Department of Community Planning and Economic Development
Planning Division

Certificate of Appropriateness
BZH-26536

Date: November 2, 2010

Proposal: After-the-Fact Request for Certificate of Appropriateness to remedy unpermitted work and housing violations

Applicant: Brian Kallioinen

Address of Property: 2619 3rd Street North

Project Name: 2619 3rd Street North Violation Abatement

Contact Person and Phone: Brian Kallioinen, 612-840-0481

Planning Staff and Phone: John Smoley, Ph.D., 612-673-2830

Date Application Deemed Complete: n/a

Publication Date: November 2, 2010

Public Hearing: November 9, 2010

Appeal Period Expiration: November 19, 2010

Ward: 3

Neighborhood Organization: Hawthorne Neighborhood Council

Concurrent Review: n/a

Attachments: Attachment A: Staff Report – A1-A11

Attachment B: Materials submitted by CPED staff – B1-B13
- 350' zoning map – B1
- 350' land use category map – B2
- Housing Violations, subject property, 1990-present – B3-B9
- CPED photographs of subject property, November 1, 2010 – B11-B13

Attachment C: Materials submitted by Applicant – C1-C8
- Application – C1-C2
- Notification letter to Council Member and neighborhood organization – C3
- Plan – C4

- Photographs – C5-C8

2619 3rd Street North, Summer 2010, Photo submitted by Applicant depicts unpermitted work at entry

2619 3rd Street North, 1984, CPED photo, depicting a previously removed non-historic porch

CLASSIFICATION:	
Individual Landmark	Concrete Block House #4
Period of Significance	1885
Criteria of significance	The concrete block houses are locally significant for being an early example of a concentrated collection of residences that utilized concrete blocks as an artistic architectural material.
Date of local designation	1984
Applicable Design Guidelines	*The Secretary of the Interior's Standards for Treatment of Historic Properties*

PROPERTY INFORMATION	
Current name	Concrete Block House #4
Historic Name	Concrete Block House #4
Current Address	2619 3rd Street North
Historic Address	2619 3rd Street North
Original Construction Date	1885
Original Contractor	Union Stone and Building Company
Original Architect	S. Littlefield
Historic Use	Residence
Current Use	Residence
Proposed Use	Residence

DESCRIPTION OF LANDMARK:

The subject property is a 2.5-story duplex designed in a vernacular style with Queen Anne influences located just west of Interstate 94 between 26th and 27th Avenues North (Attachments B1 and B2). The building's dominant feature is its natural color cast concrete block walls. The building is laid out in a modified cruciform plan. The roof is a combination of hips and gables with a wood shingled attic dormer. 2617 and 2619 3rd Street North were identical in design at their time of construction, and they remain extremely similar in exterior design with the exception of several replaced features (doors, windows, and porches being the primary examples).

The concrete block houses are locally significant for being an early example of a concentrated collection of residences that utilized concrete blocks as an artistic architectural material. In 1885, real estate entrepreneur, William N. Holway, formed the Union Stone and Building Company in Minneapolis. Their largest contribution to the city was a cluster of concrete block houses and rowhouses on the north-side of Minneapolis between 3rd and 4th Streets and 26th Avenue North. Eight houses as well as an eleven unit rowhouse remain as examples of the very early use of concrete blocks as an artistic architectural material. Although the buildings were designed by individual architects, they all share similar stylistic elements -- two and one half stories featuring side hall plans rectangular fenestration and roofs of multi-gable variety with ornamented primary façade dormers. All of the houses, with the exception of one, have retained their original concrete exteriors.

BACKGROUND AND SUMMARY:

On May 27, 2010, one hundred-fifty nine days ago, the Applicant (one of the property's two owners) was cited for unpermitted work at 2617 and 2619 3rd Street North, specifically for installing front stoops and steps without a building permit and Certificate of Appropriateness, as required by Chapter 599 Article VI of the City's Code of Ordinances. Article XI of this same chapter also requires all properties be kept in a state of maintenance and repair, as does Title 5 of the Minneapolis Code of Ordinances, Building Code, and Title 12 of the Minneapolis Code of Ordinances, Housing. To remedy the violations, Housing required HPC and Plan Review approval be received for the work.

On July 10, 2010 the Applicant applied for a Certificate of Appropriateness to permit the previously installed wood stoops and steps to remain. This recent unpermitted work follows a longstanding pattern. 2617 and 2619 3rd Street North have been cited by Housing a total of 116 times (33 citations for 2617 and 83 citations for 2619) for various code violations ranging from overgrown weeds to unpermitted work since the owners purchased the properties in March 1998 and October 1996 respectively (see Attachment B). Photographic evidence (see Attachment B) depicts other work, specifically the blockage of numerous door and window openings and replacement of the main door at 2619 3rd Street North, with no Building Permits or Heritage Preservation Commission approvals.

SUMMARY OF APPLICANT'S PROPOSAL:

The Applicant seeks approval of the recently installed stoop and steps on the subject property.

The application does not seek approval of the many replaced/blocked-in doors and windows for which neither Building Permits nor heritage preservation approvals exist.

PUBLIC COMMENT: Staff has received no comment letters on the project.

CERTIFICATE OF APPROPRIATENESS:

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 exterior portions of the subject property communicate its significance. The changes the Applicant has made to the property have removed historic building materials and further removed the property from its historic appearance. Additionally, the Applicant has added non-historic building materials and blocked in doors and windows, thereby altering the building's historic design, circulation patterns, and climate control system without a permit. The alterations are not compatible with and do not support the criteria of significance and period of significance for which the landmark was designated.

