Department of Community Planning and Economic Development
Planning Division

Certificate of Appropriateness
BZH-25790

Date:	October 20, 2009
Proposal:	Request for Certificate of Appropriateness to replace windows
Applicant:	Curt Isernhagen
Address of Property:	728 16th St E
Project Name:	728 16th St E Window Replacement Certificate of Appropriateness
Contact Person and Phone:	Curt Isernhagen, P.E., 952-854-4511
Planning Staff and Phone:	John Smoley, Ph.D., 612-673-2830
Date Application Deemed Complete:	September 9, 2009
Publication Date:	October 13, 2009
Public Hearing:	October 20, 2009
Appeal Period Expiration:	October 30, 2009
Ward:	7
Neighborhood Organization:	Elliot Park Neighborhood, Inc.
Concurrent Review:	N/A

Attachments:

Attachment A: Materials submitted by CPED staff – 13A-13B
- Location map – 13A
- 350' map – 13B

Attachment B: Materials submitted by Applicant – 14A-14LLL
- Notification letter to Council Member – 14A
- Notification letter to neighborhood organization – 14B
- Application form submitted February 9, 2009 – 14C
- Existing conditions (photographs) – 14E
- Architectural drawings and specifications – 14RR

Attachment C: Materials submitted by interested parties – 15
- n/a

728 16th St E, early 2009, photo submitted by applicant

CLASSIFICATION:	
Local Historic District	Ninth Street South Historic District, contributing resource
Period of Significance	1886 - 1915
Criteria of significance	The Ninth Street South Historic District is locally significant for its depiction of architectural styles and community planning principles during the period 1886-1915. The multi-family dwellings in this district highlight this neighborhood's function as a transitional zone connecting the downtown commercial core with outlying lower density residential districts.
Date of local designation	1988
Applicable Design Guidelines	Ninth Street South Historic District Design Guidelines *The Secretary of the Interior's Standards for Treatment of Historic Properties*

PROPERTY INFORMATION	
Current name	Old Town in Town Cooperative
Historic Name	Linne Flats
Current Address	728 16th St E
Historic Address	726-728 16th St E
Original Construction Date	1892
Original Contractor	Frederick A. Clark
Original Architect	F.A. Clark
Historic Use	Residences
Current Use	Residences
Proposed Use	Residences

BACKGROUND:

The subject property is a flat roofed, three-story brick multi-family residence located just west of the intersection of Chicago Avenue and 16th Street East in the Ninth Street South Historic District.

The Ninth Street South Historic District is locally significant for its depiction of architectural styles and community planning principles during the period 1886-1915. The multi-family dwellings in this district highlight this neighborhood's function as a transitional zone connecting the downtown commercial core with outlying lower density residential districts.

Minneapolis' economic boom of the mid-1880s encouraged a rapid influx of new residents and created a strong demand for housing. Architects and builders responded by introducing the row house to the Minneapolis streetscape. The proximity of the Ninth Street South Historic District to the downtown business district and streetcar lines made higher density dwellings appealing to developers and acceptable to upper and middle class workers. These row houses continue to mark the evolution of the urban city from its village roots.

The exterior portions of the subject property contribute to the district's significance as part of the Linne Flats, a series of five apartment buildings from 728-740 16th Street East constructed in 1892 by Carl Peterson (#s 728, 732, and 735) and Frank J. Linne (#s 736 and 740). Designed by Frederick A. Clark, these symmetrical, three-story red brick apartment buildings have three-story bay windows flanking a central entrance.

SUMMARY OF APPLICANT'S PROPOSAL:

The applicant wishes to replace all existing double hung and fixed wood windows, and their accompanying aluminum storm windows, with new thermally broken aluminum frame windows.

PUBLIC COMMENT:

Staff has received no comments on the proposed project.

CERTIFICATE OF APPROPRIATENESS: Certificate of Appropriateness to replace windows

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 Linne Flats contribute to the district's significance as apartment buildings designed to complement the row house design while offering smaller, more affordable living spaces in close proximity to the downtown business district and streetcar lines. Regardless of what changes are made to the subject property, it will maintain its historical significance, but proposed changes may affect its integrity (i.e. the property's ability to communicate its historical significance). Since the property will maintain its integrity if the proposed alterations are made (see findings 3-5 below), the proposed alterations are compatible with and continue to support the criteria of significance and period of significance for which the historic district was designated.

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

The proposed alterations support the interior and/or exterior designation in which the property was designated with two exceptions: window measurements, and arched window treatments.

The exterior portion of this building, not its interior, is designated, since neither the district's nomination form nor the designation include details regarding the subject property's interior features nor do either specifically state that the property's interior is protected.

The application states that all existing 1/1 and picture wood windows, with their accompanying storm windows, will be replaced with thermally broken aluminum frame windows, yet the proposed window replacement number and type do not match the existing number of windows slated for replacement. Given the proposed ½" variation between existing and proposed window dimensions, replacement of all fixed and 1/1 windows is appropriate.

