

Department of Community Planning and Economic Development
Planning Division

Certificate of Appropriateness
BZH-26100

Date: November 10, 2009

Proposal: Request for Certificate of Appropriateness to install a skyway between the Flour Exchange and the Federal Courthouse

Applicant: Al Ofstehage

Address of Property: 310 4th Avenue South

Project Name: Flour Exchange Skyway Certificate of Appropriateness

Contact Person and Phone: Al Ofstehage, 651-681-4902

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

Date Application Deemed Complete: October 26, 2009

Publication Date: November 10, 2009

Public Hearing: November 17, 2009

Appeal Period Expiration: November 27, 2009

Ward: 7

Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Concurrent Review: n/a

Attachments:

- Attachment A: Materials submitted by CPED staff – 20
 - Location map – 20A
 - 350' map – 20B
 - 1997 skyway approval – 20C
- Attachment B: Materials submitted by Applicant – 21
 - Notification letter to Council Member – 21A
 - Notification letter to neighborhood organization – 21B
 - Application materials submitted August 24, 2009 and thereafter – 21C
- Attachment C: Materials submitted by interested parties – 22
 - Downtown Minneapolis Neighborhood Association comment letter – 22A



Flour Exchange, 1910, CPED files

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**Flour Exchange, northern and eastern sides, October 2009, CPED files
Noncontributing five-story building (attached in 1969) and Federal Courthouse sit to the
immediate west (right)**

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CLASSIFICATION:	
Individual Landmark	Flour Exchange
Period of Significance	1893, 1909-
Criteria of significance	The Flour Exchange is locally significant for its depiction of the Commercial style of architecture and the tumultuousness of turn-of-the-century commerce.
Date of local designation	1980
Applicable Design Guidelines	<i>The Secretary of the Interior's Standards for Treatment of Historic Properties</i>

PROPERTY INFORMATION	
Current name	Flour Exchange
Historic Name	Flour Exchange
Current Address	310 4 th Ave S
Historic Address	300-314 4 th Ave S
Original Construction Date	1892-93
Original Contractor	William H. Eustis (H.N. Leighton Company, Minneapolis Steel and Machinery Company, and National Fireproofing Company for 1909 addition)
Original Architect	Long and Kees (Kees and Colburn for 1909 addition)
Historic Use	Offices
Current Use	Offices
Proposed Use	offices

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BACKGROUND:

The subject property is a flat roofed, eleven-story brick commercial building located at the intersection of 4th Avenue south and 3rd Street South just north of City Hall in downtown Minneapolis.

On April 18, 1892 William Eustis pulled a Building permit to construct a four-story brick office building on the southwest corner of 4th Avenue south and 3rd Street South. The Flour Exchange began as a four-story building designed in the Commercial style by the firm of Long and Kees. By 1893 construction ceased. The financial panic that swept across the country that year resulted in a deep depression that instigated many local bankruptcies, caused a run on Minneapolis banks, and halted any further progress on the Flour Exchange that its owner may have sought.



Original four story design of the Flour Exchange, 1905, CPED files

In 1909, Eustis hired Frederick Kees and his new partner Serenus Colburn to add seven stories to the building. Earlier patterns evident in the building, such as recessed spandrels,