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

The alterations are not compatible with and do not support the interior and/or exterior designation in which the property was designated. The exterior portions of the subject property communicate its significance. The building originally possessed a one story porch that extended across the front of the building. The installation of an unpainted plywood stoop and steps does not support the property's designation. Large sheets of plywood like the ones previously installed onsite were not available for use on buildings constructed in 1885. Furthermore, the blockage of doors and windows has significantly degraded the building's ability to communicate its historical significance, as has the installation of a new, prehung door with fanlight at 2619 3rd Street North.

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

Based upon the evidence provided below, the work will impair 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: The project has altered the design of the building in a negative way. The building originally possessed a one story porch that extended across the front of the building. The installation of a simple stoop could complement the historic construction should high quality

concrete be used. The use of unpainted plywood, however, damages the integrity of design of a building known for its use of architectural concrete to embody the decorative Queen Anne style. The unpermitted partial and full blockage of doors and windows has also altered the building's historic design, circulation patterns, and climate control systems.

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 install a plywood stoop and steps. These materials are not in keeping with the character of the building known for its use of architectural concrete materials designed to communicate the decorative Queen Anne style. The removal of doors and windows and replacement of these openings with immobile concrete block, stucco, and wood as well as a new prehung door further removed historic building materials, severely damaging the building's integrity of materials.

Workmanship: The plywood stoop, unpainted wood steps, concrete block infill, stucco, and wood window enclosures significantly detract from the late nineteenth century workmanship in the building.

Feeling: As unpainted, non-historic wood features on a building significant for its use of architectural concrete, the plywood stoop and steps damage the building's integrity of feeling, Installing concrete block, stucco, and wood over historic door and window openings diminishes the feeling of the building's historic character, especially to those trying to walk or look through such openings.

Association: The use of unpainted, non-historic wood features erodes the link between this residence and the use of concrete blocks as an artistic architectural material. The blockage of windows and doors with concrete block, stucco, and wood is more usually associated with the City's Vacant Building Registry, not its historic landmarks.

(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 Commission has not adopted guidelines for alterations to the concrete block houses.

(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 project does not follow the rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

The Applicant should be conducting a rehabilitation of the subject property, but the neglect and wanton disregard demonstrated by the Applicant's numerous housing violations indicate that

the property is being iteratively destroyed. These actions violate Chapter 599 Article XI, Title 5, and Title 12 of the Minneapolis Code of Ordinances which require property owners to maintain their properties, historic and otherwise.

When designing for the replacement of missing historic features, such as the one-story porch that stretched along the entire front of the building, the rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* recommend against introducing a new feature that is incompatible in size, scale, material and color.

The stoop and steps are quite simple in design and are compatible with the building's size and scale. The use of unpainted plywood, not available during the building's period of significance, is not a compatible material or color. Rebuilding the steps and stoop with high quality concrete is a more appropriate treatment representative of the original architectural use of concrete in the building's decorative Queen Anne style.

The door and window openings that have been partially and fully blocked in with concrete, stucco, and wood are also not compatible with the historic door and window openings in terms of material, and color. Additionally, existing door openings on the front of the buildings appear smaller than the original openings: specifically the second floor opening at 2617 3rd Street North and the first floor door at 2619 3rd Street North. Narrow transom openings out of scale with the size of the entry opening have been installed above the doors at 2617 and 2619 3rd Street North, the latter of which also includes a fanlight window in the door. The latter door's exterior is not made of wood, as it would have been historically and as found in its next door neighbor at 2617 3rd Street North. Finally, the exterior of this door appears unpainted beyond a flat white factory-installed primer readily available on new pre-hung steel and fiberglass doors. If the historic doors cannot be reinstalled on the property, all illegally replaced and blocked in doors and windows should be replaced with appropriate substitutes that complement the property's historic character.

(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 historical 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 project will not help preserve the subject property and will tacitly encourage other property owners to conduct work on historic properties without a permit in a manner that is inappropriate to the historic designation made by the City Council.

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 Applicant has removed architectural features on primary and character-defining façades. This destruction is not necessary to correct an unsafe or dangerous condition on the property. Preservation of the features was the best alternative to the destruction. Restoration or appropriate substitution of the features are reasonable alternatives to the destruction. All workmanship should be conducted in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties* and should receive appropriate reviews, approvals, and permits prior to commencement of work.

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 Applicant did not submit an analysis of the project in relation to the district's significance statement, as requested in writing on June 17, July 15, August 5, September 15, and October 18, 2010. Indeed, the Applicant has not even submitted scaled plans or clear photographs of the subject properties as requested numerous times by CPED staff.

(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 installation of a stoop and steps, but Table 535-1 (Permitted Obstructions in Required Yards) does regulate placement of steps and stoops (entrance landings) in required front yards. Table 535-1 stipulates entry stoops be no greater that 36 square feet in area in the required front yard. The Applicant has provided neither a site plan nor scaled plans, so it is difficult to determine if these features meet the Zoning Code, but such plans will be required at Building Permit review and CPED's Zoning section will ensure the stoop and steps meet Zoning Code standards.

(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 in compliance with the rehabilitation guidelines of *the Secretary of the Interior's Standards for the Treatment of Historic Properties.*

STAFF RECOMMENDATION

CPED-Planning recommends that the Heritage Preservation Commission **adopt** staff findings and **deny** the Certificate of Appropriateness.