CITY OF MINNEAPOLIS
HERITAGE PRESERVATION COMMISSION STAFF REPORT

FILE NAME: 900 3rd Street North (BZH 25982)
APPLICATION: Certificate of Appropriateness
APPLICANT: Walsh Bishop Associates (Troy Goetz) on behalf of FTK Properties
COMPLETE APPLICATION: June 24, 2009
PUBLICATION DATE: July 14, 2009
DATE OF HEARING: July 21, 2009
APPEAL PERIOD EXPIRATION : July 31, 2009
STAFF INVESTIGATION AND REPORT: Aaron Hanauer (612) 673-2494
REQUEST: Certificate of Appropriateness for rehabilitation project

SITE DESCRIPTION AND BACKGROUND:

District/Area Information	
Historic District	National Register Warehouse District: Interim Protection
District Areas of Significance	National Register Criteria A and Criteria C
Neighborhood	North Loop
Date of Local Designation	N/A
Period of Significance	Circa 1865-1930
Historic Property Information	
Address	900 3rd Street North
Classification	Contributing to the National Register Warehouse District
Construction Date	1919
Original Contractor	Charles L. Pillsbury Company
Original Architect	Tyrie & Chapman
Historical Use	Manufacturing
Current Use	Warehouse
Proposed Use	Office/Restaurant
Historic Name	Gurley Candy Factory

APPLICATION BACKGROUND

At the April 14, 2009 HPC meeting, the applicant received approval for the Certificate of Appropriateness (BZH 25783) for the rehabilitation and new construction project with conditions (see Appendix B4 and B5). The proposed work to the louvers, southwest elevation addition, rooftop vat, chimney, new penthouse, and site plan were approved without conditions. The proposed work to the masonry and existing penthouse was approved with conditions, including the condition that final rehabilitation proposal receive Heritage Preservation Commission approval. The work to the windows, entrances, northeast elevation loading dock, northeast elevation canopy, and southeast elevation loading dock were not approved as part of the Certificate of Appropriateness.

At the May 12, 2009 HPC meeting the applicant received approval for another Certificate of Appropriateness with conditions (BZH 25799) to allow for the window replacement and door replacement (see Appendix B6). The applicant's proposed work to the loading dock and canopy,

however, were not approved. In addition, the Heritage Preservation Commission added as a condition of approval that the openings at bay 5 and 6 on the 9th Avenue elevation first floor level shall utilize dimensions and location of original openings.

PROPOSED WORK AND ANALYSIS

The applicant has again revised their plans. This application proposes work to the following:

- 9th Avenue (Northeast Elevation) Loading Dock
- Alley (Southwest Elevation) Loading Dock
- Bay 6 (Northeast Elevation) Opening

9th Avenue Loading Dock: Pictorial evidence shows that the 9th Avenue elevation has contained a loading dock since 1924 (see Appendix A10). It is likely that the building contained this loading dock at the time of construction. The loading dock was likely originally constructed of wood (see Appendix B13 and B14). At a later date the wood loading dock was replaced with a loading dock constructed with concrete. The replacement loading dock was built to a similar length, height, and width of the original (see Attachment A10 and B7 for comparison). The existing loading dock has the following approximate dimension (see Appendix B8 for additional details)

- Height: 4 feet
- Length
    - Loading Dock: 84 linear feet
    - Loading Dock Ramp: 14 linear feet (note the ramp on the southeast end no longer exists (see Appendix A14, B8, and B13)
- Width: 14 feet

The applicant proposes replacing the 9th Avenue loading dock with a six-foot wide concrete sloped sidewalk. On the outside of the sloped sidewalk would be an exterior concrete wall that would follow the same height pattern as the existing loading dock (see Appendix A13 and B7). A black metal railing approximately 42 inches would be built on this wall (see Appendix A13, A15, A17). The sloped sidewalk to the southeast is proposed to extend approximately 24 feet longer than the existing loading dock and have a 7 foot staircase.
The proposed sloped sidewalk has the following approximate dimensions (see Appendix B9):

- Height:
    - Exterior wall: 4 feet
    - Sloped sidewalk: grade to four feet
- Length
    - Sloped sidewalk: 108 feet
    - Staircase: 7 feet
- Width: 6 feet

The applicant states they are proposing the sloped sidewalk to allow an accessible pedestrian route on a less than 13-foot sidewalk (see Appendix A13).

