

**CITY OF MINNEAPOLIS  
HERITAGE PRESERVATION COMMISSION STAFF REPORT**

FILE NAME: 900 3<sup>rd</sup> Street North (BZH 25783)

CATEGORY/DISTRICT: Minneapolis Warehouse National Historic District (Interim Protection)

CLASSIFICATION: Certificate of Appropriateness

APPLICANT: Walsh Bishop Associates: Troy Goetz (612) 414-5055 on behalf of FTK Properties

DATE OF APPLICATION: February 16, 2009

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DATE OF HEARING: March 14, 2009

APPEAL PERIOD EXPIRATION : April 24, 2009

STAFF INVESTIGATION AND REPORT: Aaron Hanauer (612) 673-2494

REQUEST: Certificate of Appropriateness for Rehabilitation and New Addition Project

***A. SITE DESCRIPTION AND BACKGROUND:***

<b>District/Area Information</b>	
Historic District	National Register Warehouse District: Interim Protection (see Appendix A2)
District Areas of Significance	Criteria A. associated with events that have made a significant contribution to the broad patterns of our history;  Criteria C. Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master; or possess high artistic values, or represent a significant concentration of resources whose individual components are united historically by function or plan;
Neighborhood	North Loop
Date of Local Designation	N/A
Period of Significance	Circa 1865-1930
<b>Historic Property Information</b>	
Address	900 3 <sup>rd</sup> 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
Building's Defining Features Impacted by Application	Masonry, original steel windows, entrance openings, rooftop, loading dock, canopy, raised platform, penthouses, rooftop vat, chimney.

The Gurley Candy Company Building is a four-story, six bay, rectangular structure designed in a plain Commercial Style. The façade is articulated through a series of enframed brick pilasters. A semicircular arch above the entry (southwest elevation) is also present.

The original building retains its integrity; however, it has had at least seven additions (see Appendix D). The three additions that are viewable today are the 1949 four-story addition, which was based on the original building (see Appendix B16), and the two-story addition to the west of the 1949 addition (1<sup>st</sup> floor was built in 1951 and the second floor was built in 1952). The building also had an addition to the penthouse in 1940 and 1959 (see Attachment B16). The penthouse on the fourth bay from 3<sup>rd</sup> Avenue North is part of the original construction (see Appendix B15 and F3).

The building is located by two alleys. An east/west alley between Washington Avenue and 3<sup>rd</sup> Avenue and a north/south alley between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue.

## **B. APPLICATION BACKGROUND**

On November 4, 2008, the applicant applied for land use approvals: site plan review and a parking variance. At the December 8, 2008 meeting, the Planning Commission approved these applications with conditions (see Appendix G). On January 13, 2009, the Heritage Preservation Commission nominated the collection of properties known as the National Register of Historic Places Minneapolis Warehouse Historic District for local designation, established interim protection, and directed the Planning Director to commence a designation study of the collection of properties known as National Register of Historic Places Minneapolis Warehouse Historic District. Since the applicant did not have approved plans submitted prior to January 13, 2009, the applicant is required to receive Heritage Preservation Commission approval due to interim protection.

## **C. REQUIRED FINDINGS FOR CERTIFICATE OF APPROPRIATENESS**

Required findings for certificate of appropriateness. In general. Before approving a certificate of appropriateness, the commission shall make findings that the alteration will not materially impair the integrity of the landmark, historic district or nominated property under interim protection and is consistent with the applicable design guidelines adopted by the commission, or if design guidelines have not been adopted, is consistent with the recommendations contained in The Secretary of the Interior's Standards for Rehabilitation, except as otherwise provided in this section.

## **D. PROPOSED WORK AND ANALYSIS**

The applicant plans include converting the building into office space and a restaurant on the first floor. The applicant is proposing a project with extensive work to the exterior of the building. As part of this proposal, staff reviewed 13 exterior alterations.

CPED recommends that conditions of approval be added to the applicant's proposal in order to meet the intent of the Secretary of Interior Rehabilitation Standards and to ensure the proposal will not negatively impact the property under interim protection and the district.

### ***1. Masonry***

**Background:** The original 1919 building was constructed of a brown/red colored brick of varying colors on the southeast, northwest, and northeast elevations. The 1949 and 1951/1952 addition were constructed

of reddish colored brick (see Appendix B1). The northwest elevation of the 1949 and 1951/1952 addition is concrete masonry units. A brick cornice was constructed at the edge of the window openings on floors two through four.

The applicant states that the brick overall is in good condition and that the only repairs will be, “limited to damaged spots and comply with the Department of the Interior Standards.”

**Proposed Work:** The applicant proposes to limit masonry work to repairing only damaged brick and if the masonry work repairs damaged bricks and to do this work in compliance with the Department of the Interior Standards.

**Analysis:** The applicant’s proposal to limit masonry work to those areas that are in need of work will meet the Secretary of Interior Rehabilitation Standards and their proposal will not negatively impact the property under interim protection nor the district if it meets the following conditions:

1. Rehabilitation work is carried out without the use of sandblasting;
2. New mortar shall match the old mortar in strength, composition, color, and texture;
3. New mortar joints shall match old mortar joints in width and in joint profile;
4. New brick used shall match original.