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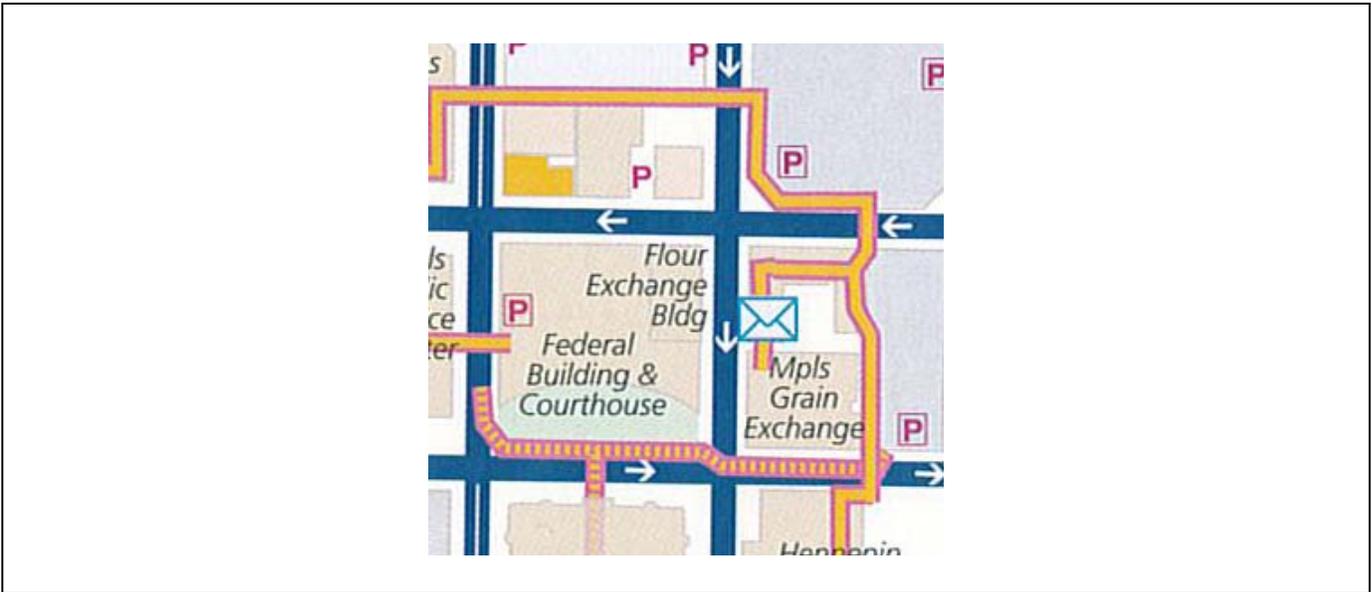
vertical piers, and facades dominated by a regular pattern of windows, continued unabated up the building, but the ornamentation that gave the original building a Sullivan-esque flair remained absent above the fourth story. Classical pilaster-like mullions, sculptural terra cotta (around the main, arched entrance) dentils, geometric forms (in the spandrels) that decorated the original building stopped at the original roofline. The next seven stories rejected stylistic precedent and expressed the functionality of commercial structures imbued with engineering standards designed to facilitate tall buildings in densely populated urban areas, firmly rooting the building in the Commercial style. The exterior portions of the subject property contribute to the building's significance as an emblem of Commercial style architecture and the tumultuousness of turn-of-the-century commerce. A five-story building attached to the western side of the Flour Exchange in 1969 does not contribute to the building's significance.

In 1977 the property was listed in the National Register of Historic Places. Local designation followed in 1980.

Construction of the Federal Courthouse was completed in spring 1997. At that time, a future skyway connection was constructed along the inside of the eastern wall of the courthouse, immediately adjacent to the Flour Exchange. A January 1996 application to construct a skyway between the Flour Exchange and Federal Courthouse was returned by staff when the General Services Administration (GSA) indicated that they did not consent to the skyway's construction as proposed. A May 1997 application to construct the skyway was approved with conditions by the GSA, pending completion of an investigation conducted pursuant to Section 106 of the National Historic Preservation Act of 1966. The Heritage Preservation Commission approved the design for a prefinished metal panel clad skyway, an enlargement of the window opening used as the skyway entrance into the building, and steel beam penetrations into the Flour Exchange and Federal Courthouse: characteristics far less sympathetic to the historic character of the Flour Exchange than the current proposal.

SUMMARY OF APPLICANT'S PROPOSAL:

The applicant wishes to install a skyway connecting the Flour Exchange and Federal Courthouse in the alley between the two buildings and behind the Flour Exchange (see attachments B11-12). Currently, skyways and tunnels surround, but do not connect to, the Flour Exchange Building (see map below). One wood window frame will be removed. The opening is currently covered by plywood where a window once stood. The opening had been enlarged by removing the sill and bricks at the window's bottom to accommodate freestanding HVAC units that have recently been removed (see attachments B13-15). Steel columns slightly separated from the Flour Exchange and Federal Courthouse will support the skyway, minimizing structural strain on the Flour Exchange's frame (see attachments B9-B11).



Skyway and Tunnel Map Excerpt, CPED files

PUBLIC COMMENT:

The applicant provided staff with a comment letter from the Downtown Minneapolis Neighborhood Association indicating their support of the project in general, but also indicating that the Association did not support the following elements:

- height of the structure above grade;
- width of the doorway (9 feet versus 12 feet); and
- swinging doors (as opposed to sliding doors).

It should be noted that the skyway connected to the Public Service Center at 250 4th Street South is higher, its doorways are narrower, and it utilizes both swinging and sliding doors, though none of these features were incorporated to preserve features on a historic landmark.

The applicant has indicated that the Minneapolis Skyway Advisory Committee has approved the design and that their approval letter is forthcoming.

