

Department of Community Planning and Economic Development
Planning Division

Certificate of Appropriateness
BZH-26282

Date: February 9, 2010

Proposal: Request for Certificate of Appropriateness to install a new restaurant in the historic restaurant space

Applicant: Shea, Inc. - Ryan Kronzer, AIA

Address of Property: 40 7th Street South #124

Project Name: Forum Cafeteria Restaurant Installation Certificate of Appropriateness

Contact Person and Phone: Ryan Kronzer, AIA, 612-339-2257

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

Date Application Deemed Complete: January 29, 2010

Publication Date: February 9, 2010

Public Hearing: February 16, 2010

Appeal Period Expiration: February 26, 2010

Ward: 7

Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Concurrent Review: n/a

Attachments:

Attachment A: Materials submitted by CPED staff – A1-A5

- Location map – A1
- 350' map – A2
- May 16, 1979 Court Order - A3-A5

Attachment B: Materials submitted by Applicant – B1-B58

- Notification letter to Council Member and neighborhood organization – B1-B2
- Application form – B3-B16
- Plans, photographs and specifications – B17-B87

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Forum Cafeteria, facing entrance, 2009, photo submitted by Applicant



**Forum Cafeteria, facing inward, 1929-1930, Hennepin County Library, Minneapolis
Collection, Restaurant Files, Forum Cafeteria**

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CLASSIFICATION:	
Landmark	Forum Cafeteria (Interior Designation)
Period of Significance	1929-1979
Criteria of significance	Architecture (Art Deco interior)
Date of local designation	1975
National Register designation date	De-listed in 1987
Applicable Design Guidelines	May 16, 1979 Court Order <i>The Secretary of the Interior's Standards for Treatment of Historic Properties</i>

PROPERTY INFORMATION	
Current name	None
Historic Name	Forum Cafeteria
Current Address	40 7 th Street South #124
Historic Address	36-40 7 th Street South
Original Construction Date	1929-1930
Original Contractor	William Crawford and Company
Original Architect	Magney & Tusler
Historic Use	Restaurant
Current Use	None
Proposed Use	Restaurant

BACKGROUND:

The subject property is a two-story interior space located mid-block between Nicollet Mall and Hennepin Avenue in downtown Minneapolis (Attachments A1 and A2).

The Forum Cafeteria was built in 1929-30 in the shell of the Saxe Moving Picture Theatre and was designed by George B. Franklin of Kansas City. The cafe interior was built in the Art Deco style in which surface decoration is emphasized.

The Forum's interior is notable for its unity of design and effect. The use of materials, the zigzag design and the stylized pine cones and Viking motifs are details that mark the Forum as Art Deco. The interior of one of the few remaining early Art Deco interiors in the

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Twin Cities, its interior is unique esthetically and should be compared with the lobbies of the Irving Trust and Chrysler Buildings in New York. The Art Deco design of the Forum's interior has been damaged very little by subsequent alterations. The balcony was extended from an inward curve to a straight line from wall to wall, but the original railings and materials were re-used. The entrance lines were modified and the first floor was altered in 1950 with the addition of black tiles. (Minneapolis Heritage Preservation Commission Designation Form, 1975)

In 1975, the City proposed the City Centre development on the entire block of the Forum Cafeteria. In the condemnation action to acquire the property, the owners requested the court to deny the demolition of the property and require the interior to be maintained in that location. The initial complaint was settled, with the proposal to reinstall the interior in City Centre, however, this decision was challenged by an intervenor, and the matter was resolved by the Supreme Court. In 1980, the Supreme Court approved the settlement and indicated that relocation of the interior was a satisfactory resolution. The reinstallation was completed in 1983. A number of restaurants have occupied the space since reinstallation, but only minor changes were made to the interior each time.

SUMMARY OF APPLICANT'S PROPOSAL:

Exterior Modifications

1. removal of the outermost vestibule doors and windows;
2. recovering of the existing canopy with canvas, steel frame to be painted;
3. painting of a portion of the exterior metal panels and installing signage – sign to resemble the original Forum sign; and
4. adding patio seating covered by a fixed canvas awning with lighting and surrounded by low planters, on both sides of vestibule.

Windows

1. adding outswing window pairs on the West side of the vestibule.

Kitchen

1. patch and repair Quarry Tile floor tile and base;
2. repair ceiling grid and replace acoustical ceiling tile (ACT) as needed;
3. replace and repair fiberglass reinforced wall panels as needed;
4. repair and re-lamp all existing light fixtures;
5. remove select equipment, repair select equipment and install new equipment in kitchen;
and
6. install dimmers on all lighting circuits within the main circuit breaker boxes.

Restrooms

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1. install a new unisex ADA restroom in an existing closet; and
2. replace wall tile, replace light fixtures, install new stainless steel stall partitions, and install new stainless steel stall doors.

