” This has proven true in cases like the Queen Village conservation district in Philadelphia, where resistance to the designation dissipated as the ordinance took effect (McClurg 2011). Given that neighborhoods can have multiple conservation districts (applying for a new one from year to year) and given the aesthetic variety in many neighborhoods, it can help in the long run to begin with a starter district to show residents what benefits it can bring.

Determining the design guidelines of the district is by and large the most important part of the process, as they determine what sort of benefits or consequences the district will bring. In many cases, residents are wary of stricter guidelines or greater protections for fear of replicating
a historic preservation district. However, in cities such as Cambridge, MA and Chapel Hill, NC property owners have elected to amend their district’s guidelines to be more protective due to either lack of successful protection or more comfort with the conservation district itself (McClurg 2011). The repercussions of nebulous guidelines can be seen in the Elliot Park Neighborhood of Minneapolis. While not a neighborhood conservation district, the Elliot Park Master Plan functions in a similar vein of preserving neighborhood character. Its lack of attention towards street façade has allowed developers to work around the Master Plan’s guidelines, designing buildings that are not oriented towards the street and emphasize off-street rather than on-street parking.

Fortunately the Minneapolis ordinance, much like other NCD ordinances, allows for amendments to a district’s design guidelines. This flexibility, however, also highlights the need for sustained attention on the part of the neighborhood community. In cases like the Half-Crown Marsh NCD, professional staff from the Cambridge Historical Commission has been a large asset to maintaining the district and ensuring that each district commission, made up of volunteers, can be more productive and worry less about preparing for meetings (McClurg 2011). In Elliot Park, a core group focused on their Master Plan has resulted in individuals with expertise in the guidelines and who have become well-versed in urban planning and design as a result of their work with developers and city planners.

Finally, maintaining good rapport with various state actors involved in the conservation district process can be essential. In many NCD ordinances, including Minneapolis’s, a planning director or preservation commission is involved in the review of all conservation certificates or amendments to design guidelines. This relationship between community and government can also ensure that preservation officials understand the goals and perspectives of neighborhood residents; because preservation experts often have a focus on maintaining historical character, it can be difficult for them to “switch hats” to a conservation district orientation of maintaining neighborhood character.

**A Logan Park Neighborhood Conservation District**

When determining whether the Logan Park Neighborhood Association should invest the time and resources into gaining a conservation district designation, two questions must be answered:

1. Will a conservation district help maintain the neighborhood’s character?
   a. In particular there is concern over the street-scape aesthetic and development similar to what has happened to Saint Anthony East and the Holland neighborhood.

2. Will a conservation district help to prevent the gentrification of the neighborhood?
a. Specifically, will it help prevent an increase in housing costs that will drive out its large population of working-class or low-income renters?

The first question has the most straightforward answer: yes, a neighborhood conservation district will protect the neighborhood character of Logan Park. However people experienced in the Minneapolis conservation district process note that reaching a consensus on what defines the character of the neighborhood is the most difficult part of the process.

Because many residents of Logan Park neighborhood do not yet know what a conservation district is, the first step in the process will be to begin the conversation. As stated earlier in this report, one must ensure there is no misperception of a NCD as equivalent to its stricter historic preservation district counterpart. Based off of interviews with numerous neighborhood residents, there is still confusion or ignorance over the ordinance; at times the mention of conservation has been interpreted to mean historic preservation. Holding a forum attended by city planners for Minneapolis, such as John Smoley or Haila Maze, would allow for residents to ask questions freely and assuage any fears of strict regulations.

A starter district is recommended for the Logan Park neighborhood given the infancy of the Minneapolis ordinance and the associations between conservation and historic preservation. While the opinions if residents must be polled to determine where the greatest buy-in is, numerous people have recommended a district encompassing the neighborhood’s many Victorian homes. Focusing on residential sections as opposed to sectors with business avoids dealing with property owners outside of the neighborhood and begins the process from within the community. Additionally, there is historic context for the appearance of the homes that serves as evidence for neighborhood character and unique aesthetics; Clifford Edward Clark’s review of American houses states: “The Victorian ideal of the family and home had achieved wide public acceptance by mid-century” (1986: 72). This also provides explanation as to the more eclectic nature of Victorian homes, which were known for their lack of consistency (143). Yet despite the varied nature of Victorian-style architecture, it is still possible to describe shared design characteristics that can be used as design guidelines in the conservation district ordinance. Appendix J of Duffy et al.’s study of Brookline and neighborhood conservation districts provides an excellent example of guidelines that could be used for a more stylistically diverse neighborhood (2005).