## 2. Windows

**Background:** Staff has provided an analysis of the original construction, existing conditions and applicant’s proposal by each bay (see Appendix F17-F19). The existing and proposed condition elevations have been labeled to correspond with the bay analysis (see Appendix B7.4, 7.5, 10.0, and 10.1). The following is a general description of the building’s windows:

With the exception of four office windows at the 9<sup>th</sup> Street and 3<sup>rd</sup> Avenue corner, the original windows of the Gurley Candy Factory were and still are steel divided light windows that are black in color (see Appendix B15). The northeast elevation, which is the west elevation of the 1951/1952 elevation contains concrete masonry units with small window openings.

The steel divided windows on the southwest, northwest, and southeast elevations, although they are the same dimensions and operation, are not uniform. The divided lights have 15 inch steel muttons and contain a pivotal center sash. The first floor contains four steel windows that remain fully intact.

The second through fourth floors steel divided light windows have been partially brick infilled. Although it is likely that the pivotal center sash still remains in these windows (see Appendix B1). The window openings of these upper floor bays differ. The first and sixth bays have windows that span the width of the bay, while the second through fifth bays have two masonry columns that separate the three window sets.

It is likely that the penthouse still retains the full original windows that were added prior to 1956.

### **Proposed Work**

**2a. Restoration Verse Replacement:** The applicant is proposing to replace all existing windows on floors one through four. The applicant plans to retain the windows on the penthouse.

**2b. Replacement Window Material:** The applicant is proposing to use a black anodized aluminum window. The applicant, at CPED's request, has provided information on the anodized aluminum finish (see Appendix B39-B45).

**2c. Replacement Window Operation:** The proposed replacement windows will be have a 25 percent operable casement window (see Appendix B17 and B48).

**2d. Replacement Window Color:** The applicant is proposing a dark bronze or black (examples will be available at the public hearing).

**2e. Window Design and Other Visual Qualities:** The applicant has proposed that the replacement windows be a simple design without muntins. For this proposal the width of the windows are 30 inches and 60 inches and recessed at the same location as the existing window (see Appendix B10). The applicant states that the proposed windows were chosen to try and provide a uniform window appearance that is closer to the original architecture.

**2f. Proposal for 1<sup>st</sup> Floor Windows (Southeast Elevation):** The applicant has proposed to change the fenestration pattern and replace the original steel divided light windows that are fully intact (see Appendix B7.4, 7.5, B10.0, B10.1 and F17-F18). The applicant has proposed to replace the non-original windows in Bay 1-3 with new windows that fit in these openings. In Bay 4-5, the applicant has proposed to replace the three original steel divided light windows that have not experienced brick infill and are fully intact. The proposed windows vary for these openings. The proposal for Bay 5-6 is a series of eight replacement windows that are 5' wide by 10' high (see Appendix B10.0 and Appendix B10.1 for an alternative).

**2g. Proposal for 1<sup>st</sup> Floor Window (Northeast Elevation):** The applicant has proposed to change the fenestration pattern of Bay 1 and 2. The applicant proposes to remove the original steel divided light window that is fully intact to provide large windows for Bays 1 and 2. The applicant has also proposed to open up the completely brick infilled window openings in Bay 4.

**2h. Proposal for 1<sup>st</sup> Floor Window (Southwest Elevations):** The applicant has proposed to replace the non-original windows with replacement windows that fit in the original openings (see Appendix B7.5, B10.1 and F17).

**2i. Proposal for 2nd Through 4th Floor Windows (Southeast Elevation):** All the windows on floors two through floor were built with steel divided light windows and experienced brick infill on the bottom half after 1949. Currently, the top halves of these windows contain the original steel window. The applicant proposes to replace all the steel windows. The replacement windows in Bays 1, 2, 5, and 6 would fit into the original openings. The applicant has proposed to have some brick infill in Bays 3 and 4 (see Appendix B10.0).

**2j. Proposal for 2nd Through 4th Floor Windows (Northeast and Southwest Elevation):** The applicant has proposed to replace the non-original windows with replacement windows that fit in the original openings (see Appendix B7.5 and B10.1).

**2k. Proposal for Northwest Elevation :** The northwest elevation, which serves as the building's rear elevation, experienced brick infill after constructed (see Appendix B7.4). Currently, there are eight small casement windows (see Appendix F14 and F15). The applicant proposes to put replacement windows to fit in the original openings (see Appendix B10.0).

**Analysis:** CPED recommends that conditions of approval be added to the applicant's window proposal in order to meet the intent of the Secretary of Interior Rehabilitation Standards and to ensure the proposal will not negatively impact the property under interim protection and the district.

**2a. Restoration of Windows Verse Replacement:** The proposed replacement of all windows is not in full compliance with the Secretary of Interior's Guidelines for Windows.

For those original steel windows on the second through fourth floors that have been brick infilled an appropriate replacement window may be acceptable since the deterioration of the window is 50 percent or greater. In addition, a proposed replacement of the non-original office windows on the southeast and southwest elevation may be acceptable since these windows are not a character-defining feature of the building.

