

Department of Community Planning and Economic Development  
Planning Division

**Certificate of Appropriateness**  
BZH-26073

**Date:** September 1, 2009

**Proposal:** Certificate of Appropriateness to allow for an internally illuminated wall sign on a secondary facade.

**Applicant:** Dan Kaufman of Kaufman Signs, on behalf of DP Property Acquisition LLC

**Address of Property:** 322 1<sup>st</sup> Avenue North

**Project Name:** Elixir Lounge Tenant Signage

**Contact Person and Phone:** Dan Kaufman, 612.788.6828

**Planning Staff and Phone:** Brian Schaffer, 612.673.2670

**Date Application Deemed Complete:** August 11, 2009

**Publication Date:** August 25, 2009

**Public Hearing:** September 1, 2009

**Appeal Period Expiration:** September 11, 2009

**Ward:** Ward 7

**Neighborhood Organization:** Downtown Minneapolis Neighborhood Association

**Concurrent Review:** None

**Attachments:** Attachment A: Materials submitted by CPED staff – page 11  
1. Map of District  
2. Map of Subject Site  
  
Attachment B: Materials submitted by Applicant – page 14  
1. Application  
2. Letter sent to Council Member and Neighborhood Group  
3. Applicant's statement  
4. Drawings of Subject Sign  
5. Photographs of Subject Sign

Department of Community Planning and Economic Development  
Planning Division



**322 1<sup>st</sup> Avenue North:** First Avenue North at intersection of Fourth Street North looking North. 1905 – from MNHS.

Department of Community Planning and Economic Development  
Planning Division



322 1<sup>st</sup> Avenue North: 2009 by CPED

Department of Community Planning and Economic Development  
Planning Division

<b>CLASSIFICATION:</b>	
Local Historic District	North Loop Warehouse Historic District & Interim Protection for the National Register of Historic Places Minneapolis Warehouse Historic District
Period of Significance	1865-1930
Criteria of significance	Architecture and Commerce
Date of local designation	1978
Applicable Design Guidelines	Design Guidelines for On-Premise Signs and Awnings

<b>PROPERTY INFORMATION</b>	
Current name	Fine-Line Music Café
Historic Name	Warehouse Building
Current Address	318-322 1st Avenue North
Original Construction Date	1903 & 1910/1912
Original Contractor	H.N. Leighton Co.
Original Architect	William Channing Whitney
Historic Use	Wholesale warehouse and store
Current Use	Mixed use
Proposed Use	Mixed use

Department of Community Planning and Economic Development  
Planning Division

**BACKGROUND:**

322 1<sup>st</sup> Avenue North is known for its most public tenant, the Fine Line Music Café, which is located in the 1912 addition to the north of the original structure. The main floor of the 1903 building is divided into two spaces. The south space is a lobby, stairway and elevator for the office tenants above. The north space is used as a bar, which has had numerous tenants in the past; the current tenant and applicant for this project is Elixir.

322 1<sup>st</sup> Avenue North is adjacent to a vacant parking lot at 330 1<sup>st</sup> Avenue North. This site was a former filling station that was built in 1921 and demolished in 1941. The site has been vacant since then.

This spring staff approved a Certificate of No Change to allow for a projecting sign above the storefront of 322 1<sup>st</sup> Avenue North for the Elixir tenant. In 1995 the Heritage Preservation Commission, notwithstanding staff recommendation, approved a Certificate of Appropriateness to allow for the installation of banners on the northeast and southwest non-primary building walls of the building for the Fine Line Music Café.

**SUMMARY OF APPLICANT'S PROPOSAL:**

The applicant has installed a wall sign on the southwest portion of the building, which faces the adjacent parking lot at 330 1<sup>st</sup> Avenue North. The wall sign was not approved by City staff. The wall sign is an internally illuminated sign that is three feet tall by seven feet wide, 21 square feet. The lettering of the sign is two feet tall.

The applicant states that:

This sign will be very instrumental in increasing the visibility and exposure of our business to potential patrons. Our current signage on 1<sup>st</sup> Avenue is obstructed by the trees and completely invisible to potential patrons walking down 4<sup>th</sup> Street. We feel that the foot-traffic coming from Garage C down 4<sup>th</sup> Street, and the foot traffic down 1<sup>st</sup> Avenue, are not able to see our current signage until they are directly underneath it. Please consider our request, because in these economic times we cannot afford to lose any patronage just because they did not see us there.

While the applicant states that the underlying reason for the sign is economics, they have not submitted any economic information. The proposed sign requires a Certificate of Appropriateness as it does not meet the Design Guidelines for On-Premise Signs and Awnings. The guidelines state that building signs should be located only on the primary façade the building adjacent to the street. The guidelines also state that wall signs shall not exceed two feet in height and 32 square feet in area. The subject sign is not located on a primary building wall adjacent to the street and is three feet tall and exceeds the height of a wall sign.

**PUBLIC COMMENT:**

None received as of August 24, 2009.

**CETIFICATE OF APPROPRIATENESS:** Certificate of Appropriateness to allow for a wall sign that does not conform with the Design Guidelines for On-Premise Signs and Awnings

***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 North Loop Warehouse Historic District and the National Register of Historic Places (NRHP) Minneapolis Warehouse District are both significant for warehousing industries that shaped the patterns of development in Minneapolis. Both districts are also significant for the architecture represented by the warehouse and supporting industries. 322 1<sup>st</sup> Avenue North is a contributing structure to both historic districts.

