



Capitol Area Architectural and Planning Board



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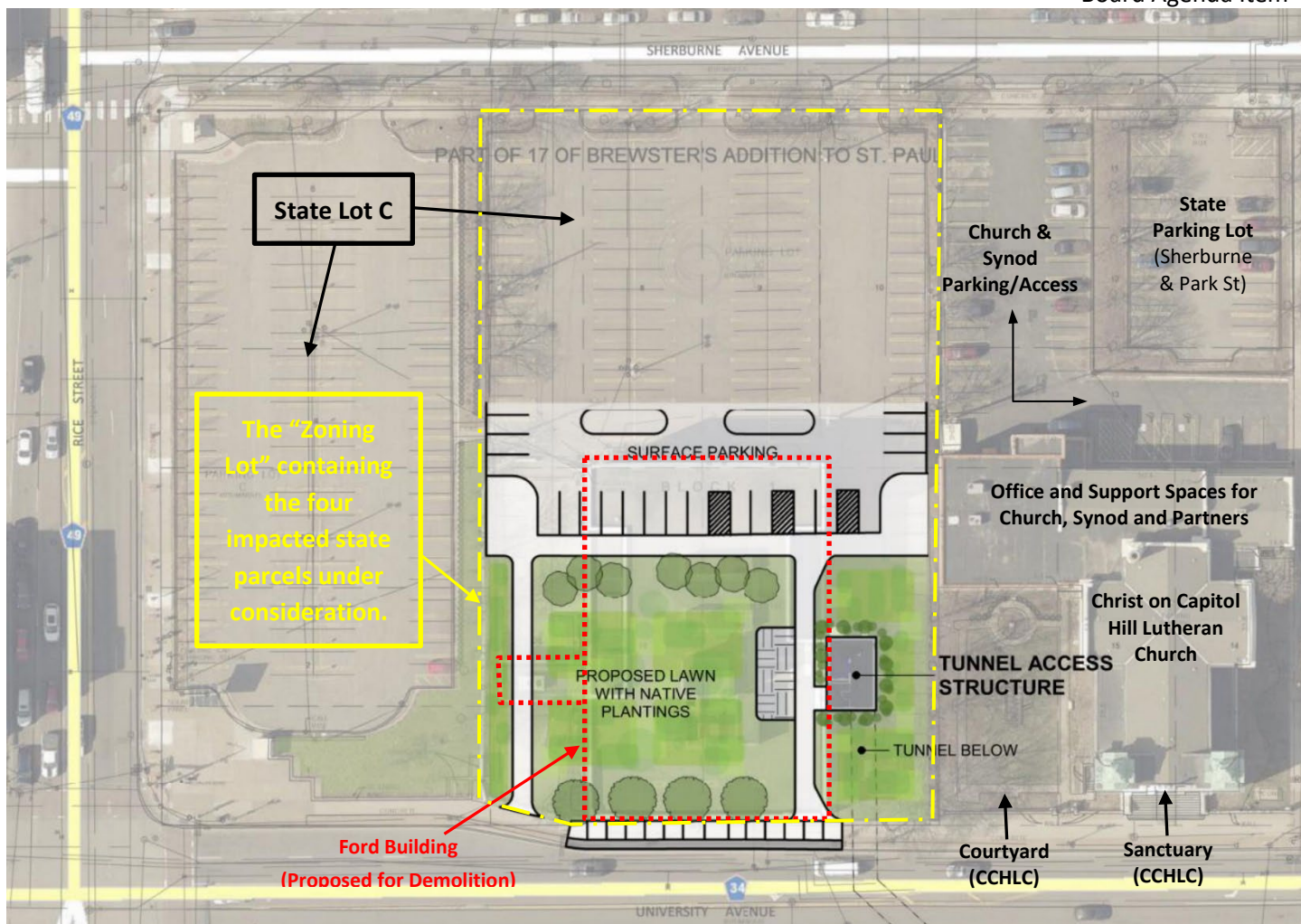
Date: ~~September 20, 2023~~, updated September 28, 2023
To: Members of the Capitol Area Architectural and Planning Board (CAAPB)
From: Paul Mandell and Peter Musty, CAAPB

RE: Proposed Ford Building Demolition and Site Improvements (Item 4)



Summary of the project and the decisions requested of the Board:

In May 2023, the State of Minnesota Department of Administration received authorizing legislation including funding to demolish the Ford Building. In June 2023, project architects filed an application with CAAPB. **Proposed for the site (the four-parcel zoning lot- see yellow lines) following Ford building demolition, is the existing state-owned surface parking lot (continuing as the primary use), a green space with vegetation, and a new above ground enclosure preserving access and protecting the State tunnel system connected to the Ford building.** The application has triggered the need for two actions. The first, required by statute, is the overall approval of the demolition; the second is zoning approval of a Conditional Use Permit allowing the existing surface parking lot to be new primary land use of the lot.