The applicant's proposed replacement of the original steel divided light windows on the first floor and penthouse, however, is not in compliance with the Secretary of Interior's Standards nor Guidelines for Windows. The steel divided light windows are a character-defining feature of the building and appear to be in good condition.

The applicant's proposed window replacement project will meet the Secretary of Interior Standards and not negatively impact the property under interim protection nor the district if it meets the following conditions of approval are met:

1. Complete restoration of the first floor and penthouse steel divided light windows is completed;
2. Attempt is made to salvage steel windows.

A recent local example that retained the steel divided light windows in a mainly window replacement project is the Sears Roebuck and Company Mail Order Warehouse and Retail Store (see Appendix I4-I12).

**2b. Replacement Window Materials:** The proposed anodized aluminum window is not in compliance with the Secretary of Interior Standards for Rehabilitation nor the Secretary of Interior Guidelines for Windows. An anodized finish is incompatible with an historic building.

CPED believes that an aluminum replacement window has the potential to meet the Secretary of Interior Standards for Rehabilitation. However, an anodized replacement material is not a compatible substitute material nor in compliance with the Secretary of Interior Guidelines for Windows for at least two reasons.

1. The National Park Service does not recommend the use of anodized aluminum on storefronts. It states the following: "Avoid use of materials that were unavailable when the storefront was constructed; this includes vinyl and aluminum siding, anodized aluminum, mirrored or tinted glass, artificial stone, and brick veneer (source: Preservation Brief on the Rehabilitation of Storefronts #11;)"
2. The repainting of anodized aluminum is expensive and may require the need for a replacement window sooner than another material (see Appendix I3);
3. A replacement window finish that will meet the Secretary of Interior Standards and not negatively impact the property under interim protection nor the district would be a window with a painted finish.

**2c. Proposed Window Operation:** The applicant's proposal to have a 25 percent operable window may be in compliance with the Secretary of Interior Standards and Guidelines for Windows. However, the proposed replacement windows are not appropriate.

The applicant's proposed window replacement operation will meet the Secretary of Interior Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. If possible, the replacement window contains a pivotal center sash.

**2d. Proposed Window Color:** The applicant's proposal to use black as the window color will meet the Secretary of Interior Standards and Guidelines for Windows, and not negatively impact the property under interim protection nor the district.

**2e. Window Design and Other Visual Qualities:** The applicant's proposed replacement window design is not in compliance with the Secretary of Interior Standards of Guidelines for Windows. The building's existing true divided light windows are a defining feature of the building. The proposed replacement windows do not incorporate the existing decorative details.

The applicant's proposed window replacement design will meet the Secretary of Interior Standards and not negatively impact the property under interim protection nor the district if it is completed in the following manner:

1. Applicant reconstruct the missing steel windows or propose an aluminum replacement window that has true divided lights, muntins, rails, heads, sills, and jamb profiles that accurately; reproduce the look of the steel divided light windows;
2. The window glazing must be clear, non-tinted, non-reflective glass.

**2f. Proposal for 1<sup>st</sup> Floor Windows (Southeast Elevation):** The applicant's window proposal for the first floor of the southeast elevation is not in full compliance with the Secretary of Interior Standards for Rehabilitation.

The proposed new window fenestration on the first floor of the southeast and northeast changes the focus of the building from the 3rd Street elevation and northern portion of the 9th Avenue elevation to the southern portion of the 9th Avenue elevation (see Appendix B10 and B10.1).

The Secretary of Interior Guidelines for windows of a new use recommends that if new windows are required that they be added to the rear or other-non character-defining elevations. The applicant's proposed windows for the first floor of the southeast elevation will meet the Secretary of Interior Standards and not negatively impact the property under interim protection nor the district if it is completed in the following manner:

1. Complete restoration of the first floor steel divided light windows;
2. The replacement windows on the first floor are guided by historical, pictorial, and physical documentation;
3. Replacement windows for those openings without the original steel windows shall fit into the original or existing openings;
4. Original window openings are not brick infilled;
5. Proposed windows for Bays 4, 5, and 6 are not permitted;

**2g. Proposal for 1<sup>st</sup> Floor Windows (Northeast Elevation):** The applicant's proposal for windows on the first floor of the northeast elevation is not in full compliance with the Secretary of Interior Standards for Rehabilitation. The Secretary of Interior Guidelines for windows of a new use

recommends that if new windows are added that they be added to the rear or other-non character-defining elevations.

The applicant's proposed windows for the first floor of the northeast elevation will meet the Secretary of Interior Standards and not negatively impact the property under interim protection nor the district if it is completed in the following manner:

1. Complete restoration of the first floor steel divided light windows;
2. The replacement windows on the first floor are guided by historical, pictorial, and physical documentation;
3. Replacement windows for those openings without the original steel windows shall fit into the original or existing openings;
4. Original window openings are not brick infilled;
5. Proposed windows for Bays 1 and 2 are not permitted.

**2h. Proposal for 1<sup>st</sup> Floor Windows ( Southwest Elevation):** The applicant's proposal for replacement windows on the first floor of the southwest elevation will meet the Secretary of Interior Standards and not negatively impact the property under interim protection if the final replacement window material, operation, color, and design are in compliance with the Secretary of Interior Guidelines for Windows.