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 Flour Exchange is historically significant due to its depiction of Commercial style architecture and the tumultuousness of turn-of-the-century commerce. Regardless of what changes are made to the subject property, it will maintain its historical significance, but proposed changes may affect the property's ability to communicate its historical significance: its integrity. 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 exterior portions of the subject property contribute to the building's significance as an emblem of Commercial style architecture and the tumultuousness of turn-of-the-century commerce. The skyway is proposed to connect the second levels of the Flour Exchange and the Federal Courthouse in the alley between the two buildings. Due to the dogleg in the alley, the skyway will be screened from views along all streets adjacent to the two buildings: 3rd Street South, 3rd Avenue South, 4th Street South and Fourth Avenue South. Tan conventional stucco walls and anodized aluminum windows will complement both buildings while ensuring viewers can clearly distinguish between the new and old construction.



**View of alley from 4th Avenue South, October 2009, CPED photo
Note project area is screened from view by Flour Exchange (right)**

(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: As proposed, the project will alter the design of the building minimally. One wood window frame will be removed and a skyway affixed to the Flour Exchange in the back alley between this building and the Federal Courthouse. The opening is currently

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covered by plywood where a window once stood. The opening had been enlarged by removing the sill and bricks at the window's bottom to accommodate freestanding HVAC units that have recently been removed. Steel columns slightly separated from the Flour Exchange and Federal Courthouse will support the skyway, minimizing structural strain on the Flour Exchange's frame. As proposed, the project will not impair the contributing resource's integrity of design.



**View of proposed skyway entrance to Flour Exchange, October 2009, CPED photo
Second story window in upper right corner of photo to be used for entrance**

Setting: The Applicant proposes no offsite changes beyond the connection of the skyway into the Federal Courthouse, thus the project will not impair the contributing resource's integrity of setting.

Materials: The Applicant proposes to remove one alley-side wood window frame that no longer has an accompanying wood window. The project will not impair the contributing resource's integrity of materials.

Workmanship: The Applicant proposes no changes to evidence of workmanship in this simple Commercial style structure. The project will not impair the contributing resource's integrity of workmanship.

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Feeling: The Applicant proposes to install a skyway in a turn-of-the-century building. While this is clearly an anachronistic feature, it will be located in the building's back alley, screened from adjacent streets, and designed in a manner that distinguished new construction from historic building material in a complementary manner. The project will not impair the property's integrity of feeling.

Association: The Applicant proposes no changes that would break the building's association with Commercial style architecture and the vagaries of late nineteenth century and early twentieth century commerce, 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.***

n/a

- (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.***

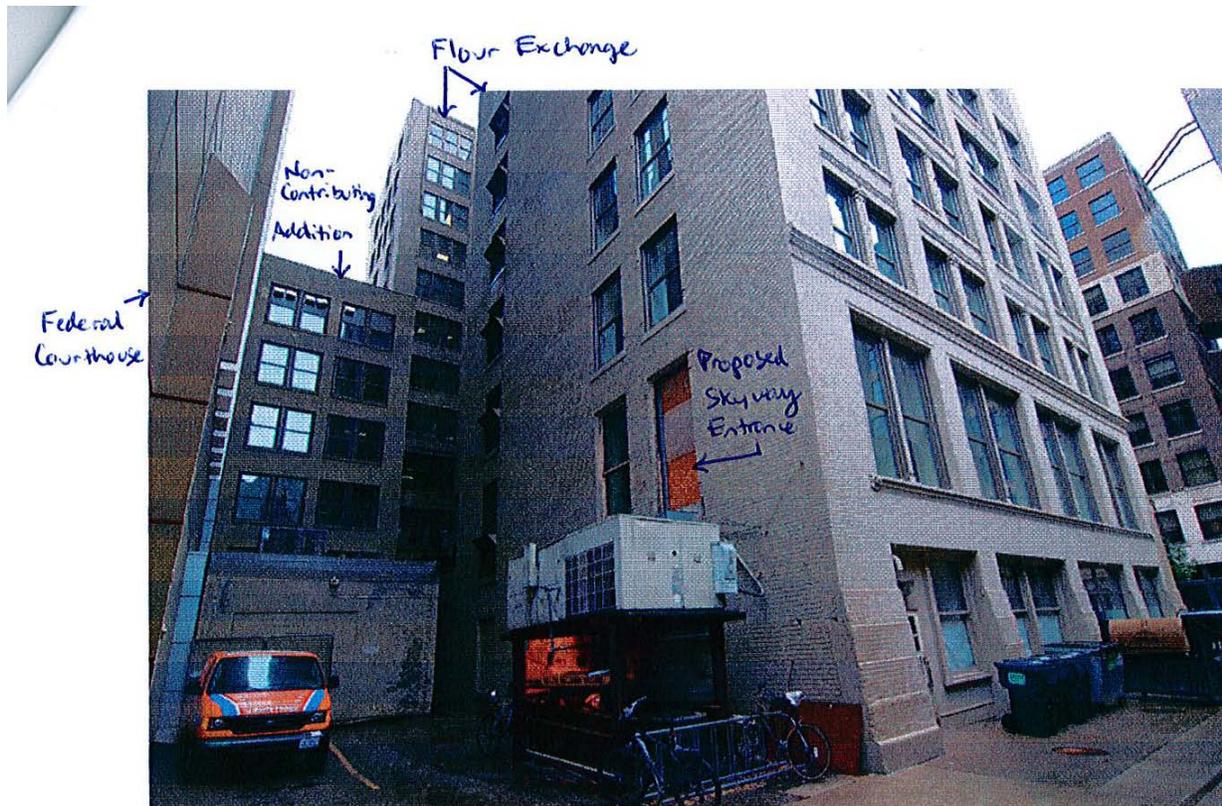
The Applicant is conducting a rehabilitation of the subject property. The Secretary of the Interior's Standards for Rehabilitation recommend identifying, retaining, and preserving windows that are important in defining the overall historical character of the building. The window frame proposed to be removed to create a skyway hallway no longer retains its historic wood window, is covered by plywood, and the opening was previously enlarged to accommodate mechanical equipment ducts.