The boundaries of the proposed district depend upon the amount of people consenting to the district ordinance (as long as it also meets the minimum requirements outlined earlier in this report). A Prospect Park resident and preservation expert pointed out the difficult balance of the district being large enough to meet the two-thirds consent requirement, yet small enough that it can still be managed, all while meeting the seventy-five shared character requirement of the ordinance.

Numerous other properties exist in the Logan Park neighborhood that are notable and recognized for their historic significance, but many may be more suitable for historic designation or preserved through other means. These include the McMillan-Lacy-Bros House, the Northrup King building, the four-corner churches, and Northwestern Casket Co., all of which can provide
insight into the history of the neighborhood (Millett 2007). It is important to keep in mind the goals of the various designations as well; buildings which Logan Park may wish to keep unchanged and protected from demolition would be better suited for historic preservation, whereas the conservation district will only provide an assurance that an area will maintain an agreed-upon aesthetic character.

The second question – as to whether a conservation district can prevent gentrification – has a more complex answer. Gentrification is defined as the process by which developers purchase properties in an area in order to demolish or renovate existing structures and redevelop the area, often with the effect of displacing low-income residents and small businesses. The demographics of Logan Park neighborhood (as of 2010) show a total population of over two thousand people and 1,012 occupied housing units. Of those units, 692 (68.4%) are renter occupied, meaning the consequences of gentrification – primarily rental increases – could affect the majority of Logan Park neighborhood residents.

The literature agrees that, when given a choice between a historic preservation district or a conservation district, the former will result in the displacement of low-income residents (Bissinger 2007). Designated historic districts attract tourists and businesses, which in turn will bring in middle and upper-income residents (9). Additionally, the added costs of historic designation regarding the upkeep of properties can supplement the difficulty for low-income families to afford to remain in the neighborhood (3).

Neighborhoods may face similar issues of displacement should residents choose not to act. The oft-cited SoHo neighborhood of Lower Manhattan, New York City is an example of the rapid change in both character and property values that a neighborhood can experience as a result of unregulated development. Called the “SoHo effect,” the SoHo neighborhood transformed from a manufacturing district to an outdoor shopping mall with an overwhelming presence of brand-name stores. The Logan Park neighborhood has begun feeling the beginnings of such a phenomenon; new breweries are cropping up frequently, and residents have already organized to preserve the commercial nature of the Minneapolis Public Schools administration building (807 Broadway), keeping hundreds of jobs in the neighborhood and maintaining the nature of their live/work community.

A conservation district designation may be an effective tool to address gentrification. However Bissinger states: “…the creation of a conservation district will not prevent change. …the additional regulations and protection afforded…could be used to minimize incompatible development and to preserve some level of affordable housing” (2007: 26). Thus it is important to keep in mind that while a NCD may slow the process of gentrification, and provide residents with more control, the designation is not a “magic bullet” to guarantee protection from all the effects of gentrification. With regards to Minneapolis specifically, the conservation district ordinance may be able to stem the tide of development by limiting the scale of buildings to prevent “McMansions” and large-scale luxury apartments or studios in a neighborhood.

Any evidence to show the successes of conservation districts in protecting affordable housing is scarce given the economic downturn and relative newness of ordinances around the
nation. In some cases, like Phoenix, AZ, a “special planning district” designed in a similar fashion to a NCD did not succeed in preserving affordable housing due to facing one of the fastest-growing housing markets in the country (Bissinger 2007). Yet at the opposite side of the spectrum, like in various conservation districts in Chapel Hill, NC, the designation has been effective in preventing the demolition of older buildings to exchange for McMansion houses (McClurg 2011).

