

Department of Community Planning and Economic Development
Planning Division

Certificate of Appropriateness
BZH-26354

Date: May 18, 2010

Proposal: Certificate of Appropriateness for window replacement, in-kind deck replacement, and installation of an off-street parking area and trash enclosure.

Applicant: Ross Lumley

Address of Property: 2509 Clinton Avenue South

Project Name: Chas C. Chase Flats Rehabilitation

Contact Person and Phone: Ross Lumley, 612-490-1434

Planning Staff and Phone: Chris Vrchota, 612-673-5467

Date Application Deemed Complete: May 18, 2010

Publication Date: June 15, 2010

Public Hearing: June 22, 2010

Appeal Period Expiration: July 2, 2010

Ward: Ward 6

Neighborhood Organization: Whittier Alliance

Concurrent Review: N/A

Attachments: Attachment A: Materials submitted by CPED staff –

- 350' map (A-1)
- Map- Washburn-Fair Oaks Historic District (A-2)

Attachment B: Materials submitted by Applicant –

- Notification letter to Council Member and neighborhood organization (B-1)
- Application form submitted March 23, 2010 (B-2 – B-3)
- Project narrative and required findings (B-4 – B-5)
- Drawings and elevations (B-6 – B-15)
- Window estimates (B-16 – B-17)
- Window photos (B-18- B-38)

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West (Front) Elevation of Property
Photo Submitted by Applicant



**East (Rear) Elevation of Property
Photo Submitted by Applicant**

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CLASSIFICATION:	
Local Historic District	Washburn-Fair Oaks Historic District
Period of Significance	1858- circa 1939
Criteria of significance	Broad patterns of development
Date of local designation	1976
Applicable Design Guidelines	Washburn-Fair Oaks Historic District Design Guidelines, Secretary of Interior Standards for Treatment of Historic Properties

PROPERTY INFORMATION	
Current name	Chas C. Chase Flats
Historic Name	Chas C. Chase Flats
Current Address	2509 Clinton Avenue S
Historic Address	2509 Clinton Avenue S
Original Construction Date	1912
Original Contractor	Chas C. Chase
Original Architect	Chas C. Chase
Historic Use	Residential (Multi-Family)
Current Use	Residential (Multi-Family)
Proposed Use	Residential (Multi-Family)

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BACKGROUND:

The subject property is a 2-story four-plex built in a vernacular style. It was designed and built as a four-plex by Chas C. Chase in 1912. The permit history for the property show very few changes during the past 98 years, the most substantial change being the addition of a roof over the rear porch in 1916.

The property has been on the City's Vacant Building Registry (VBR) since June of 2008. The Applicant purchased the property in January 2010 and is working to rehabilitate the property and restore it to use as a four-plex.

SUMMARY OF APPLICANT'S PROPOSAL:

The Applicant is proposing to replace all of the windows in the building. The Applicant is also proposing the in-kind replacement of the 2-story porch on the rear of the structure. Lastly, the Applicant is proposing to install four off-street parking spaces and a trash enclosure in the rear yard of the property to meet the requirements of the zoning ordinance.

PUBLIC COMMENT:

Minutes from the April 12 Whittier Alliance Community Issues Committee Meeting were provided and are attached in appendix C.

CETIFICATE OF APPROPRIATENESS: Certificate of Appropriateness to replace siding and remove a chimney on a contributing resource in the Washburn-Fair Oaks Historic District.

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 subject property is considered to be a contributing resource to the Washburn-Fair Oaks Historic District, which is significant for its collection of late nineteenth and early twentieth century residential structures, ranging from mansions to more modest dwellings to multi-family housing.

The Applicant is proposing to replace all existing windows in the house, remove and replace in-kind the deteriorated rear porch, and install four off-street parking spaces and a wood trash-enclosure in the rear yard of the property. The Applicant has stated that the windows are damaged and/or deteriorated to the point that it is not economically feasible to rehabilitate them. Staff asked the Applicant to provide a detailed window survey. The Applicant submitted photos of all windows on the property (B-18- B-38), though a full analysis of the condition of each window was not provided. The Applicant provided a number of detail photographs (see appendix B-18 – B-20) showing what they identify as typical damage or mistreatment found on windows on the property, including broken hardware, broken glass, failing glazing, windows that are caulked into place and caulked shut and broken operators and other broken or deteriorated elements. The Applicant is proposing to replace the windows with new wood interior aluminum clad exterior windows with wood storms. The Applicant is not proposing to change the size or fenestration pattern of the windows on the building. The proposed window replacement is compatible with and continues to support the criteria of significance and period of significance for which the historic district was designated.

The Applicant is proposing to replace four basement windows with glass block and leave two basement windows on the rear of the property boarded, due to one of the windows being used for electrical equipment. This proposal is not compatible with and does not continue to support the criteria of significance and period of significance for which the historic district was designated.

The Applicant is also proposing to replace in-kind the deteriorated two-story porch on the rear of the property. The porch is wood with siding that matches that found on the house cladding the front. The in-kind replacement of the deteriorated porch compatible with and

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continues to support the criteria of significance and period of significance for which the historic district was designated.

