

Department of Community Planning and Economic Development
Certificate of Appropriateness
BZH-27889

Date: September 24, 2013

Applicant: Colwell Partners LLC

Address of Property: 123 3rd Street North

Project Name: Media Beacon Balcony

Contact Person and Phone: David J. Kelly Architect Inc. (952-922-2220)

CPED Staff: Janelle Widmeier (612-673-3156)

Date Application Deemed Complete: August 26, 2013

Appeal Period Expiration: October 4, 2013

Ward: 7 **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association

Proposal: Window opening modifications for installation of a balcony with two doors on the eighth floor of the building

Concurrent Review: Certificate of Appropriateness

CLASSIFICATION:	
Local Historic District	Minneapolis Warehouse Historic District (contributing resource)
Period of Significance	1865-1930
Criteria of Significance	Events, Architecture, Architect
Date of Local Designation	1978
Date of National Register Registration	1989
Applicable Design Guidelines	<i>Minneapolis Warehouse Historic District Design Guidelines</i> <i>The Secretary of the Interior's Standards for Treatment of Historic Properties</i>

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PROPERTY INFORMATION	
Current name	123 3 rd Street North (Colwell Building)
Historic Name	Fur-Tex Building
Current Address	123 3 rd Street North
Historic Address	113-129 3 rd Street North
Original Construction Date	1909
Original Architect	Long, Lamoreaux and Long
Original Builder	H.N. Leighton Co.
Historic Use	Warehouse
Current Use	Offices, commercial uses, and parking
Proposed Use	No change

HISTORIC BACKGROUND:

The eight-story Fur-Tex Building is designed in the Renaissance Revival Style and features terra cotta and deep wine-colored brick. The principal facades are defined by a tri-part horizontal division between the heavy masonry of the first floor, the tall middle section of the building, and the attic. The corner bays of the symmetrical building feature single window units with formalized surrounds. The remaining double hung windows are arranged in pairs. A flared cornice in terra cotta completes the building.¹ With the exception of the first story, the original sash has been retained. The building retains its integrity.

The alley on this block retains its original right-of-way width (16 feet) and retains its integrity. The width of the alley is significant as it retains the historic relationship between the buildings and landscape features of the district. Original materials may be located below the alleyway's current pavement. Loading docks, canopies, and fire escapes are significant features of alleys in the district; as landscape features of the warehouse/industrial complex and the way it evolved, they help to convey the significance of the district.

SUMMARY OF APPLICANT'S PROPOSAL:

Proposed alterations to the building include window opening modifications for installation of a balcony with two doors on the eighth floor of the west side of the building adjacent to the alley. The proposed balcony would be 8 feet deep by 25 feet 4 inches wide. The window sill of two existing window openings would be lowered to accommodate the two doors that would provide access to the balcony. Color samples for the balcony and railings (light beige) and door and window frames (dark green) will be available for viewing at the public hearing. The proposed balcony would serve the existing tenant,

Media Beacon. Originally, a roof top deck was requested to provide access to sunlight and fresh air. However, the building does not have ADA-compliant access to the roof. The balcony is proposed as an alternative. The applicant has indicated that storage will not be allowed on the balcony.

In addition to obtaining a building permit, an encroachment permit to allow the balcony to extend into the public alley right-of-way will need to be obtained from the Public Works Department. Balcony encroachments are subject to Title 5 Building Code requirements, including the following (emphasis added):

95.70 Balconies and stairs. No porch, balcony or stair of combustible construction shall project into public property, but balconies and stairs of open lattice metal construction may project into public property subject to the following restrictions: No part of such structure shall be less than twelve (12) feet above the grade; the maximum projection for fire-escape stairs and balconies shall be four (4) feet; *the maximum projection for all other balconies shall be two (2) feet.* No signs shall be placed on such structures nor shall they be used for advertising or display.

The property line adjacent to the alley is located 5.2 feet from the building. As proposed, 2.8 feet of the balcony would extend into the alley. Therefore, the balcony will need to be reduced in depth by 0.8 feet to comply with the above requirements.

Because adding balconies and doors to this building elevation in the future would trigger a Certificate of Appropriateness application, staff is recommending that the building owner be allowed to apply for a Certificate of No Change application as long as the balcony(s) and doors align with the proposed balcony and doors to maintain symmetry.

PUBLIC COMMENT:

As of the writing of this report, staff has received no public comment on the project.

CERTIFICATE OF APPROPRIATENESS: To allow window opening modifications for installation of a balcony with two doors on the eighth floor of the building.

Findings as required by the Minneapolis Preservation Code:

The Minneapolis Community Planning and Economic Development Department has analyzed the application based on the findings required by the Minneapolis Preservation Ordinance. Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings based upon, but not limited to, the following:

- (1) The alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.**

The proposed alterations are compatible with and support the criteria and period of significance for the building. The street facing façade mainly communicates the building's significance. The proposed alterations would be made to a secondary facade and would be set back two structural bays.

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

The exterior portions of the building communicate the building's significance. The building is significant for its Renaissance Revival Style architecture and its association with warehousing. The balcony is located on a secondary façade to be more compatible with the purpose for designation.

(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 would impact but not impair the integrity of the landmark.

Location: The applicant is not proposing to change the location of the structure, thus the project will not impair the landmark's integrity of location.