Private Dining Rooms, Gallery, and Mall Entry

1. install new wine display furniture in gallery and hall adjacent to private dining rooms 2 and 3;
2. relocate one set of non-original doors from the South wall of the private dining room and single door at storage from angled wall to South wall;
3. install new historic display mural along West wall of gallery;
4. replace frosted glass windows in private dining room 3 with clear glass;
5. install clear glass lights in existing, non-original wood doors to mall; and
6. install new carpeting in gallery and private dining rooms.

Raised Platform

1. re-install bar on the raised platform area in the center of the main dining room, with quarry tile behind bar and hardwood floor on the remainder of the platform.

Furniture

1. place freestanding booth, banquettes, tables, chairs, host stands and server stations in main level dining, mezzanine level, and kitchen.

Miscellaneous

1. replace the carpeting in the main level and mezzanine level;
2. replace the foot touch operator at the doors to the kitchen with a photo eye, if the foot touch operator cannot be repaired;
3. relocate service bar to mezzanine; and
4. remove server station which utilizes historic metal grillwork.

Vitalite Glass Wall Tile

1. removal of the acoustic fabric wall panels.

Although no changes to the historic mezzanine pillars have been proposed by the Applicant, photographs submitted by the Applicant indicates that these pillars have been removed sometime between the present and 1996: the date of the last Heritage Preservation Commission review of changes to the property.

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 interior of the Forum Cafeteria contributes to the space's significance due to its embodiment of the Art Deco style of architecture. 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 are compatible with and support the interior designation in which the property was designated. The interior of the Forum Cafeteria contributes to the space's significance due to its embodiment of the Art Deco style of architecture. The space has been used as a restaurant throughout its history. The proposed rehabilitation will alter the building to make it fit for restaurant use after a period of vacancy.

(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 maintain 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 proposed additions to the historic restaurant space are restaurant furniture. A non-original bar will be moved to the rear of the space. Historic Vitralite glass wall tiles, covered since 1996, will be exposed. The central, linear bar is not original to the space but it complements the central, linear space incorporated into the cafeteria's 1983 re-installation that

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harkened back to the cafeteria's historic, central walkway. The project will not impair the 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 only non-historic materials, thus the project will not impair the space's integrity of materials.

Workmanship: The Applicant proposes nothing that alters historic materials, thus the project will not impair the contributing resource's integrity of workmanship.

Feeling: The Applicant proposes to install a new restaurant in a historic restaurant space, thus the project will not impair the contributing resource's integrity of feeling.

Association: The Applicant proposes no changes that would break the space's association with the Forum Cafeteria. The new restaurant will be named "The Forum" and wall panels depicting and describing the history of the space will be installed inside the space. 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.

While the Heritage Preservation Commission has not adopted guidelines for the Forum Cafeteria, the Commission continues to abide by the May 16, 1979 Court Order which stipulated conditions for removal and reassembly of the Forum Cafeteria (Attachment A3). The court order requires the owner maintain, "exterior show windows relating the interior to the outside similar to the existing windows..." The proposed windows are smaller than the windows existing in the building now and at its time of disassembly in 1979. The proposed windows are also operable, not fixed. Nevertheless, the windows are:

1. completely glass, apart from reasonably sized frames;
2. aluminum-framed, like the existing windows;
3. painted to match the existing windows; and
4. limited to the western side of the existing vestibule (existing windows on the eastern side of the vestibule will be maintained).

The proposed windows will also be set into the frames of one row of existing windows and will continue to facilitate views into and out of the historic space.

(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.

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The Applicant is conducting a rehabilitation of the subject property.

A) Exterior Changes

The Applicant is proposing the following changes to the exterior of the building:

1. removal of the outermost vestibule doors and windows;
2. recovering of the existing canopy with canvas, steel frame to be painted;
3. painting of a portion of the exterior metal panels and installing signage – sign to resemble the original Forum sign; and
4. adding patio seating covered by a fixed canvas awning with lighting and surrounded by low planters, on both sides of vestibule.

The building's exterior is not designated. The original exterior was demolished in 1979. While the demolition of the exterior of the restaurant ultimately led to the de-listing of the property from the National Register of Historic Places, it met the stipulations of the May 16, 1979 court order which permitted the Forum Cafeteria's interior to be disassembled and stored off-location while the building's exterior was demolished and the City Center constructed onsite. The Applicant has provided details of proposed exterior changes for reference.

B) Window Changes

The Applicant is proposing the following changes to the windows:

1. adding outswing window pairs on the West side of the vestibule;

The rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* 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 historic character of the building. The existing windows were determined to be compatible by the May 16, 1979 court order which permitted the Forum Cafeteria's interior to be disassembled and stored off-location while the building's exterior was demolished and the City Center constructed onsite. The court order requires the owner maintain, "exterior show windows relating the interior to the outside similar to the existing windows..." The proposed windows are smaller than the windows existing in the building now and at its time of disassembly in 1979. The proposed windows are also operable, not fixed. Nevertheless, the windows are:

1. completely glass, apart from reasonably sized frames;
2. aluminum-framed, like the existing windows;
3. painted to match the existing windows; and
4. limited to the western side of the existing vestibule (existing windows on the eastern side of the vestibule will be maintained).

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The proposed windows will also be set into the frames of one row of existing windows and will continue to facilitate views into and out of the historic space.