Lastly, the Applicant is proposing the installation of a four-space off-street parking area and a wooden trash enclosure. These are required to meet the requirements of the zoning code. Both the parking area and trash enclosure are proposed to be located on the rear, alley facing portion of the property. The subject property was constructed during the district's period of significance as a four-plex, and the Applicant is proposing to return it to this use. The trash enclosure and parking area are required for this use. The proposed parking area and trash enclosure are compatible with and continues to support the criteria of significance and period of significance for which the historic district was designated.

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

The exterior portions of the subject property contribute to the Washburn-Fair Oaks Historic District's significance. The proposed changes would not lessen the building's contribution as a residential structure in a district significant for its collection of late nineteenth and early twentieth century residential structures. The proposed window replacement, porch replacement, and installation of a parking area and trash enclosure will enable the subject property to be returned to use as a four-plex, which was its original function. The alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.

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

Both the City of Minneapolis' Heritage Preservation Regulations and the National Register of Historic Places identify integrity as the authenticity of historic properties and recognize seven aspects that define a property's integrity: location, design, setting, materials, workmanship, feeling and association. Based upon the evidence provided below, the proposed work would not impair the integrity of the contributing resource.

Location: The Applicant is not proposing to change the contributing resource's location, thus the project will not impair the contributing resource's integrity of location.

Design: The Applicant is proposing to replace all the windows on the property, except the basement windows, with new wood interior, aluminum clad exterior windows with a wood storm window. The proposed replacement windows will fit into the existing openings and will not change the fenestration pattern. The Applicant is also proposing to replace in-kind the existing two-story porch on the rear of the property. Neither of these aspects of the project will have an impact on the integrity of design of the property. The proposed trash enclosure and parking area are located at the far rear of the property and would not require any changes to the structure. The proposed replacement of four basement windows with glass block and boarding of two basement windows would have an impact on the integrity of design.

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Setting: The Applicant is proposing to construct a wooden trash enclosure and four-space off-street parking area at the rear of the property to meet site plan review requirements. These improvements front on the alley and include landscaping to screen them from the neighboring properties. The project will not impair the contributing resource's integrity of setting.

Materials: The Applicant is proposing to replace all of the windows on the property with new wood interior aluminum clad exterior windows with a wood storm window. The Applicant has stated that the windows on the property are deteriorated beyond the point of repair or restoration. The proposed replacement of original windows would have an impact on the integrity of materials on the property. The Applicant is also proposing the in-kind replacement of the existing two-story porch on the rear of the property. This work would not have an impact on the integrity of materials. Finally, the Applicant is proposing to install a wood trash enclosure and off-street parking area on the rear of the property. Neither of these proposals would have an impact on the integrity of materials.

Workmanship: The Applicant is proposing to replace the original windows with new windows wood interior, aluminum clad exterior windows with wood storm windows. The proposed window replacement would not result in the loss of any decorative trim elements or details. The proposed work would not have an impact on the integrity of workmanship.

Feeling: The Applicant is proposing to replace windows, remove and replace in-kind the deteriorated rear porch, and install four off-street parking spaces and a wood trash-enclosure in the rear yard of the property. The proposed changes would allow the property to be used once again as a four-plex, which was its original purpose when it was built during the district's period of significance. The project would not impair the property's integrity of feeling.

Association: The project will not impair the property's integrity of association.

- (4) *The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.***

The applicable design guidelines for this project are the Washburn-Fair Oaks Historic District Design Guidelines, which were adopted by the Heritage Preservation Commission on July 30, 1976.

The Applicant is proposing to replace all 36 windows in the house, remove and replace in-kind the deteriorated rear porch, and install four off-street parking spaces and a wood trash-enclosure in the rear yard of the property.

The Fair Oaks Historic District Design Guidelines do not provide guidance or direction for site improvements such as the proposed trash enclosure and off-street parking area.

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Regarding windows, the Washburn-Fair Oaks Historic District Design Guidelines state: "Windows: If existing windows need to be replaced, use wooden, a suitable colored or anodized metal or other materials that blend with and not detract from the building. It is recognized that cost may encourage the use of bare aluminum windows. In such cases the use of enamel paint to minimize the shiny quality of aluminum is suggested."

The Applicant is proposing to replace the existing windows with new, wood interior painted aluminum exterior windows with wood storm windows. This proposal is in keeping with the Washburn-Fair Oaks Historic District Design Guidelines.

The Applicant is also proposing to replace four basement windows with glass block and leave two currently boarded basement windows permanently boarded. Section 9 of the Washburn Fair Oaks Historic District Design Guidelines states: "Facade design: The fenestration, doorway openings, and ornamentation if intrinsic to the building design should be retained or replaced to evoke the original." The proposed infill of six basement window openings does not meet this guideline.

Regarding porches, the Washburn Fair Oaks Historic District Design Guidelines states: "Porches and porticoes: Open porches and porticoes should remain open. Architectural details such as columns, moldings, cornice projects should be retained on open and closed porches and porticoes." The Applicant is proposing the in-kind replacement of the existing open rear porch. This proposal is in keeping with the Fair Oaks Historic District Design Guidelines.