Alley Loading Dock: The northeast elevation contains a loading dock that is either original to the building or was rebuilt to similar dimensions as the original (see Appendix A32 for site plan and B10 for Sanborn map). There were railroad tracks that ran east-west in the alley between 3rd Street North and Washington Avenue North until at least 1951. This was likely the primary original loading and unloading area for the building to the railcars.

The applicant is proposing to retain this loading dock and construct a 10-foot addition that would be the same length and height as the existing alley loading dock (see Appendix A22). A black metal railing approximately 42 inches is proposed to be built on the outer edge of the loading dock extension and three trees would be placed within the loading dock addition (see Appendix A13, A22, and A31)

Bay 6 Opening: The opening in Bay 6 of the Northeast Elevation is original to the building, but the original door has likely been removed. The dimensions of the existing opening are 7.25 feet wide by 8 feet high. The applicant has provided an elevation showing the southeast elevation with the approved fenestration (see Appendix A16). As part of this application, Walsh Bishop is proposing to replace the original door opening with a window opening that is approximately 15 feet wide by 9 feet high (see Appendix A17). The applicant states that this proposed alteration is to provide street visibility and daylighting of the lobby of the new entry.

FINDINGS: *CERTIFICATE OF APPROPRIATENESS:* NEW CONSTRUCTION
The following is a summary of the applicant's assessment on how the proposed alterations meet the twelve Certificate of Appropriateness application findings set out in Provision 599.350 of the Heritage Preservation Ordinance as well as an analysis of the findings provided by CPED.

Per Provision 599.350, the commission may approve, approve with conditions, or deny an application for certificate of appropriateness. In general. 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 Warehouse District is historically significant as an area of early commercial growth during the development of the city's warehouse and wholesaling district which expanded during the late 19th and early 20th centuries when Minneapolis became a major distribution and job center for the upper Midwest. The District is also architecturally significant for its concentration of commercial buildings designed by the city's leading architects in styles that evolved from the Italianate Style of the 1860s to the curtain wall structures of the early 20th century. The period of significance for the district is circa 1865-1930.

Structures within the warehouse district that include the subject property and those in the western portion of the district were large rectilinear boxes built for warehousing and manufacturing. These structures were work horses designed for an industrial purpose. The industrial landscape shaped the identity of the area with its loading docks, streets, rail corridors and bridges. These features and the spatial relationships they create are as important to defining the character of the area as the structures. The period of significance runs from 1865 to 1930 chronicling the rise of the industries that built the area.

The applicant recognizes that the Warehouse District has a remarkably intact concentration of commercial buildings designed by the city's leading architects and engineers (see Appendix A18 and A7). The applicant states that the proposed window and sidewalk modifications are in character with the surrounding historic warehouse neighborhood.

9th Avenue Loading Dock: The proposed removal of the 14-foot loading dock for the sloped sidewalk is not compatible with nor would it continue to support the criteria of significance of the district. Loading docks are a vital element that depicts how the first floor of a warehouse was used in relation to the streets and rail corridors (see Appendix B15 for Warehouse District loading dock map). The

combination of the loading docks, entrances, window openings and canopies convey where people and products entered and exited the building and where the original building offices were (Source: NPS Brief #11). Design alternatives exist that would allow for the building to be accessible and have a pedestrian-friendly streetscape.

Alley Loading Dock: The proposed expansion of the alley loading dock is compatible with and supports the criteria of significance of the district. The applicant's proposal retains the original loading dock and the proposed 10-foot wide addition is sensitive to the existing loading dock and the building.

Entrance Opening: The proposed alteration to Bay 6 on the southeast elevation is not compatible with nor does it continue to support the criteria of significance of the district. The Bay 6 entrance opening is original to the building and like the loading docks, convey where people and products entered and exited the building and where the original building offices were.

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

The industrial landscape of the Warehouse District shaped the identity of the area with its loading docks, streets, rail corridors and bridges. These features and the spatial relationships they create are as important to defining the character of the area as the structures. The period of significance of the district runs from 1865 to 1930 chronicling the rise of the industries that built the area.

The applicant recognizes the loading docks as a character defining feature. The applicant states that the design intent is to, "Highlight the original character of the buildings loading docks by establishing clear and respectful modifications to make the building habitable and accessible (see Appendix A18)."