**2i . Proposal for 2<sup>nd</sup> Through 4<sup>th</sup> Floor Windows (Southeast Elevation):** The applicant's proposal to brick infill original window openings on the Southeast Elevation does not meet the intent of the Secretary of Interior Standards and Guidelines for Windows because the applicant is proposing to brick infill original window openings.

The applicant's proposed windows for the second through fourth floors will meet the Secretary of Interior Standards and not negatively impact the property under interim protection nor the district if it is completed in the following manner:

1. Original window openings are not brick infilled;
2. The replacement windows on the second through fourth floors are guided by historical; pictorial, and physical documentation.

**2j. Proposal for 2<sup>nd</sup> Through 4<sup>th</sup> Floor Windows (Northeast and Southwest Elevations):** The applicant's proposal to put in replacement windows on the second through fourth floors of the northeast and southwest elevations that fit in the original window openings will be in compliance with the Secretary of Interior Standards for Rehabilitation and not negatively impact the property under interim protection nor the district if the final replacement window material, operation, color, and design are in compliance with the Secretary of Interior Guidelines for Windows.

**2k. Proposal for Northwest Elevation :** CPED believes that the applicant's proposal to add new window opening to the northwest elevation meets the intent of the Secretary of Interior Guidelines for Windows. The northwest elevation, which is a side of the 1949 and 1951/1952 building additions, consists of grey concrete masonry units. Even though this elevation is viewable from 3<sup>rd</sup> Street North and faces the side of a contributing structure, staff believes the proposed window additions will not detract from the building, adjacent properties, nor the district (see Appendix F8 and F9)

CPED believes that the proposed windows for the Northwest elevation will meet the Secretary of Interior Standards for Rehabilitation and will not negatively impact the property under interim protection nor the district if it is completed in the following manner:

1. The replacement windows do not duplicate the fenestration pattern of the character-defining elevations while being compatible with the overall design of the building;

### **3. Louvers**

**Background:** Currently, there is one louver on the first floor northwest elevation (see Appendix F15).

**Proposed Work:** The applicant is proposing to remove the existing louver, and place three new louvers on the northwest elevation. The proposal is to have a louver on the second, third, and fourth floors (see Appendix B10.0). These louvers would be located in approximately the same location as the existing louver.

**Analysis:** The applicant's proposal to add new mechanical components meets the intent for the Secretary of Interior Standards and Guidelines for Mechanical Systems will not negatively impact the property under interim protection nor the district. The proposed location of the louvers is on the northwest elevation, which acts as a rear elevation to the building. The proposed louver location causes minimal alterations to the exterior elevation and to the district. The proposed louver also does not damage the historic building materials of the Gurley Candy Factory.

### **4. Entrances**

**Background:** Staff has provided an analysis of the original construction, existing conditions and applicant's proposal by each bay (see Appendix F20).

The Gurley Candy Factory was originally built with entrances on at least three elevations: the southwest, southeast, and northeast elevations. The main entrance to the building's office was on the 3<sup>rd</sup> Street North (see Appendix B15). The entrances to the factory were located on 9<sup>th</sup> Avenue and the northeast elevation.

**Proposed Work:** The applicant proposes to retain the southwest elevation entrance, eliminate the entrances on the southeast elevation of the original building, and place a main entrance on the northeast elevation.

**4a. Replacement Entrance Materials and Color:** Details on the metal finish and color have not been provided.

**4b. Proposal for Southwest Elevation Entrances:** The original door underneath the semicircular arch window has been replaced, but the original opening remains. The applicant proposes to replace the existing door and place a new door in the existing opening.

**4c. Proposal for Southeast Elevation Entrances:** The Gurley Candy Factory in 1919 was built with four openings on the southeast elevation (see Appendix B15). Of these four, two openings remain. The applicant is proposing to replace these two openings with windows (see Appendix B7.4, B10.0, and F20).

The 1949 addition has two openings on the southeast elevation. One door is currently brick infilled and the other provides access to the building (see Appendix F1). The applicant proposes to place a door entrance in the location where there is currently brick infill and brick infill the existing opening (see Appendix B10.0).

**4d. Proposal for Northeast Elevation Entrances:** It is unknown how many entrances were originally on the northeast elevation; currently, there are two. The applicant is proposing to replace the door in Bay 2 with a new window and have the door in Bay 3 remain.

### ***Analysis***

**4a. Replacement Entrance Material and Color:** The proposed replacement door material and color will meet the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. The replacement door will have a painted metal finish;
2. Anodized aluminum will not be allowed.

**4b. Proposal for Southwest Elevation Entrances:** The proposed replacement door will meet the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. The replacement door will have a painted finish;
2. Anodized aluminum will not be allowed;
3. Overall design guided by pictorial documentation;
4. The proposed replacement door is similar to the existing door in design with a large glazing surface.

**4c. Proposal for Southeast Elevation Entrances:** The current proposal for the southeast elevation does not meet the Secretary of Interior Standards and Guidelines for Entrances. The southeast elevation of the 1919 Gurley Candy was built with four entrances. Two of these openings were brick infilled over the years. The Secretary of Interior Standards for Guidelines recommends that when pictorial, historical, and physical documentation exists that a new design that is compatible with the historic character of the building be designed and constructed.