- (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 Guidelines for windows in the Secretary of the Interior's Standards for Rehabilitation are most applicable to the proposed project.

Regarding windows, the of the Interior's Standards for Rehabilitation state: "Repairing window frames and sash by patching, splicing, consolidating or otherwise reinforcing.

Such repair may also include replacement in kind--or with compatible substitute material--of those parts that are either extensively deteriorated or are missing when there are surviving prototypes such as architraves, hoodmolds, sash, sills, and interior or exterior shutters and blinds".

The Applicant has submitted photos of all of the windows on the property, along with estimates for repair and restoration work and for window replacement. The Applicant has not however provided a detailed analysis of the condition of each window that clearly identifies whether each window is able to be repaired or whether replacement is necessary. The estimate for repair and rehabilitation is \$9,360 more than the estimate for replacement. This does not however demonstrate that at least some of the windows

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are not able to be repaired. The proposed total replacement of the windows on the property is not in keeping with this guideline.

Regarding windows, the of the Interior's Standards for Rehabilitation also state: "Replacing in kind an entire window that is too deteriorated to repair using the same sash and pane configuration and other design details. If using the same kind of material is not technically or economically feasible when replacing windows deteriorated beyond repair, then a compatible substitute material may be considered." The proposed replacement windows would be in keeping with this guideline. However, without a detailed analysis of the condition of each window, it is not possible to determine which windows are in able to be repaired and which are in need of replacement.

- (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 proposed alterations are considered a major alteration and require a Certificate of Appropriateness application.

As proposed, the project would conform to policy 8.1.1 of The Minneapolis Plan, which states: "Protect historic resources from modifications that are not sensitive to their historic significance." The proposed work meets the applicable local design guidelines and would not have a significant impact on the integrity of the structure or the district.

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 did not specifically address the description and statement of significance from the original nomination for the potential historic district or how they feel their proposal meets this finding.

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

The proposed work does require site plan review. The proposed trash enclosure and off-street parking area are being proposed to meet the requirements of the Site Plan Review process.

(9) *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 proposed work falls under the scope of rehabilitation. The Applicant has stated that they believe the proposed work is in keeping with the Interior's Standards for Rehabilitation because compatible materials are being proposed. (See Appendix B-5).

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:

(10) *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 is proposing to replace windows, remove and replace in-kind the deteriorated rear porch, and install four off-street parking spaces and a wood trash-enclosure in the rear yard of the property. The proposed windows would fit into the existing openings and would not change the fenestration pattern or the overall appearance of the property. The proposed in-kind porch replacement would also result in no net change to the appearance of the property. The proposed trash enclosure and parking area are at the rear of the property, adjacent to an alley, and screened by vegetation. All of this work would be compatible with and will ensure continued significance and integrity of all contributing properties in the historic district.

The proposed replacement of four basement windows with glass block and boarding of two basement windows would not be compatible with or ensure the integrity of all contributing properties in the historic district. It would create a precedent for allowing the infill of basement windows, which is not in keeping with the period of significance for the historic district.

(11) *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 spirit and intent of the City of Minneapolis' Heritage Preservation Regulations is to preserve historically significant buildings, structures, sites, objects, districts, and cultural landscapes of the community while permitting appropriate changes to be made to these properties. The subject property has been vacant and boarded for two years. The Applicant is proposing work that will allow the property to be returned to its original use as a four-plex while having little impact on the character of the historic district. Except for the proposed infill of six basement windows, the proposed work is in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.

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- (12) *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 proposed replacement of deteriorated windows, in-kind replacement of the rear porch, and installation of a wood trash enclosure and off-street parking area would not have an impact on the significance or integrity of other resources in the historic district and would not directly impede the orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance. The proposed infill of six basement windows has the potential to impede the normal and orderly preservation of surrounding resources by establishing a precedent for allowing the infill of windows with glass block or boards.

STAFF RECOMMENDATION

CPED-Planning staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the Certificate of Appropriateness for window replacement, in-kind deck replacement, and installation of an off-street parking area and trash enclosure with the following condition(s):

1. Infill of four basement windows with glass block and two basement windows with boards is not permitted.
2. Basement windows shall be repaired/rehabilitated where possible.
3. If repair/replacement of basement windows is not possible, as demonstrated by a detailed analysis of their condition, they shall be replaced with a compatible replacement window.
4. The Applicant shall perform a survey and inventory of the existing windows, identifying windows that can be rehabilitated and reused and identifying windows where replacement is needed. Window replacement shall only be permitted where it is demonstrated that repair/rehabilitation is not possible or feasible. The survey shall be submitted to CPED-Planning staff for review prior to the issuance of any building permit.
5. All workmanship must be completed in conformance with the Secretary of Interior Standards, see: <http://www.nps.gov/history/hps/tps/standguide/>
6. The Applicant shall obtain all other necessary City approvals prior to the commencement of work.

Attachment A: Submitted by CPED staff

Attachment B: Materials submitted by Applicant

Attachment C: Materials submitted by Others