9th Avenue Loading Dock: The proposed removal of the 14-foot loading dock for the sloped sidewalk is not compatible with and does not support the exterior designation for which the property was designated. The proposed configuration of the sloping sidewalk does contain elements that respect the original form of the original loading dock. However, there are design alternatives that would allow for the width of the loading dock to be maintained while sproviding accessibility to the building and having a pedestrian-friendly streetscape.

Alley Loading Dock: The proposed expansion of the alley loading dock is compatible with and supports the criteria of significance of the district. The proposed alteration although does not retain the depth of the original loading dock it does allow for the original loading dock configuration to be retained in this location.

Entrance Opening: The proposed alteration to Bay 6 is not compatible with nor does it continue to support the criteria of significance of the district. The Bay 6 entrance opening is original to the building and is on a primary elevation. Similar to loading docks, the entrance opening on the first floor of this primary elevation helps convey where people and products entered and exited the building and where the original building offices were.

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

The character defining features of the Gurley Candy Factory that are impacted with the proposed alterations include the loading dock and the first floor fenestration.

The applicant states that the, "Design intent [of the proposed alteration to the 9th Avenue loading dock] is to highlight the original character of the building's loading dock in a manner similar to dock modifications found in the North Loop Historic District."

9th Avenue Loading Dock: The proposed removal of the 14-foot loading dock for the sloped sidewalk would not ensure continued integrity of the historic district. Loading docks are a character defining features of the Minneapolis Warehouse District that help convey the industrial landscape which shaped this area's identity. The concentration of loading docks within the Minneapolis Warehouse District is a built-environment feature that separates the Warehouse District from other parts of the city and Minneapolis from other cities in this country.

The proposed concrete sloped sidewalk is a design option that provides accessibility and provides some visual elements that show where there was a loading dock. However, there are design alternatives that exist that would allow for good accessibility to the building and greater retention of the loading dock. An example of an adaptive reuse that was able to do both is the Colonial Warehouse at 212 3rd Avenue North (see Appendix B11-B13).

Alley Loading Dock: The proposed expansion of the alley loading dock is compatible with and will ensure the continued integrity of the historic district. Many of the Warehouse District Buildings that were built along a railroad corridor, like the subject property, originally contained a loading dock. The applicant's proposal to retain the existing loading dock will help ensure continued integrity of the building and the district.

Entrance Opening: The proposed alteration to Bay 6 is not compatible with nor does it ensure continued integrity of the building or the historic district. The first floor entrance opening in Bay 6 is original to the building. With the recent proposed alterations that have been approved through a Certificate of Appropriateness application four of the six bays will continue to have their original openings. The applicant's proposal would eliminate another original opening and therefore reduce the integrity of the building.

(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.

At this time, design guidelines for the National Register Warehouse District have not been adopted by the Heritage Preservation Commission.

(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 has highlighted how they feel the proposed work is in compliance with the Secretary of the Interior's Standards for Rehabilitation (see Appendix A18-A19).

9th Avenue Loading Dock: The applicant's proposal is not consistent with the recommendations contained in the Secretary of the Interior's Standards for the Treatment of Historic Properties and would adversely impact this building and the district. Loading docks are a vital element of the industrial landscape of the Warehouse District and help depict how the first floor of a warehouse was used.

It is realized that loading docks built in the right-of-way add an element of complexity in creating an accessible and pedestrian-friendly streetscape; however, they do not necessarily detract from having an accessible and pedestrian-friendly streetscape and steps can be taken to retain them while not interrupting a safe pedestrian path that is accessible. In addition to not detracting from the pedestrian streetscape, the loading docks can create unique gathering places such as restaurant patios for those buildings being converted from their original use.

Cities throughout the country that have historic districts and elements such as cobblestone streets and loading docks in the public right-of-way have been able to retain these important historic features. 13th Avenue Northwest within the Pearl District in Portland, Oregon is one example of a historic district having loading docks within the right-of-way. In 1996, the City of Portland adopted design guidelines for Northwest 13th Avenue that encourages retaining these loading docks. The guidelines state the following:

> "Loading Docks, Overhead Doors, and Canopies - Many of the buildings along NW 13th Avenue have concrete or wood loading docks projecting into the street, with canopies above and roll-up doors adjacent to the loading space. These features are among the most distinctive features in the District, and should be retained even where loading operations have been discontinued. New docks are also encouraged, to a maximum projection of 11 feet (Source: NW 13th Avenue Historic District Guidelines)."