The Secretary of the Interior's Standards for Rehabilitation ("New Additions to Historic Buildings") also recommend constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed. Steel columns slightly separated from the Flour Exchange and Federal Courthouse will support the skyway, minimizing structural strain on the Flour Exchange's frame and permitting use of the existing opening without excessive modification of the surrounding brick.

The Secretary of the Interior's Standards for Rehabilitation ("New Additions to Historic Buildings") recommend locating the attached exterior addition at the rear or on an inconspicuous side of a historic building; and limiting its size and scale in relationship to the historic building. Additionally, they recommend placing new additions on non-character-defining elevations and limiting the size and scale in relationship to the historic building. The window opening in question is tucked in the alley that separates the Flour Exchange and Federal Courthouse. Due to the dogleg in the alley, the skyway will be screened from views along all streets adjacent to the two buildings: 3rd Street South, 3rd

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Avenue South, 4th Street South and Fourth Avenue South. Additionally the skyway will be a fraction of the size, bulk, and scale of the existing buildings. There is a five-story, noncontributing building already attached to the western side of the Flour Exchange and the eastern side of the Federal Courthouse. This would be the most ideal space for a skyway connection. The existing skyway inside the Federal Courthouse extends down to this building already. But extending the skyway into this noncontributing building would result in the dislocation of an existing tenant: an option that the applicant claims would far outweigh the cost of the proposed improvements.



Proposed location, Summer 2009, applicant photo with notes added by CPED

The Secretary of the Interior's Standards for Rehabilitation ("New Additions to Historic Buildings") recommend designing new additions in a manner that makes clear what is historic and what is new. Tan conventional stucco walls and anodized aluminum windows slated for use in the skyway will complement both buildings while ensuring viewers can clearly distinguish between the new and old construction.

- (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 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 in a very indirect manner by connecting the Flour Exchange into the largest skyway network in North America and encouraging more public traffic in its commercial spaces and generating more income for the building’s owners, some of which will hopefully be used to preserve the building in a historically sensitive manner.

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 sensitive to its historical character, as discussed in items 4 and 5 above.

Comprehensive plan action 4.13.4 states that the City will, “Increase the pedestrian orientation of the Commercial Corridors connecting to adjacent neighborhoods and cultural amenities.” The proposed connection of the Federal Courthouse and Flour Exchange will further extend the pedestrian orientation of the city’s central business district in North America’s largest skyway network.

Action 4.13.8 of the Minneapolis Plan for Sustainable Growth indicates that the City will continue to improve Downtown infrastructure to meet the needs of businesses, residents and visitors. The proposed skyway will improve a downtown pedestrian network heavily used by businesses, residents, and visitors.