The work to the southwest elevation entrances will meet the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets the following conditions of approval:

1. Bay 3 existing entrance remains;
2. Bay 4 entrance is opened up to the original opening;
3. Bay 6 entrance opening remains.

In addition, CPED encourages the applicant to consider to restore the other entrance in Bay 3.

**4d. Proposal for Northeast Elevation Entrances:** The applicant's proposal to replace the Bay 2 entrance with a window that will fit in the original window opening will meet the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval if the final replacement window material, operation, color, and design are in compliance with the Secretary of Interior Guidelines for Windows.

## ***5. Southwest Elevation Addition***

**Background:** There are two prominent additions to the west of the main building, the 1949 addition, which was designed to replicate the original building, and the two-story 1951/1952 addition to the west of the 1949 addition (see Appendix B16).

**Proposed Work:** The applicant is proposing to construct a two-story addition on top of the 1951/1952 building addition (see Appendix B10 and B19). This newly constructed addition would be built to a height slightly lower than the 1949 addition and connect floors three and four for the new multi-floor tenant with the 1949 portion of the building. The addition would have a footprint of 898 square feet (since the addition is greater than 14 feet in height zoning considers it to be twice the size or 1,796 square feet in area) The addition is proposed to be constructed with a saw-tooth roof design. The exterior material is proposed to be a vertical standing seamed metal panel that contains a weathered dark zinc coating. This same material is proposed for the penthouse.

**Analysis:** The proposed addition meets the intent of at least three aspects of the Secretary of Interior Guidelines for New Additions:

1. It is designed in a way that protects the character-defining features (masonry, windows, columns, raised walkway, loading dock, and flat roof line) of the historic building are not radically changed, obscured, damaged, or destroyed in the process of rehabilitation;
2. It is designed in a way that does not appear to be part of the historic resource. The proposed saw-tooth roof design and metal panels would clearly differentiate the new from the old;
3. It is designed in a way that the size and scale of the addition in relationship to the historic building is limited. The proposed addition is approximately 1,796 square feet and this a modest sized addition in comparison to the 49,000 square foot building.

There are two concerns with the proposed addition.

1. The design of the roofline will detract from the neighboring historic property and the 3rd Street elevation of the Gurley Candy Factory (see Appendix F8-F9);
2. The location of the addition, even though it is primarily on a non-character defining façade, will be clearly visible from 3rd Street North. The Guidelines for New Additions recommend having a new addition (when it has been determined that the new use cannot be successfully met by altering non-character-defining interior spaces) located on an exterior addition at the rear or inconspicuous side of a historic building. Due to the building's and street's orientation any addition built on this building will be viewable from the street (see Attachment C4).

The applicant's addition proposal will meet the intent of the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. New addition roofline contains a horizontal element to reduce the focus on the saw tooth roofline.

#### **6. Northeast Elevation Loading Dock/Accessible Entrance**

**Background:** The northeast elevation contains a loading dock that is likely original to the building (see Appendix B6.2 and C5 and C6 for Sanborn maps). There were railroad tracks that ran east-west in the alley between 3rd Street North and Washington Avenue North until at least 1951 (see Appendix C6). This was likely the primary original loading and unloading area for the building to the railcars.

**Proposed Work:** The applicant is proposing to construct an accessible entrance on the northeast elevation that incorporates a portion of the original loading dock (see Appendix B6.2, B8.3, and B10.1). As part of this proposal, the applicant is proposing to remove the square concrete portion located on the northwest

corner of the loading dock which was likely added after 1951 (labeled #7 on Appendix B6.2 and C6). For the accessible entrance, the applicant is proposing to construct a steel fence that would be built to a height of seven feet and three inches at its highest point (see Appendix B10.1).

**Analysis:** CPED recognizes the federal laws and code requirements of providing accessibility to buildings and appreciates the applicant's proposal to not construct an additional opening in the building. However, the accessible ramp in its current configuration does not meet the Secretary of Interior Guidelines for Accessibility since the proposed accessible ramp would result in the loss of the 9th Street raised walkway/loading platform, which is a character-defining feature of the building (see Attachment B1).

The applicant's accessible entrance proposal will meet the intent of the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. The character defining 9<sup>th</sup> Street raised walkway/loading platform is retained in final design;
2. The final accessible entrance design is compatible with the historic building and its setting.

## **7. Northeast Elevation Canopy**

**Background:** The northeast elevation contains a blue metal canopy with a shed roof pitch that hangs over the loading dock (see Appendix B3). It is unlikely that this canopy is original to the building, however, it is likely that the building contained a similar canopy. Buildings throughout the Warehouse District, in particular the west subsection of the district, contain similar canopies (see Appendix F2). Canopies similar in design are located on buildings in locations that provide and historically provided coverage for the movement of products from the building to the mode of transportation (horse buggy/train/vehicle).