Alley Loading Dock: The proposed expansion of the alley loading dock is compatible with the Secretary of Interior Standards. The applicant's proposal to retain the original loading dock's length and height help retain an important character defining feature. The applicant's proposal will double the width of the loading dock, however, the proposed alteration is compatible with the historic character of the setting in terms of size, scale design, material, and color.

Entrance Opening: The proposed alteration to Bay 6 is not compatible with nor does it continue to support the criteria of significance of the district. The alteration of Bay 6 is not in compliance with the second standard of the Secretary of Interior Standards which recommends that the retention of character distinctive materials and the avoidance of alteration to character distinctive features. It is realized that the original entrance material is likely missing, however, the original opening exists and is an important feature in illustrating the historic warehouse use of the building and can guide rehabilitation work. The recommended course of action set out by the Secretary of Interior guidelines for the rehabilitation of entrances when historic features are missing is to retain the original opening.

(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.

9th Avenue Loading Dock: The applicant's proposal to construct the sloped sidewalk is a design that would improve accessibility and the pedestrian streetscape compared to existing conditions. Creating

an accessible and pedestrian-friendly streetscape is consistent with the Minneapolis Comprehensive Plan. However, the applicant's proposal would adversely impact the building and the Warehouse District by removing an important built environment feature and this is not consistent with the Comprehensive Plan. There are at least three alternatives that exist that would allow the applicant to improve the pedestrian streetscape, improve accessibility, and retain this character-defining feature.

1. Complete internal modifications to the 3rd Street entrance that would provide an accessible entrance to the building;
2. Rehabilitate the loading dock with ramps on both sides such as it was in historic photos (see Appendix A10 and A11);
3. Complete an adaptive reuse of the loading dock that retains the width and height of the original and is sensitive to the original length and design. An example of a quality adaptive reuse is the Colonial Warehouse loading dock along 3rd Avenue North (see Appendix B10-B12).

Alley Loading Dock: The proposed expansion of the alley loading dock is compatible with the Comprehensive Plan in that it it retains a character-defining feature and will help provide a functional and attractive gathering spaces.

Entrance Opening: The proposed alteration to Bay 6 is not compatible with the Comprehensive Plan in that it would not preserve the industrial aspect of the Warehouse District which is important to help serve as reminders of the city's architecture, history, and culture.

(c) Adequate consideration of related documents and regulations. 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:

(1) The description and statement of significance in the original nomination upon which designation of the landmark or historic district was based.

The applicant recognizes that the Warehouse District has a remarkably intact concentration of commercial buildings designed by the city's leading architects and engineers (see Appendix A20 and A7).

Please see Findings 1-6 above for staff analysis.

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

The applicant states that, "The project has been through the review, parking variance, and approval process for planning and zoning back in December 2008 (see Appendix A20)."

(3) 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.

Please see Finding 5 for the applicant and staff's analysis.

(d) Additional findings for alterations within historic districts. 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:

(1) 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 applicant states, "Currently, the only pre-1930 historic features identified are brick details, window opening sizes, and loading docks. Any needed repair to historical features will be done in a manner consistent with the Department of Interior guidelines (see Appendix A20).

Please see Findings 1-6 above for staff analysis.

(2) 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 applicant states, "Currently, the only pre-1930 historic features identified are brick details, window opening sizes, and loading docks. Any needed repair to historical features will be done in a manner consistent with the Department of Interior guidelines (see Appendix A20).

Please see Findings 1-6 above for staff analysis.

(3) 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 applicant states, "Currently, the only pre-1930 historic features identified are brick details, window opening sizes, and loading docks. Any needed repair to historical features will be done in a manner consistent with the Department of Interior guidelines (see Appendix A20).

Please see Findings 1-6 above for staff analysis.

PUBLIC COMMENTS

CPED notified property owners within 350 feet of this application on July 8, 2009. As of July 14, 2009, no comments have been received.

STAFF RECOMMENDATION

CPED recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the Certificate of Appropriateness with the following conditions:

1. The applicant complete an adaptive reuse of the 9th Avenue loading dock which provides accessible entrance to the building while retaining the same design, length, width, and height of the original loading dock as seen in historic photos and existing conditions. In addition, the adaptive reuse loading dock shall be constructed of concrete similar to loading docks in the Warehouse District.
2. The alley dock expansion is approved as proposed.
3. The original Bay 6 entrance opening is retained.
4. CPED-Planning Preservation Staff shall review and approve the final plans prior to sign permit issuance.

APPENDIX

Appendix A: Application
Appendix B: CPED Information