Decision #1 is required by Statute 15B: Do you approve of this substantial change to public land or public buildings in the Capitol Area?

The first action is a decision required by our MN Statute 15B.09, Subd. 3, which requires that *“No substantial change or improvement may be made to public land or public buildings in the Capitol Area without the written approval of the Board.”*

Decision #2 is required by Rules Governing Zoning & Design: Do you approve of the Conditional Use Permit (CUP) allowing the impacted Zoning Lot to then continue as a surface parking lot as its primary land use?

The second board decision is triggered by the *Rules Governing Zoning and Design in the Minnesota State Capitol Area*, which is for board members to approve permitting by Conditional Use Permit within the G1 Zoning District and Central Corridor Overlay District allowing the site to be used as a continuation of the state-owned surface parking lot. Both the Comprehensive Plan and the Rules for Zoning and Design call for the long-range reduction of surface parking in the Capitol Area and intensification of land uses in this location to support established regional, City, and community goals in the Capitol Area.

Decision #1: Summary of Staff Evaluations, Considerations and Recommendations.

The case for and against demolition has been argued for decades now. Many of the points made on either side of the issue are captured in the correspondence highlighted since 2019 later in this memo. *See Timeline of Related Background, Information and Activities.* Several points:

1. **The issue is demo vs no demo.** The Department of Administration has determined there is no practical way they can reuse the building. CAPB staff had traditionally disagreed until 2019, when, after extensive discussion at a Board meeting and receipt of a letter from the Commissioners of Administration and MN Mgt. & Budget ([see last attachment](#)), the CAAPB indicated that it was open to demolition, should any other option prove unviable..

2. **Areas where there may be consensus:**
 - a. The building is believed to be structurally sound.
 - b. Both CAAPB and the Department of Administration have identified this site as an excellent opportunity for state growth in the future as it is among the only under-developed sites that enjoys a tunnel connection.
 - c. Architectural details of the façade (the cornice) have been removed and stored, but leave the front, as it stands, without the architectural integrity it once enjoyed. Replacing the cornice would be expensive endeavor.
 - d. It would likely be cost-prohibitive for the State of Minnesota to reuse the building only, without integration into a larger block redevelopment. Lease rates for State occupants would be too high without the economy of scale of reuse within a larger block project.
 - e. The building carries historic cultural value important to the early development of the automobile industry in the region (as outlined in the SHPO National Register Nomination that was approved by State Review Board). However, the National Park Service returned the letter without approval, so the building will likely remain as 'Eligible'.
 - f. The building condition is deteriorating over time and lack of activity/use has resulted in an on-going cost to the State in the thousands of dollars.
 - g. The building's HVAC systems were removed, so entirely new system would have to be introduced, as would many if not all the windows.

3. **The case being made for demolition at this time:**
 - a. See the memo below from project applicant team, summarized in this statement; *"The Department of Administration has determined that it is necessary to demolish the Ford Building as it can no longer meet the needs of today's State workforce due to significant building deterioration, outdated or failing mechanical and electrical systems, and functional building deficiencies. The outcome of this specific project is intended to maintain functional use of the site while eliminating the security hazard that the Ford Building currently poses."*
 - b. The passage below further lists the benefits of the new site plan after demolition; including temporary improvements of green space, and minimally sized enclosure that protects and retains site access from parking lots to the tunnel system.
 - c. There is planning and funding that will determine and create future green space on the site.
 - d. The Administration Department has a 2024 Capital Budget request for predesign for redevelopment of all the State land on the block west of the church.

The case for waiting for a state project to determine full or partial reuse /demolition:

- e. Full or partial reuse of the structure is a chance to demonstrate energy conservation. The energy used in tearing the building down and rebuilding new structure of similar strength and durability would be very expensive. The building as it is built could, with continued upkeep, last many more.
- f. The CAAPB, in review comments for the request in '22, supported demo conditioned on knowing plans for the site in the way of replacement.

Decision #2: Summary of Staff Evaluations, Considerations and Recommendations.