All proposed aluminum window frames will be painted brown. Aluminum frame windows were not available during the district's period of significance, but are permitted by the Ninth Street South Historic District Design Guidelines.

Replacement of non-historic windows, even those that show no evidence of deterioration, is acceptable, according to the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. The existing wood windows do not date back to the period of significance of the building (1886-1915). No historic photographs are available to indicate even generally the measurements of the original windows, but visual evidence indicates that the existing windows:

a) are rectangular, whereas the historical window opening is often arched (arches now filled in with black vinyl panels);
b) possess vinyl jamb liners, not a rope and pulley system;
c) utilize window locks common to homes built in the late 1970s & early 1980s; and possess aluminum storm windows and screens;

The window operations proposed by the applicant are appropriate. In portions of the application the applicant claims that the existing 1/1 windows are double hung. At other times the applicant claims that these windows are single hung. In some portions of the application, the applicant proposes to replace these windows with double hung windows. In other portions of the application, the applicant proposes to replace them with single hung windows. Both window types are appropriate to the building's period of significance and architecture.

Staff cannot determine if the proposed window measurements are appropriate. The application includes existing window measurements but does not include proposed window measurements to verify that proposed replacements are within ½" of the existing window profile, as stated in the application.

The applicant has not submitted details indicating how arched window segments will be treated. Currently, opaque black vinyl panels cover the two types of arched window segments that exist on the property.

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

Both the city of Minneapolis' Heritage Preservation Regulations and the National Register of Historic Places identify integrity as the authenticity of historic properties and recognize seven aspects that define a property's integrity: location, design, setting, materials, workmanship, feeling and association. Based upon the evidence provided below, the proposed work will impair, but not destroy, the integrity of the contributing resource.

Location: The Applicant proposes no changes to the contributing resource's location, thus the project will not impair the contributing resource's integrity of location.

Design: As proposed, the project will alter the design of the building. The application includes existing window measurements but does not include proposed window measurements. The applicant proposes to use replacements that are within ½" of the existing window profile, but it is unclear which parts of the existing windows will be matched that way. A ½" change in the meeting bar width combined with a more radical

change in the sash width would alter the design of the building noticeably. As proposed, the project will impair the contributing resource's integrity of design.

Setting: The Applicant proposes no offsite changes, thus the project will not impair the contributing resource's integrity of setting.

Materials: The Applicant proposes to replace wood windows that do not date back to the building's period of significance with aluminum windows, which also do not date back to the period of significance. Both the local and federal design guidelines support this change, thus the project will not impair the contributing resource's integrity of materials.

Workmanship: The Applicant proposes to replace wood windows that do not date back to the building's period of significance with aluminum windows that were unavailable during the district's period of significance. The applicant does not identify how the arched portions of windows, currently covered by black, opaque vinyl panels, will be treated. These panels are not in keeping with the character of the historic building. They mask an area typically reserved for evidence of craftsmanship, such as stained glass, leaded glass, wood, or actual arched window tops. Nevertheless, these treatments currently exist, so their maintenance or in-kind replacement will have no effect on the building's already impacted integrity of workmanship. The project will neither improve nor further impair the contributing resource's integrity of workmanship.

Feeling: The Applicant proposes to replace wood windows that do not date back to the building's period of significance with aluminum windows that do not date back to the building's period of significance. The project will neither impair nor improve the property's integrity of feeling.

Association: The Applicant proposes no changes that would break the residence's association with late nineteenth century Minneapolis row house architecture or residential development common to the district, thus the project will not impair the property's integrity of association.

(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 Heritage Preservation Commission adopted the Ninth Street South Historic District Design Guidelines in 1988. The guidelines state:

A. Windows which have unique architectural or historically significant details which cannot be duplicated must be retained.
B. Window replacement other than item A shall be permitted if original windows are badly deteriorated or provide inadequate thermal performance. (Use of interior storm windows shall be encouraged.)
C. Replacement windows may be wood or aluminum. Window paning shall be provided to replicate existing wood moldings.

D. Replacement windows must have a true offset, single- or double-hung operation. (They need not be operable.)
E. Replacement windows will have a paint finish. (Anodized windows will not be permitted.)
F. Replacement windows shall have clear glass unless historical documentation suggests otherwise.

For the most part, the proposal meets these standards. None of the windows in question have unique architectural or historically significant details. Visual evidence indicates that the current windows do not date back to the building's period of significance, 1886-1915. Photographs submitted by the applicant indicate some deterioration in the existing window units. The proposed replacement windows are aluminum. No window paning is proposed, in keeping with the existing 1/1 and fixed picture windows. The proposed 1/1 replacement window operation will be single or double hung. Existing fixed windows will be replaced with fixed windows. Changing their operation to single or double hung would be inappropriate without historical evidence demonstrating that these windows operated as single or double hung during the district's period of significance. The proposed replacement windows will have a brown painted finish.

Yet the proposal does not meet these standards in one area. The applicant has not indicated whether the proposed glass would be clear or whether the building historically possessed anything but clear glass windows.

(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.