The urban design element of the comprehensive plan contains an entire section devoted to skyways. The proposed project complies with the overarching policy and action items contained within. Comprehensive plan policy 10.3 indicates that the City will use skyways to connect buildings downtown. The proposed skyway would connect the Federal Courthouse and Flour Exchange. Comprehensive plan action 10.3.1 indicates that the City shall, “Provide maximum transparency of skyway walls in order to provide views to the outside that help users orient themselves.” The proposed skyway will employ large glass windows to help pedestrians orient themselves. Unfortunately, the views afforded will reveal an alley screened from the street by the Federal Courthouse and Flour Exchange, but such screening is in keeping with *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*, and City Hall’s highly recognizable clock tower will be visible through the windows. Comprehensive plan action 10.3.6 indicates that the city will limit skyway expansion to the downtown core and at other key sites with high intensity uses in order to minimize low-usage skyways and maximize street-level pedestrian activity in growing downtown neighborhoods and historic areas. The proposed skyway will be located downtown, in compliance with this action.

Some of the skyway-related actions in the urban design element fall under the jurisdiction of the Minneapolis Skyway Advisory Committee, also known as the Downtown Skyway Advisory Committee. This committee uses the *Minneapolis Skyway System: Standards*

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and *Procedures Manual* to regulate related development and operations within the skyway system. This manual stipulates standards related to the following comprehensive plan actions.

Comprehensive Plan Action	Skyway Manual Standard
10.3.2 - Maintain uniform skyway hours of operation wherever possible.	4.2.1 - Skyway bridges and corridors shall remain open during the following hours: Monday – Friday...6:30 a.m. - 10:00 p.m. Saturday.....9:30 a.m. - 8:00 p.m. Sunday.....Noon - 6:00 p.m.
10.3.3 - Provide consistent and uniform directional signage and accessible skyway system maps near skyway entrances, particularly along primary transit and pedestrian routes.	<p>3.1.1 - Unless otherwise noted, all signage will adhere to the policies and procedures contained in <i>Minneapolis Skyway Signage Standards</i> (dated September 2000), which was authored by the Skyway Advisory Committee and the Building Owners and Managers Association (BOMA) and is administered by the City of Minneapolis Public Works Department. Specifically, all buildings that incorporate new skyways into the system shall adhere to the “Blue Waters Signage Package.”</p> <p>3.1.2 - Directional signs and signs indicating hours of operation (approved by the Minneapolis Skyway Advisory Committee) shall be incorporated in the design of skyway bridges and corridors.</p> <p>3.1.3 - Building entrances shall include clear directional signage as per the Skyway Signage Program.</p> <p>3.1.4 - Elevators, stairs, and escalators linking the street and skyway levels shall include clear directional signage as per the Skyway Signage Program.</p> <p>3.1.5 - All buildings that incorporate new skyways into the system shall be responsible for buying and mounting a standard Skyway System Map and Directory Panel on the skyway level of that building.</p> <p>3.1.6 - All buildings that incorporate new</p>

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	skyways into the system are strongly encouraged to install the standardized electronic information kiosk for the Skyway System on the skyway level of that building.
10.3.4 Provide convenient and easily accessible vertical connections between the skyway system and the public sidewalks, particularly along primary transit and pedestrian routes.	2.3.1 - Skyway corridors shall be designed to facilitate clear and easy access between street and skyway levels. Elevators, stairs, and escalators linking the street and skyway levels shall be located in such a way as to provide convenient, visible links to the skyway level from the adjacent street and sidewalks.

On September 24, 2009, the Minneapolis Skyway Advisory Committee reviewed the project using these standards. The committee approved the project with conditions, according to the applicant. Staff has not received a copy of the approval letter.

One of the skyway-related actions in the urban design element of the comprehensive plan is not covered by the committee's standards. Comprehensive plan action 10.3.5 states that the city will maintain functional links in the skyway system while adjoining properties undergo redevelopment or renovation. The applicant has not indicated that they will or will not comply with this action as development occurs in the future.

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 includes an analysis of the proposed project in relation to the landmark's significance statement. It notes the absence of ornamentation on the western (rear) side of the building where the skyway is proposed. It also highlights the applicant's attempt to design a skyway that will complement the historic character of the Flour Exchange.



Facade ornamentation, October 2008, staff photo



Alley ornamentation, October 2008, staff photo

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(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, stipulates maximum floor area ratios on additions to buildings. Zoning staff will be reviewing this application for compliance with this standard.

(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 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 designed to link the Flour Exchange into North America's largest skyway network.

STAFF RECOMMENDATION

CPED-Planning staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the Certificate of Appropriateness to install a skyway between the Flour Exchange and the Federal Courthouse subject to 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. Maintain functional links in the skyway system while adjoining properties undergo redevelopment or renovation.

Attachment A: Submitted by CPED staff

Attachment B: Materials submitted by Applicant

Attachment C: Materials submitted by other parties