1. **The applicant's case for Conditional Use Permit** is included in their letter from project Architects John McNamara updated September 6, 2023 ([full text of the application letter is found in the attachments](#)):

"As part of the Zoning Permit Application for the above-mentioned project, please find the response statement below intended to address the request for a Conditional Use Permit to allow for the principal use of State-owned parking facilities, surface lots. As outlined in 2400.3155 Conditional Uses in the Capitol Zoning Rules, conditional use requests shall be permitted if the proposed use is determined by the Board to comply with the following guidelines:

- A. *Will not materially adversely affect the general character of existing principal uses.*
- B. *Will not adversely affect the beauty, dignity, and architectural integrity of the Capitol area; and*
- C. *Will be established under the conditions and requirements for the uses enumerated in this chapter and additional conditions and requirements as the board may impose to ensure compliance with items A and B.*

The proposed project scope includes the demolition of the Ford Building, site and surface parking restoration, and construction of a new tunnel access structure required to maintain service and access to the underground Capitol Complex tunnel system. The Department of Administration has determined that it is necessary to demolish the Ford Building as it can no longer meet the needs of today's State workforce due to significant building deterioration, outdated or failing mechanical and electrical systems, and functional building deficiencies. The outcome of this specific project is intended to maintain functional use of the site while eliminating the security hazard that the Ford Building currently poses.

The proposed use of re-establishing surface parking and providing a landscaped lawn area with supporting tunnel access structure is intended to support the principal office and institutional uses found within adjacent parcels in the G-1 Government and Central Corridor Districts. The new proposed structure is critical to maintaining access to the existing infrastructure available to state employees, whether they are commuting to the Capitol by car or public transportation. Furthermore, demolition of the Ford Building would significantly improve the light and air supply at and around the proposed site, specifically for Christ Lutheran Church to the east. Removing the vacated building provides better views of the church, while also providing a publicly accessible community asset in the proposed green space.

As noted in subsequent sections of this memo, there are plans for a future Capitol Mall Design Framework Study and potential predesign study for redevelopment to be completed that would reimagine the proposed project site. Due to the intermediary nature of our proposed scope and its limited program, portions of the form-based code regarding building footprint and siting requirements are not met by the small tunnel access structure and green space. However, the reconstruction plans are intended to support the form-based code through materiality and simple landscaping finishes as best as possible with the flexibility for future improvements in mind. Additionally, the inclusion of green space aims to soften the predominantly heavily urban landscape around the project site, and its simplicity can serve as a natural complement to the intricate architecture found on the Capitol Complex.

The extent of surface parking reconstruction is limited and restricted to only the parking areas required to be demolished for the removal of the existing Ford Building basement. The section of bituminous along the northern half of the site is intended to remain as its removal was not required for gross building demolition. Based current and proposed conditions, there is a net reduction of approximately six parking stalls, and many of the new parking stalls proposed are designated as accessible for appropriate ADA access to the tunnel access structure.” – John McNamara – Letter to Peter Musty, September 6, 2023

2. **Due to the legislation, it has become time to decide the future of the building.** Due to 2023 Legislation, no additional study of the building or site shall be required prior to issuance of permits necessary for the authorized demo..
3. **If you approve of the resolutions, the path is clear. If the Board does not approve, the path is not clear.** Decisions either way may lead to demolition depending on what the Department of Administration chooses is the best pathway.
4. **Without planning for full redevelopment of the site, CAAPB Zoning Administrator Peter Musty does not support approval of the either resolution.** The improvements related to tunnel access, park space and retention of the existing surface parking, albeit at a slightly reduced total count, are not in compliance with the intent and policies of either the Comprehensive Plan or the Zoning Rules, and without a plan for replacement, such action may be premature.

However, I, your acting Executive Secretary, believe the board should move ahead with these approvals. The Legislature passed and Governor signed legislation with clear direction in law “that there are to be no additional studies” prior to the actions authorized in the legislation, that being demo of the Ford Building and a new access structure for the tunnel. No funding has yet been authorized to for any predesign or redevelopment of the block, and with no other viable options for saving the building, you are then asked to consider the proposed building demo and development of a new access structure for the Capitol Area tunnel on the Ford Bldg. site.

My recommendation to proceed is driven by important context that a new green space surrounding the new structure will also be included, and that the new Capitol Mall Design Framework and accompanying funding for implementation from the 2023 Session calls for a new park space on the northeast corner of Rice and University, this same block. With that, the matter lies before the Board with two decisions-one regarding demo, up or down; the other – to vote on a Conditional Use permit, with whatever conditions you as the Board wish to apply.