The Applicant is conducting a rehabilitation of the subject property. The Secretary of the Interior's Standards for Rehabilitation recommend identifying, retaining, and preserving windows that are important in defining the overall historical character of the building.

Visual evidence indicates that the current windows do not date back to the building's period of significance, 1886-1915, therefore these windows are not important in defining the overall historical character of the building.

The Secretary of the Interior's Standards for Rehabilitation also recommend designing and installing new windows when the historic windows (frames, sash and glazing) are completely missing. The replacement windows may be an accurate restoration using historical, pictorial, and physical documentation; or be a new design that is compatible with the window openings and the historical character of the building.

In some ways, the proposed windows meet this standard. The building's historic windows were previously replaced. Staff has found no evidence indicating the specifications of the original windows. The applicant is proposing to replace the existing 1/1 and fixed picture windows with thermally broken aluminum frame windows. All frames will be painted

brown. Existing fixed window operation will be maintained, and 1/1 windows will be double or single hung.

In other ways, the proposal does not meet this standard. The application includes existing window measurements but does not include proposed window measurements to verify that proposed replacements are within ½" of the existing window profile, as stated in the application. The applicant has not submitted details indicating how arched window segments will be treated. Currently, opaque black vinyl panels cover arched window segments, where historically glass or wood would have existed.

(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.

Action 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 project will modify the building in ways that are insensitive to its historical character, as discussed in items 4 and 5 above.

Comprehensive plan policy 8.1 states that the City will, "Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture." The proposed work will not help preserve the subject property any more than the existing windows do. Both the proposed and existing windows protect the building's interior from the elements, but neither complement the historic character of the building, since the former may include incompatible elements such as mirrored glass and the latter include aluminum storm windows.

The subject property lies within no adopted small area plan area.

(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.

The application does not include an analysis of the proposed project in relation to the district's significance statement. Aluminum windows did not exist during the district's period of significance. Wood windows did, yet the existing non-historic wood windows and aluminum storm windows do not date back to this period either. The district's architectural significance may be diminished by the installation of windows with wide metal segments, as staff has found no evidence that such features are historically characteristic of the district. The district's association with significant developments in the urbanization of the city will not be impacted by the installation of the proposed windows, since the buildings still serve as medium-density residential buildings on the outskirts of the central business district.

(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 the replacement of windows within existing window openings.

(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.

As discussed in finding #5, the application is not fully in compliance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties.* The applicant is conducting a rehabilitation of the subject property. This is appropriate since the property is locally, not nationally, significant and since the property has been modified over time, to include the replacement of the historic windows. Yet the application is not specific enough in regard to the width of metal window segments and the treatment of arched window sections.

Before approving a certificate of appropriateness that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:

(11) The alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.

The applicant is proposing to replace the existing, non-historic, 1/1 and picture wood windows and their aluminum storm windows with aluminum frame windows that may complement the character of the district. Yet the application is not specific enough in

regard to the width of metal window segments and the treatment of arched window sections. Furthermore, no details related to the clarity of the proposed glass have been provided. Without such details, the proposed windows could easily have a detrimental effect on the district by introducing features, such as tinted or mirrored glass, that radically depart from the district's historical character.

(12) Granting the certificate of appropriateness will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.

The spirit and intent of the City of Minneapolis' Heritage Preservation Regulations is to preserve historically significant buildings, structures, sites, objects, districts, and cultural landscapes of the community while permitting appropriate changes to be made to these properties. The property owners, a cooperative, seek to maintain the building and district's residential function and preserve the historical character of the subject property by replacing the existing windows, some of which have experienced deterioration, with new windows. Yet the project may alter the essential character of the historic district by introducing features not found during the district's period of significance and not in keeping with the district's historical character, such as wide metal segments on the proposed windows.

(13) The certificate of appropriateness will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.

The scope of the project is limited to the replacement of non-historic windows with new windows that will prevent moisture infiltration into the subject property and preserve the district's residential function. Nevertheless, the proposal is not specific enough to prevent out of character elements (such as tinted glass) from injuring the significance and integrity of other resources in the historic district.

STAFF RECOMMENDATION

CPED-Planning staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the Certificate of Appropriateness to replace all existing double hung and fixed wood windows, and their accompanying aluminum storm windows, with new thermally broken aluminum frame windows with the following condition(s):

1. CPED-Planning reviews and approves final site plan, floor plans, and elevations.
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 applicant shall submit existing window cross sections and specifications along with proposed window elevations, cross sections, material samples, color samples, and specifications to verify that:
    a. metal segments of replacement window are within ½" of the existing window segment measurements;
    b. replacement window glass is clear; and
    c. arched window segments are filled in with clear glass fixed windows whose specifications match those of other approved windows.
4. The applicant shall revise the scope of work to demonstrate that all, and only, existing fixed and 1/1 windows are to be replaced, as stated in parts of the application.
5. The applicant shall install double hung windows in all 1/1 window openings to maintain or improve the building's cooling system.

Attachment A: Submitted by CPED staff

Attachment B: Materials submitted by Applicant

Attachment C: Materials submitted by other parties