Because many NCD ordinances, including Minneapolis, do not have specific mechanisms to address the affordability of housing for renters, the design guidelines and goals that residents come up with must be geared towards affordable housing. Unlike historic districts, conservation districts can allow for less expensive repairs without worry of the historic makeup of the property. Additionally, controlling the scale of properties can prevent a surge of middle and upper income tenants to fill luxury apartments. Any government involvement in these districts can take the form of incentives, which Bissinger notes could preserve existing affordable housing and facilitate the creation of new affordable housing through federal and local subsidy programs (2007: 33).

It is important to keep in mind that while a conservation district may provide some protections, a designation can also lead to an increase in property values and consequently may bring a rise in rental prices. Despite being considered a red herring by some urban planning experts (as the alternative can be far more detrimental), it is nonetheless a consideration that stabilizing the appearance of a neighborhood will make it more appealing and consequently more expensive to live there.

In sum, a neighborhood conservation district could be a positive tool for the Logan Park neighborhood. The neighborhood association’s goal to preserve Logan Park’s character falls within the “Neighborhood Planning Model” (Bissinger 2007: 7) of the Minneapolis NCD ordinance, aimed at preventing intensive or incompatible development. While there are no direct mechanisms within the ordinance to preserve the affordability of housing, such as rent controls, a NCD could still be a flexible tool to slow gentrification. However additional tools will be needed to provide greater protections for the neighborhood, especially if residents wish to address issues like crime or to protect individual properties that do not share a unified character with the surrounding area. Property values may also increase as a result of the designation, which can lead to rental price increases; however when weighed with the possibility of unfettered development, the harm would be negligible compared to the benefits a NCD could offer.
Bibliography


Duffy, Robert et al. “Neighborhood Conservation District Study for the Town of Brookline.” *Department of Planning and Community Development* (2005)


Minneapolis Code of Ordinances. Art./Amend. XIII, Sec. 599.710 - 599.830


CONSERVATION DISTRICT PLAN APPLICATION

City of Minneapolis
Community Planning & Economic Development
105 5th Avenue South, Suite 200
Minneapolis MN 55401-612-673-3000

This application packet is used to file an application(s) for the establishment of a group of properties as a conservation district. The packet is a tool for gathering information relevant to an application.

599.710. Purpose. This article is established to maintain and enhance the visual character, land use, or activity evident in its notable architectural detail, building type, or development pattern by regulating changes to those attributes and adopting design guidelines for properties within a defined area. As part of the city’s comprehensive program of historic preservation, it is the intent of this ordinance to promote the use and conservation of notable properties or districts for the education, inspiration, pleasure, and enrichment of its citizens and for the long-term sustainability and vitality of the city. Conservation districts are designed to not only maintain but also expand the roster of buildings, structures, and sites that contribute to the visual character and support the land use and activity of the district. The value of existing and proposed buildings in conservation districts is measured by the extent to which they embody the conservation district’s notable visual character and support its land use and activity.

599.720. Establishment criteria. (a) The following criteria shall be considered in determining whether properties are eligible to be in a conservation district:

(1) The district is contiguous and:
   a. includes at least one complete block face with two or more principal buildings; or
   b. is centered upon the intersection of two or more streets, with all corner lots included in the district.

(2) Seventy-five (75) percent of properties embody notable attributes common to the district:
   a. distinctive characteristics of an architectural or engineering type or style, or method of construction; and
   b. a landscape design or development pattern distinguished by quality of design or detail, innovation, rarity, or uniqueness; or which may include scale that creates a cohesive identifiable setting.

599.730. Initiation of conservation district plan. Application for initiation of a conservation district plan shall be submitted on an application form approved by the planning director and shall be accompanied by evidence documenting the consent of owners who represent one-third (1/3) or more of all tax parcels, and notification of all owners of all tax parcels, excluding streets and alleys, within the proposed conservation district boundary. The commission shall review all complete applications. If the commission determines that the subject district appears to meet the criteria for establishment contained in section 599.720, the commission may direct the planning director to prepare or cause to be prepared a conservation district plan and design.
599.740. Design guidelines. (a) In general. Conservation district design guidelines shall be drafted by the planning director with the active participation of property owners in the proposed district. Design guidelines shall not be adopted or applied so as to prohibit uses allowed by the zoning code. Design guidelines regulating building bulk may be more restrictive than the zoning code when based upon the notable attributes, as identified in the conservation district’s plan. Design guidelines shall be limited to regulating some or all exterior elements solely for the purpose of perpetuating and proliferating the district’s notable attributes, as identified in the district’s plan. Conservation district design guidelines shall clearly identify all changes requiring review for compliance with this ordinance. Design guidelines may establish that a public hearing is required for the construction of principal and accessory structures or the addition or removal of floor area to existing principal or accessory structures. All other changes shall be reviewed administratively unless those changes require a public hearing review pursuant to the Minneapolis Code of Ordinances.