**Proposed Work:** The applicant proposes to remove the existing canopy and construct a new canopy that would wrap around the northeast corner of the building and continue from the southeast elevation to the northeast elevation (see Appendix B6.0, B10.0, and B10.1). The proposed canopy would be constructed of metal panels similar to what is proposed for the penthouse and southwest elevation addition. The canopy would extend approximately a foot from the building on the southeast elevation and extend approximately 10.5 feet from the northeast elevation.

**Analysis :** The proposed work to the canopy is not in compliance with the Secretary of Interior Standards. The existing canopy is a character defining feature of the building and the Warehouse District. The removal of this canopy would adversely impact the building and district. Metal canopies are a unifying characteristic of the district.

The applicant's proposal for a canopy on the northeast elevation will meet the intent of the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. The proposed canopy is not approved;
2. The northeast elevation canopy is retained or replaced in kind.

## **8. Southeast Elevation (9<sup>th</sup> Avenue) Raised Platform**

**Background:** The 9<sup>th</sup> Avenue elevation has contained a raised platform since the construction of the building (see Appendix B15 and F3). The platform was likely originally constructed of wood. At a later

date the platform was replaced with a concrete platform. The replacement platform was built to a similar length, height, and width of the original (see Attachment B2 and B15 for comparison).

**Proposed Work:** The applicant is proposing to remove the 9<sup>th</sup> Avenue raised platform, reface this portion of the building with brick to match existing as well as a band of a metal to match the proposed awning (see Attachment B10) and reface the building with brick to match existing.

**Analysis:** The proposed work to the 9<sup>th</sup> Avenue raised platform does not meet the intent of the Secretary of Interior Standards and would adversely impact the building and district. The raised platform is a character defining feature of the building and the Warehouse District. Even though the building does not retain the original wood raised platform, the existing platform was built to a similar length, height, and width of the original.

The applicant's proposal for the raised platform will meet the intent of the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. The 9<sup>th</sup> Avenue raised platform is retained, repaired, or replaced-in-kind.

## **9. Rooftop Penthouses Existing**

**Background:** There are two brick rooftop structures on the original Gurley Factory Building that extend to the edge of the southeast elevation (see Appendix B7.4). The penthouse on Bay 4 is original to the building (see Attachment F3). The penthouse on Bay 5 was likely built in 1940.

**Proposed Work:** The applicant is proposing to clad the penthouses with a vertical standing seamed metal panel with a weathered dark zing coating (see Appendix B6 and B10). The applicant states that the goal is to emphasize brick details below the parapet cap and unify the new construction (see Appendix B18).

**Analysis:** The masonry of the original penthouse is a character defining feature of the building and the masonry of the 1940 penthouse compliments the original penthouse. The applicant's proposal to replace the masonry with metal panels does not meet the Secretary of Interior Standards for Rehabilitation because it removes a character-defining material.

The applicant's proposal for the penthouses will meet the intent of the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. The penthouses are retained;
2. The applicant protects the masonry and repairs the masonry in accordance to the Secretary of Interior Guidelines for Masonry.

## **10. Rooftop Penthouse Proposed**

**Background and Proposed Work:** The applicant proposes to construct a an approximately 15x15 rooftop penthouse that is approximately 20 feet high built to the edge of the northeast elevation (see Appendix B6.0, B7.5, and B9.4).

**Analysis:** The applicant's proposed penthouse construction does not meet the Secretary of Interior Standards for Rehabilitation nor guidelines for additions. The proposed rooftop penthouse will be clearly visible from the street and it is not stepped back one bay to reduce visibility.

The currently proposed penthouse is not appropriate and will have a negative effect and should not be allowed.

### ***11. Rooftop Vat***

***Background:*** The Gurley Candy Factory contains a rooftop vat that once held the molasses used to make candy (see Appendix C3 and F16).

***Proposed Work:*** The applicant proposes to remove the rooftop vat (see Appendix F16).

***Analysis:*** The rooftop vat is a character defining feature of the building. The applicant's proposal to remove for the rooftop vat is not in compliance with the Secretary of Interior Standards and would negatively impact the building and the district.

The applicant's proposal will meet the intent of the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. The rooftop vat is retained;
2. The applicant protects and makes necessary repairs to the vat to ensure it is secure.

### ***12. Chimney***

***Background:*** The Gurley Candy Factory contains two chimneys (see Appendix B1 and C3). The chimney on the 1919 Building, which is likely original to the building is clearly viewable from 9<sup>th</sup> Avenue (see Appendix B1). The chimney on the 1949 addition is at the edge of the northwest elevation.

***Proposed Work:*** The applicant proposes to remove the chimney on the original building and keep the chimney on the 1949 building.

***Analysis:*** The chimney on the 1919 building is a character-defining feature of the building. The applicant's proposal to remove for the chimney is not in compliance with the Secretary of Interior Standards and would negatively impact the building and the district.

The applicant's proposal will meet the intent of the Secretary of Interior Rehabilitation Standards and not negatively impact the property under interim protection nor the district if it meets conditions of approval:

1. The chimney on the 1919 building is retained.

### ***13. Site Plan***

***Background and Proposed Work:*** The applicant proposes to provide nine parking spaces along the northeastern property line with landscaping areas.