Design: Although the alterations are proposed on a secondary façade, the aspects of the project have the potential to impact the integrity of design because they will be fairly visible to the surrounding area. A single balcony also doesn't follow the symmetrical patterns of the building. The applicant is proposing a light beige color for the balcony to help it blend into the building, which should result in less impact on the integrity of design.

Setting: The applicant is not proposing any modifications that would have an impact on the integrity of setting.

Materials: The proposed project would have a minimal impact to the building's original materials. The glazing systems on the building have been replaced over time. Some brick would be removed to enlarge the openings for the doors. The proposed metal and glass door and window systems will be compatible with the period of significance and architecture of the building. Where the window openings will be expanded for the new doors, existing brick and the metal sills will be salvaged. The balconies would be attached to the building through the existing concrete structure to preserve the existing brick.

Workmanship: The additions would not result in the loss or alteration of any distinct decorative or character defining elements on the building and would not have an impact on the integrity of workmanship.

Feeling: The proposed alterations would not substantially impact the feeling of the building.

Association: The proposed alterations would not have a substantial impact on the 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 *Minneapolis Warehouse Historic District Design Guidelines* in 2010. The following guidelines for existing buildings apply to this proposal:

- 2.23. Clear transparent glass shall be used to replace missing panes or in full window replacement unless historical documentations show other treatments. Low emission coatings will be considered if they are not reflective or tinted.
- 2.26. New window openings on secondary facades will be considered.
- 2.33. Replacement windows shall be finished with a painted enamel finish. Anodized or other unfinished treatments are not allowed.
- 2.52. Balconies shall maintain the fenestration patterns of the building.
- 2.53. Details which reflect the industrial heritage of the area are most appropriate for balconies and railings.
- 2.54. Balconies on facades that do not face public streets will be considered. They shall be setback one structural bay from the primary facade(s).

The adopted guidelines also emphasize symmetry in fenestration and note that buildings generally have one predominant material and color with a secondary material or color used for trims or accents. Advisory guidelines for use of color in new construction include the following:

- 3.73. Painted (non-shiny metallic colors) metal, wood and glass are appropriate for windows, doors and entryways.
- 3.75. Appropriate colors for building accents, trims and details are shades of native sandstone or limestone, tan, beige or grey.
- 3.76. Appropriate trim colors for door frames, window frames handrails and external metal features, are black, and dark tones of blue, red, brown, or green.

With the single balcony, CPED is concerned that it will detract from the building's symmetrical appearance. Modifying two window openings to install doors helps to maintain symmetry. If any balcony additions are proposed in the future, they would need to follow a symmetrical pattern. For the proposed colors, the new doors would be painted a shade of green to match the existing adjacent windows. The balcony and railings would be painted a shade of beige. Although the balcony, an external metal feature, would not be painted a dark tone, the lighter color will help it blend more into the side of the building.

- (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 following Secretary of the Interior's Standards for Rehabilitation are most applicable to the proposed project:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The alterations proposed would not significantly affect its distinctive materials, features, spaces, and spatial relationships. The proposed alterations would be made to a secondary facade and would be set back two structural bays. The balconies will be fastened to the building through the concrete floor beams.

(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.

Comprehensive plan preservation 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." Implementation Step 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.

Although CPED staff is concerned that a single-balcony will detract from the building's symmetrical appearance, the balcony and railings would be painted a shade of beige. The lighter color should help it blend more into the side of the building. Also, modifying two window openings to install doors helps to maintain symmetry. If any balcony additions are proposed in the future, they would need to follow a symmetrical pattern. With these measures, the alterations should minimize the impact on the integrity of design.

- (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 involve the destruction of the 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.**

Locating the alternations on a secondary facade set in two structural bays and use of appropriate materials indicates consideration of the significance of the district.

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

The proposal does not trigger Site Plan Review required by Zoning Code Chapter 530.

- (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 above, the project complies with the rehabilitation guidelines of the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

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 alterations are small, relative to the building's size, and generally in keeping with local and federal design guidelines, thus the alterations are compatible with and continue to support the criteria of significance and period of significance for which the historic district was designated.

(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 proposed alterations would be on a secondary façade set in two structural bays and would use appropriate materials. Although CPED staff is concerned that a single-balcony will detract from the building's symmetrical appearance, the balcony and railings would be painted a shade of beige. The lighter color should help it blend more into the side of the building. Also, modifying two window openings to install doors helps to maintain symmetry. If any balcony additions are proposed in the future, they would need to follow a symmetrical pattern. With these measures, granting of the application will be in keeping with the intent of the ordinance and will have little effect on the character of the historic district.

(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 request might set a precedent for future cases, but will not formally authorize changes to other Landmarks, Historic Districts, or properties under interim protection without staff or HPC review.

RECOMMENDATION:

Recommendation of the Department of Community Planning and Economic Development for the Certificate of Appropriateness:

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt the findings above and **approve** the Certificate of Appropriateness to allow window opening modifications for installation of a balcony with two doors on the eighth floor of the building located at 123 3rd Street North, subject to the following conditions:

1. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than September 24, 2015.
2. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.
3. Department of Community Planning and Economic Development staff shall review and approve the final plans and elevations prior to building permit issuance.
4. The building owner shall be allowed to apply for a Certificate of No Change application to install a balcony(s) and doors to this building elevation in the future as long as the balcony(s) and doors align with the proposed balcony and doors to maintain symmetry.

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Attachments:

- District map
- Applicant's project description and statement addressing the applicable Certificate of Appropriateness findings
- Plans
- Photos