The subject sign does not detract from the individual architectural elements of the building. Historic signage on secondary elevations is not uncommon in the district; there are many remnants of painted ghost signs on secondary elevations of buildings from during the period of significance (1865-1930). However, the proposed signage is of a different character the historic ghost signs and emphasizes the façade of a structure that was not intended to be a primary façade. This could lead to additional alterations that could undermine the integrity of the design of the structure.

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

The property is designated for association with the jobbing or wholesale warehousing industry and for its architecture. The subject sign does not detract from the individual architectural elements of the building.

Historic signage on secondary elevations is not uncommon in the district; there are many remnants of painted ghost signs on secondary elevations buildings from during the period of significance (1865-1930). However, the proposed signage is of a different character the historic ghost signs and emphasizes the façade of a structure that was not intended to be a primary façade. This could lead to additional alterations that could undermine the integrity of the design of the structure.

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

As previously stated the location of the subject sign could lead to additional alteration that add additional focus to the secondary façade of the subject structure which would undermine the integrity of the design of the structure.

There are numerous vacant lots adjacent to contributing structures within the district. The continued viability of these contributing buildings will ultimately ensure their integrity; however, alterations that compete with or refocus the primary façade of a structure would erode the integrity of the design that many of the structure retain.

**(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.***

In 2003 the Heritage Preservation Commission adopted the Design Guidelines for On-Premise Signs and Awnings. They were established to allow for effective signage that is appropriate to the character of the city's historic districts and landmarks, and preserves the integrity of historic structures.

The guidelines state that a Certificate of Appropriateness is required for sign or awning proposals that do not conform to the design guidelines. In determining whether to approve a Certificate of Appropriateness for a sign or awning proposal, the HPC will consider special situations including building condition, building orientation, historic precedence and exceptional design proposals.

The subject sign does not conform to the location requirement that requires building signs to be located only on the primary façade the building adjacent to the street. The subject sign does not conform to the guidelines, which requires that wall signs not exceed two feet in height.

In 1995 the HPC, notwithstanding staff recommendation, approved a Certificate of Appropriateness to allow for a banner sign for the Fine Line Music Café on the southwest building wall of the building. Since then the HPC adopted sign guidelines that make the previously approved signage nonconforming. While the signage on this wall still exists it does not create precedent for additional signage.

The building is oriented toward 1<sup>st</sup> Avenue North; the adjacent vacant lot at 330 1<sup>st</sup> Avenue North makes the building visible from 4<sup>th</sup> Street North. This vacant lot does change the orientation of the building or create any special situations. There are numerous structures adjacent to vacant lots within the historic district. Staff recognizes the applicant's desire for additional signage, but does not feel that the additional visibility of the building warrants additional signage on this facade.

There are no architectural features that prohibit signage on the primary facade.

Department of Community Planning and Economic Development  
Planning Division

The subject sign is well designed and constructed of durable materials. However, it is not of exceptional enough design to warrant special consideration from the height and location requirements of the Design Guidelines for On-Premise Signs.

- (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 Secretary of the Interior's Standards for Rehabilitation do not directly provide guidance on signage. The Standards do state "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." The subject sign has the potential of altering the spatial relationship of the property by adding an element that focuses attention to a secondary façade.

- (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.***

The subject site is located with the plan area of the Downtown East – North Loop Master Plan. The plan does not offer guidance that is applicable. Implementation step 8.1.1 of the Minneapolis Plan states: "protect historic resources from modifications that are not sensitive to their historic significance."

***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:***

- (7) ***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 stated that a reason for justifying the sign location is that there is already signage on the south facade. The applicant has not provided analysis based on the designation and the significance of the structure for architecture and association with the wholesale warehousing industry to justify the location or size of the subject sign.

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

Chapter 530 of the Zoning Ordinance does not offer much guidance on signage. Section 541 of the Zoning Ordinance directly deals with signage. The ordinance allows signage

Department of Community Planning and Economic Development  
Planning Division

on primary building walls. The location of the subject sign is not considered a primary building wall as the adjacent parking lot is a principal parking facility and the site is not adjacent to a public right of way.

The applicant did not adequately consider the Zoning Code as they installed the sign without zoning approval.

**(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.***

The treatment can be best described as rehabilitating.

***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 North Loop Warehouse Historic District and the National Register of Historic Places (NRHP) Minneapolis Warehouse District are both significant for warehousing industries that shaped the patterns of development in Minneapolis. Both districts are also significant for the architecture represented by the warehouse and supporting industries. 322 1<sup>st</sup> Avenue North is a contributing structure to both historic districts.

Historic signage on secondary elevations is not uncommon in the district; there are many remnants of painted ghost signs on secondary elevations buildings from during the period of significance (1865-1930). However, the proposed signage is of a different character the historic ghost signs and emphasizes a façade of a structure that was not intended to be a primary façade. This would lead to additional alterations that could undermine the integrity of the design of the structure.

**(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.***

Allowing signage on non primary facades of structures will ultimately negatively alter the essential character of the district by deemphasizing the primary facades of structures. The character of the district is rooted in the design of its architecture and the configuration of the buildings with primary pedestrian activities focused toward the adjacent street.

**(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.***

Signage on a secondary facade might impede the development of adjacent vacant parcels as new development is encouraged to be built up the property lines.

#### **STAFF RECOMMENDATION**

CPED-Planning staff recommends that the Heritage Preservation Commission **adopt** staff findings and **deny** the Certificate of Appropriateness to allow for a wall sign that does not conform with the Design Guidelines for On-Premise Signs and Awnings.

**Attachment A:** Submitted by CPED staff

Department of Community Planning and Economic Development  
Planning Division

Department of Community Planning and Economic Development  
Planning Division

**Attachment B: Materials submitted by Applicant**