***Analysis:*** The applicant's proposal meets the intent of the Secretary of Interior Rehabilitation Standards with the parking. The parking is designed in a way that is unobtrusive to the building and minimizing the effect on the historic character of the setting.

## **E. FINDINGS**

*General District and Building Findings:*

1. The National Register Warehouse Historic District is under interim protection and exterior alterations must meet requirements of Chapter 599.
2. The National Register Warehouse Historic District meets National Register Criteria A and C for significance.
3. The District's period of significance is 1865-1930.
4. The exterior character defining features of the Gurley Candy Factory that are impacted by the proposed work include the following: Masonry, original steel windows, entrance openings, loading dock, canopy, raised platform, rooftop penthouses, rooftop vat, and chimneys.

*General Proposed Work Findings:*

5. The proposed work will meet the Secretary of Interior Standards and not negatively impact the property under interim protection nor the district with specified conditions of approval.

*Masonry*

6. *The applicant's proposed masonry work will meet the Secretary of Interior Standards and Guidelines for masonry with conditions of approval.*

*Windows*

7. The proposed replacement of all windows does not meet the intent of the Secretary of Interior Standards and Guidelines for Windows.
8. The applicant's proposed replacement of the original steel divided light windows on the first floor and penthouse, however, is not in compliance with the Secretary of Interior's Standards nor Guidelines for Windows because the steel divided light windows are a character-defining feature of the building.
9. The proposed anodized aluminum window is not in compliance with the Secretary of Interior Standards for Rehabilitation nor the Secretary of Interior Guidelines for Windows.
10. The proposed black color for a replacement window is acceptable.
11. The applicant's proposal to have a 25 percent operable window may be in compliance with the Secretary of Interior Standards and Guidelines for Windows. However, the proposed replacement windows are not appropriate.
12. The applicant's proposed replacement window design is not in compliance with the Secretary of Interior Standards of Guidelines for Windows. The building's existing true divided light windows are a character-defining feature of the building. The proposed replacement windows do not incorporate the existing decorative details of these windows.
13. The applicant's window proposal for the first floor of the southeast elevation is not in full compliance with the Secretary of Interior Standards for Rehabilitation. The proposed new window fenestration on the first floor of the southeast elevation changes the focus of the building from the 3rd Street elevation and northern portion of the 9th Avenue elevation to the southern portion of the 9th Avenue elevation.
14. The applicant's proposal for windows on the first floor of the northeast elevation is not in full compliance with the Secretary of Interior Standards for Rehabilitation because the guidelines recommend that if new windows are added that they be added to the rear or other-non character-defining elevations.
15. The applicant's proposal to brick infill original window openings on the Southeast Elevation does not meet the intent of the Secretary of Interior Standards and Guidelines for Windows because the applicant is proposing to brick infill original window openings.
16. The applicant's proposal of a black window replacement color, proposed fenestration on the southwest elevation, proposal for replacement windows on the 2<sup>nd</sup> through 4<sup>th</sup> floors on the northeast and southwest elevations, and proposed fenestration for the northwest elevation will meet the Secretary of Interior Standards and Guidelines for Windows with conditions of approval.

*Louvers*

17. The applicant's proposal to add new mechanical components on the northwest elevation meets the intent for the Secretary of Interior Standards and Guidelines for Mechanical Systems.

#### *Entrances*

18. The current proposal for the southeast elevation does not meet the Secretary of Interior Standards and Guidelines for Entrances. The southeast elevation of the 1919 Gurley Candy was built with four entrances.
19. The applicant's proposal for entrance door materials and color, and proposal for the southwest and northeast elevations will meet the Secretary of Interior Standards and Guidelines for Entrances with conditions of approval.

#### *Southwest Elevation Addition*

20. The applicant's proposal for a southwest elevation addition will meet the Secretary of Interior Standards and Guidelines for Entrances with conditions of approval.

#### *Northeast Elevation Loading Dock/Accessible Entrance*

21. CPED recognizes the federal laws and code requirements of providing accessibility to buildings and appreciates the applicant's proposal to not construct an additional opening in the building. However, the accessible ramp in its current configuration does not meet the Secretary of Interior Guidelines for Accessibility since the proposed accessible ramp would result in the loss of the 9<sup>th</sup> Street raised walkway/loading platform, which is a character-defining feature of the building.

#### *Northeast Elevation Canopy*

22. The proposed work to the canopy is not in compliance with the Secretary of Interior Standards. The existing canopy is a character defining feature of the building and the Warehouse District. The removal of this canopy would adversely impact the building and district. Metal canopies are a unifying characteristic of the district.

#### *Southeast Elevation (9<sup>th</sup> Avenue) Raised Platform*

23. The proposed work to the 9<sup>th</sup> Avenue raised platform does not meet the intent of the Secretary of Interior Standards and would adversely impact the building and district. The raised platform is a character defining feature of the building and the Warehouse District. Even though the building does not retain the original wood raised platform, the existing platform was built to a similar length, height, and width of the original.

#### *Rooftop Penthouses Existing*

24. The masonry of the original penthouse is a character defining feature of the building and the masonry of the 1940 penthouse compliments the original penthouse. The applicant's proposal to replace the masonry with metal panels does not meet the Secretary of Interior Standards for Rehabilitation because it removes a character-defining material.