C) Kitchen and Restroom Changes

The Applicant is proposing the following changes to the kitchen:

1. patch and repair Quarry Tile floor tile and base;
2. repair ceiling grid and replace acoustical ceiling tile (ACT) as needed;
3. replace and repair fiberglass reinforced wall panels as needed;
4. repair and re-lamp all existing light fixtures;
5. remove select equipment, repair select equipment and install new equipment in kitchen;
and
6. install dimmers on all lighting circuits within the main circuit breaker boxes.

The Applicant is proposing the following changes to the restrooms:

1. install a new unisex ADA restroom in an existing closet; and
2. replace wall tile, replace light fixtures, install new stainless steel stall partitions, and install new stainless steel stall doors.

The rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* recommend accommodating service functions such as bathrooms and kitchens required by the building's new use in secondary spaces such as first floor service areas or on upper floors. The kitchen area and restrooms are secondary spaces not part of the Forum Cafeteria space prior to its disassembly in 1979.

D) Changes to the Historic Space

The Applicant is proposing the following changes to the private dining rooms, gallery, and mall entry:

1. install new wine display furniture in gallery and hall adjacent to private dining rooms 2 and 3;
2. relocate one set of non-original doors from the South wall of the private dining room and single door at storage from angled wall to South wall;

The Applicant is proposing the following changes to the raised platform:

1. re-install bar on the raised platform area in the center of the main dining room, with quarry tile behind bar and hardwood floor on the remainder of the platform.

The Applicant is proposing the following changes to the furniture:

1. place freestanding booth, banquettes, tables, chairs, host stands and server stations in main level dining, mezzanine level, and kitchen.

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The Applicant is proposing the following changes to the service bar and server station:

1. relocate service bar to mezzanine; and
2. remove server station.

The rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* recommend identifying, retaining, and preserving a floor plan or interior spaces that are important in defining the overall historic character of the building. This includes the size, configuration, proportion, and relationship of rooms and corridors; the relationship of features to spaces; and the spaces themselves such as lobbies, reception halls, entrance halls, double parlors, theaters, auditoriums, and important industrial or commercial spaces. The proposed configuration complies with this standard by as it:

1. installs new restaurant furniture (not affixed to historic materials) in a space that has maintained restaurant furniture in different arrangements over time;
2. relocates doors within a 1996 addition to new positions within the same addition;
2. re-installs a bar and hardwood flooring compatible with the bar and flooring approved for the Forum Cafeteria's reinstallation in 1983;
3. relocates a non-original service bar from the front of the restaurant to the mezzanine at the rear of the restaurant; and
3. removes a non-original server station which utilizes historic metal grillwork.

The server station utilizes historic metal grillwork. The Applicant proposes to store this onsite protected in a storage room for future use.

E) Changes to Historic Materials

The Applicant is proposing the following changes to the private dining rooms, gallery, and mall entry:

1. install new historic display mural along West wall of gallery;
2. replace frosted glass windows in private dining room 3 with clear glass;
3. install clear glass lights in existing, non-original wood doors to mall; and
4. install new carpeting in gallery and private dining rooms.

The Applicant is proposing the following change to the carpeting:

1. replace the carpeting in the main level and mezzanine level;

The rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* recommend identifying, retaining, and preserving interior features and finishes that are important in defining the overall historic character of the building, including columns, cornices, baseboards, fireplaces and mantels, paneling, light fixtures, hardware, and flooring; and wallpaper, plaster, paint, and finishes such as stenciling, marbling, and graining; and other decorative materials that accent interior features and provide color, texture, and patterning to walls, floors, and ceilings. None of the changes proposed above will affect historic materials.

E) Vitralite Glass Wall Tile Changes

The Applicant is proposing the following change to the Vitralite glass wall tiles:

1. removal of the acoustic fabric wall panels; and
2. replace the foot touch operator at the doors to the kitchen with a photo eye, if the foot touch operator cannot be repaired;

The rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* recommend identifying, retaining, and preserving interior features and finishes that are important in defining the overall historic character of the building. The proposed removal of a fabric wall covering approved for installation in 1996 will uncover a historic interior finish: Vitralite glass wall tiles. The Applicant has submitted specifications that depict a photo eye installed above the doorway. As proposed, the photo eye would penetrate historic Vitralite glass tiles.

With the exception of the photo eye, the proposed project follows the rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

(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 protect the historic space and see it reused as a restaurant once again.

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 help preserve the subject property by installing a historically accurate use in the space.

(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 Applicant has addressed the findings in their application (Attachment B9-B16).

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

Since the proposed project is not an addition of 1000 or more gross square feet, it is not subject to Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review.

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

STAFF RECOMMENDATION

CPED-Planning staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the Certificate of Appropriateness subject to the following conditions:

1. Restore the mezzanine pillars to their approved 1996 configuration.
2. The photo eye is not approved.
3. Server station historic metal grillwork shall be stored and protected onsite for future use.
4. CPED-Planning Preservation Staff shall review and approve the final plans and elevations prior to building permit issuance.