(b) Owner consent. Prior to heritage preservation commission adoption, but not amendment, guidelines shall be submitted to the planning director, accompanied by evidence documenting the consent of owners who represent two-thirds (2/3) or more of all tax parcels, excluding streets and alleys, within the proposed conservation district boundary to both the establishment of the proposed conservation district and the proposed design guidelines. Evidence of two-thirds (2/3) consent shall be obtained within one (1) year of the date the planning director initiates work upon a conservation district plan application. The planning director, upon written request, may for good cause shown grant up to a six (6) month extension to this time limit. No additional owner consent is required for changes to the design guidelines that the heritage preservation commission adopts during either the initial conservation district and design guideline establishment process or any subsequent conservation district design guideline amendment process.

599.750. State historic preservation office review. The planning director shall submit all proposed conservation district establishments, amendments, repeals, and design guidelines to the state historic preservation officer for review and comment. The state historic preservation officer shall have sixty (60) days from said date of submittal to provide comments to the planning director.

599.760. City planning commission review. The planning director shall submit all proposed conservation district establishments, amendments, repeals, and design guidelines to the city planning commission. City planning commission shall have sixty (60) days from said date of submittal to provide comments to the planning director. In its review, the city planning commission shall consider but not be limited to the following factors:

1. The district’s eligibility for establishment, as evidenced by its consistency with the establishment criteria.
2. The consistency of the proposed conservation district with the city’s zoning code and comprehensive plan.
3. The effect of the proposed conservation district on the surrounding area.
4. The consistency of the proposed conservation district with applicable development plans or development objectives adopted by the city council.
5. The consistency of the proposed design guidelines with the establishment criteria.
6. The effect of the proposed district on the long-term sustainability and vitality of the city.

599.770. Heritage preservation commission review. Following acceptance of a complete plan, the heritage preservation commission shall hold a public hearing to consider the proposed conservation district
establishment, amendment, or repeal as provided in section 599.170.

599.780. Commission recommendation. Following the public hearing, the heritage preservation commission shall make findings with respect to the proposed conservation district establishment, amendment, or repeal and shall submit the same together with its recommendation to the city council. In making its findings and recommendation, the commission shall consider the establishment criteria contained in section 599.720, the information contained in the plan, the state historic preservation officer's comments, the city planning commission's comments, the planning director's report, and all testimony and evidence received at the public hearing relating to the conservation district establishment, amendment, or repeal.

599.790. City council decision. The city council shall make the final decision on the establishment, amendment, or repeal of all conservation districts.

599.800. Adoption. The heritage preservation commission shall adopt conservation district design guidelines concurrent with the review of conservation district plans.

SOURCE URL: http://www.ci.minneapolis.mn.us/hpc/hpc_forms
The Path to Becoming a Minneapolis Conservation District

START

Pre-application meeting with designated city planner for the neighborhood

Property owners within proposed conservation district complete the application form

Do 1/3 of property owners within the proposed district consent to submitting the application?

YES

Planning director and property owners create design guidelines based on the proposed district’s unique characteristics

NO

Do 2/3 of property owners within the proposed district consent to the design guidelines and establishment of a conservation district?

YES

Conservation district is established

FINISH

NO

Conservation district is NOT established

Does the City Council establish the conservation district?

YES

City Council holds a public hearing to consider the establishment of the conservation district

NO

Does the HPC adopt the design guidelines and recommend establishment of the conservation district?

YES

Historic Preservation Commission holds a public hearing to consider the proposed conservation district

NO

State Historic Preservation Office and City Planning Commission review and comment on proposed conservation district design guidelines

YES

Conservation district is established

Conservation district is NOT established