#### *Rooftop Penthouse Proposed*

25. The applicant's proposed penthouse construction does not meet the Secretary of Interior Standards for Rehabilitation nor guidelines for additions. The proposed rooftop penthouse will be clearly visible from the street and it is not stepped back one bay to reduce visibility.

#### *Rooftop Vat*

26. The rooftop vat is a character defining feature of the building. The applicant's proposal to remove for the rooftop vat is not in compliance with the Secretary of Interior Standards and would negatively impact the building and the district.

#### *Chimney*

27. The chimney on the 1919 building is a character-defining feature of the building. The applicant's proposal to remove for the chimney is not in compliance with the Secretary of Interior Standards and would negatively impact the building and the district.

#### *Site Plan*

28. The applicant's proposal meets the intent of the Secretary of Interior Rehabilitation Standards with the parking. The parking is designed in a way that is unobtrusive to the building and minimizing the effect on the historic character of the setting.

## **F. STAFF RECOMMENDATION**

Staff recommends that the HPC adopt staff findings and **approve** a Certificate of Appropriateness for the 900 3<sup>rd</sup> Street rehabilitation project with the following conditions

1. Final design of rehabilitation and new addition work is approved by the Heritage Preservation Commission.

### ***Masonry***

2. For masonry, rehabilitation work is carried out without the use of sandblasting.
3. New mortar shall match the old mortar in strength, composition, color, and texture.
4. New mortar joints shall match old mortar joints in width and in joint profile.
5. New brick used shall match original.

### ***Windows***

#### *Replacement and Restoration*

6. Complete restoration of the first floor and penthouse steel divided light windows is completed.
7. Attempt is made to salvage steel windows.

#### *Replacement Window Operation*

8. If possible, the replacement window contains a pivotal center sash.

#### *Replacement window design*

9. Applicant reconstruct the missing steel windows or propose an aluminum replacement window that has true divided lights, muntins, rails, heads, sills, and jamb profiles that accurately; reproduce the look of the steel divided light windows.
10. The window glazing must be clear, non-tinted, non-reflective glass.

#### *Southeast Elevation First Floor*

11. Complete restoration of the first floor steel divided light windows.
12. The replacement windows on the first floor are guided by historical, pictorial, and physical documentation.
13. Replacement windows for those openings without the original steel windows shall fit into the original or existing openings.
14. Original window openings are not brick infilled.
15. Proposed windows for Bays 4, 5, and 6 are not permitted.

#### *Northeast Elevation First Floor*

16. Complete restoration of the first floor steel divided light windows.
17. The replacement windows on the first floor are guided by historical, pictorial, and physical documentation.
18. Replacement windows for those openings without the original steel windows shall fit into the original or existing openings.
19. Original window openings are not brick infilled.
20. Proposed windows for Bays 1 and 2 are not permitted.

#### *Southeast Elevation Floors Two Through Four*

21. Original window openings are not brick infilled.
22. The replacement windows on the second through fourth floors are guided by historical, pictorial, and physical documentation.

### ***Entrances***

#### *Material and Color*

23. The replacement door will have a painted metal finish.
24. Anodized aluminum will not be allowed.

#### *Southwest Elevation Entrance*

25. The replacement door will have a painted finish.
26. Anodized aluminum will not be allowed.
27. Overall design guided by pictorial documentation.
28. The proposed replacement door is similar to the existing door in design with a large glazing surface.

*Southeast Elevation Entrances*

29. Bay 3 existing entrance remains.
30. Bay 4 entrance is opened up to the original opening.
31. Bay 6 entrance opening remains.

***Southwest Elevation Addition***

32. New addition roofline contains a horizontal element to reduce the focus on the saw tooth roofline.

***Northeast Elevation Loading Dock/Accessible Entrance***

33. The 9<sup>th</sup> Street raised walkway/loading platform is retained in final design.
34. The final accessible entrance design is compatible with the historic building and its setting.

***Northeast Elevation Canopy***

35. The proposed canopy is not approved.
36. The northeast elevation canopy is retained or replaced in kind.

***Southeast Elevation (9<sup>th</sup> Avenue) Raised Platform***

37. The 9<sup>th</sup> Avenue raised platform is retained, repaired, or replaced-in-kind.

***Rooftop Penthouses Existing***

38. The penthouses are retained.
39. The applicant protects the masonry and repairs the masonry in accordance to the Secretary of Interior Guidelines for Masonry.

***Rooftop Penthouse Proposed***

40. The currently proposed penthouse is not allowed.

***Rooftop Vat***

41. The rooftop vat is retained.
42. The applicant protects and makes necessary repairs to the vat to ensure it is secure.

***Chimney***

43. The chimney on the 1919 building is retained.

**G. APPENDIX**

Appendix A: Zoning Map

Appendix B: Application

Appendix C: Staff Information

Appendix D: Building Index Cards

Appendix E: 1998 Minneapolis Warehouse Preservation Action Plan

Appendix F: Staff Images and Research

Appendix G: Planning Commission Approvals