Language for Board Consideration

Consideration and approval of 1 is prerequisite to 2, and may be acted on separately or combined at discretion of Chair or by motion of Board:

“1. The Capitol Area Architectural & Planning Board (CAAPB) approves the proposed change to Capitol Area public lands and buildings as represented in the June application by the Department of Administration that includes demolition of the Ford Building and replacement by site improvements that include parking, green space with vegetation and an enclosure protecting and preserving access to the State tunnel system.”

“2. Furthermore, the Capitol Area Architectural & Planning Board (CAAPB), as required by the Rules for Zoning and Design in the Minnesota State Capitol Area, approves a Conditional Use Permit allowing for the affected four parcel zoning lot included in the project identified above, to change from a building with a surface lot to simply a ‘surface parking facility, as the primary use.”

Conditions for Board Consideration:

1. **Reimbursement of Church for Monitoring Expenses.** The Department of Administration will reimburse Christ on Capitol Hill Church for expenses related to preventative monitoring and protection of the National Register Church, including but not limited to professional services to assist in documentation of the property before, during, and after the construction process.
2. **Protection Measures of Church.** The Department of Administration will abide by the commitments made in Architect John McNamara’s memo to CAAPB dated September 19, 2023, which outlines measures to protect the church such as adherence to practices provided by State Historic Preservation Office in their September 11 letter to CAAPB.

Other Formal Requests for consideration:

3. **Presentation of Strategic Facilities Planning related to Block.** The Department of Administration will commit to presentation of Strategic Facilities Plan to the Board at a board meeting in the future. The meeting will include the Department of Administration plans for redevelopment plans for this block that are available, with, of course, representatives of Christ on Capitol Hill Lutheran Church specifically invited. Furthermore, the Department will commit to collaborating with CAAPB on the future planning and design of the block.
4. **Future Design and Planning for Block Redevelopment.** Statute 15B, the Rules for Zoning and Design, and the policies of the Comprehensive Plan, including requirement for CAAPB led design process will be followed going forward related to redevelopment of the block.



image furnished by Wold Architects and Engineers

ATTACHMENTS: SEPARATE

Letter from Administration Team, September 19, 2023. – On request of CAAPB staff, this is a letter in response to information gained at the public informational meeting, and the letters from Church and State Historic Preservation Office, both issued September 11th. ([See Attachments Packet -2 pages](#))

Public Informational Event (in person), September 13, 2023. On request of CAAPB staff, the project architects (Wold) attended a session open to the public (open house format). They participated in a discussion with CAAPB staff and advisor, church representative, synod representative, campus worker, two Capitol Heights residents and one board member. There is no public meeting requirement on conditional use permits.

Letter/Info from Historic Preservation Office, September 11, 2023. – On request of CAAPB staff, this is a letter of response from SHPO on the Ford Building (Eligible for National Register) and the Church (on the National Register). ([See Attachments Packet, 3 pages](#)) The letter is from Amy Spong, Deputy State Historic Preservation Officer, and includes:

- Ford Building Nat'l Register Timeline and Summary - by Ginny Way, SHPO National Register Architectural Historian
- Protections for Existing Buildings Adjacent to Demolition / Construction - by Natascha Wiener, SHPO Historical Architect & Design Reviewer

Letter from Christ on Capitol Hill Lutheran Church, September 11, 2023. – This is the second of two letters from Christ on Capitol Hill Lutheran Church, provided by Pastor Joy McDonald Colvet. This letter serves as an updated memo following their meeting with Department of Administration in September, with concerns about impacts of the project on the church and their support for the Comprehensive Plan follow up. The church is listed on the National Register and is the only other property on the block. ([See Attachments Packet, 1 page](#)).

Christ on Capitol Hill Lutheran Representatives Meeting with Department of Administration (early September 2023). On request of CAAPB, project leaders met with neighboring Church representatives to provide them information about the project.

Updated Applicant Memo, September 6, 2023. – This memo from Administration Team describes the arguments in support of the Conditional Use Permit and addresses information on a range of topics requested by CAAPB staff. ([See Attachments Packet or click here, 3 pages](#))

Letter from Christ on Capitol Hill Lutheran Church, May 9, 2023.– This is the earlier from Christ on Capitol Hill Lutheran Church, provided on behalf of the church by Pastor Joy McDonald Colvet., ([See Attachments Packet, 1 page](#)).

Background memos from Administration to CAAPB Board, Sept. 13, 2021 & Nov. 12, 2019 ([See attachments, 4 pages](#))

Note: Legislative Provisions (May 2023) There were three items of legislation affecting the Ford Building, its site, and the larger block. The legislation can be found in a June Staff Memo to the Board, available on CAAPB website)