

Department of Community Planning and Economic Development  
Planning Division

**Certificate of Appropriateness**  
BZH-26040

**Date:** September 1, 2009

**Proposal:** Construction of a 744 Square Foot Elevated Rooftop Deck

**Applicant:** Eric Galatz on behalf of City Center Retail/AG 800 Washington, LLC

**Address of Property:** 800 Washington Avenue North

**Project Name:** Elevated Rooftop Deck

**Contact Person and Phone:** Eric Galatz, 612.335.1509

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

**Date Application Deemed Complete:** August 5, 2009

**Publication Date:** August 25, 2009

**Public Hearing:** September 1, 2009

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

**Ward:** Ward 7 and adjacent to Ward 5

**Neighborhood Organization:** North Loop Neighborhood Association

**Concurrent Review:** None

**Attachments:** Attachment A: Materials submitted by CPED staff – page 12  
1. Map of District

Attachment B: Materials submitted by Applicant – page 14  
1. Application  
2. Email sent to Council Member & Neighborhood Group  
3. Applicant's statement  
4. Plans for the deck addition  
5. Photographs of building and deck addition

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**Deere Webber Building:** Washington Avenue North looking northwest from intersection with 8<sup>th</sup> Avenue North. ca 1912 from book "Heart of Minneapolis"

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800 Washington Avenue North: 2009 by CPED

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<b>CLASSIFICATION:</b>	
Local Historic District	Interim Protection for the National Register of Historic Places Minneapolis Warehouse Historic District
Period of Significance	1865-1930
Criteria of significance	Architecture and Commerce
Date of local designation	January 13, 2009 – Interim protection during local designation study
Applicable Design Guidelines	Secretary of the Interior’s Standards for the Treatment of Historic Properties.

<b>PROPERTY INFORMATION</b>	
Current name	Tractor Works Building
Historic Name	The Deere-Webber Company
Current Address	800-824 Washington Avenue North
Original Construction Date	1902-1910
Original Contractor	J.L. Robinson
Original Architect	Kees & Colburn
Historic Use	Agricultural Implement Warehouse
Current Use	Mixed use - Commercial
Proposed Use	Mixed use - Commercial

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**BACKGROUND:**

800 Washington Avenue North, historically known as the Deere-Webber Building, consists of two buildings: a six story structure constructed in 1902 and a nine story addition constructed in 1910.

The following is a description of the property from the National Register of Historic Places Designation:

The six-story Deere-Webber Company building is constructed with beige brick in a simplified Richardsonian Romanesque Style. The heavy exterior wall, which is battered in the first story, rises uninterrupted to an outward curving parapet which terminates the composition. Deep window reveals emphasize the weight and solidity of the walls. The second and third story windows are unified within segmentally arched openings while the fourth through sixth story windows are organized within semicircular arched openings. The original entryway consisted of an arched opening with Sullivan-esque ornamentation and two terra cotta deer head flanking the entry. The only other ornament is a terra cotta band with scroll ends below the second and fourth story windows. Mortar joints are laid flush in a mortar slightly darker than the brick. The original entry has been replaced and numerous windows have been infilled. An adjacent nine-story addition of similar massing, proportion and fenestration was constructed in 1910. The parapet, identical to that of the six-story building, has been removed. A loading dock was constructed adjacent to this section of the building sometime after 1927. The structure retains high levels of integrity.

Prior to July of 2008 the applicant applied for a tenant build out project that included access off of the 7<sup>th</sup> floor of the 1910 addition to a rooftop deck on the six story 1902 portion of the building. During the review process the applicant removed the deck from the plans to allow for a redesign to make the deck ADA accessible.

According to the applicant the deck as built was added to the project via a change order with the contractor in September 2008, however the building permit was never modified to allow for the deck. According to the applicant the deck construction was completed by January 13, 2009, when the NRHP Minneapolis Warehouse Historic District entered interim protection. When the applicant brought the revised plans in for review in the spring of 2009 they were notified that the deck was subject to preservation review under interim protection.

While the timeline provided by the applicant provides a good explanation of the events that have occurred since the applicant started the review process in 2008; it is not the focus of this Certificate of Appropriateness application. The focus of the application is whether the deck addition is appropriate in and compatible with the Warehouse District. The applicant is required by the Minneapolis Code of Ordinances to follow the process in place at the time the application is made.

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**SUMMARY OF APPLICANT'S PROPOSAL:**

The applicant constructed 24 by 31 foot, 744 square foot, elevated deck structure off of the ninth story of the 1910 addition. The deck sits on top of the six story portion of the building and is set back one window bay from the Washington Avenue North facades of the building. The addition is constructed of galvanized steel.

The original proposal referred to this addition as a deck and is now referred to as a balcony in the applicant's materials and response to the required findings. Staff does not believe the subject addition is more substantially similar to a deck as it is not cantilevered or solely supported by the adjacent wall. It has supports that extend from the six story portion of the building below. The size of the subject addition is also substantially similar to the size of a deck than a balcony.

**PUBLIC COMMENT:**

As of August 24, 2009 no comments have been received.

**CETIFICATE OF APPROPRIATENESS:** Certificate of Appropriateness to allow for a 744 square foot elevated rooftop deck addition at 800 Washington Avenue North.

***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.***

National Register of Historic Places (NRHP) Minneapolis Warehouse District is significant for warehousing industries that shaped the patterns of development in Minneapolis. The district is also significant for the architecture represented by the warehouse and supporting industries. 800 Washington Avenue North is a contributing building to the district. The period of significance for the district is 1865-1930.

The deck addition is visible from the public right of way as it sits on top of the six story portion of the building. Decks and balconies were not common original features on these industrial warehouses during the period of significance, but are an addition commonly found secondary facades of rehabilitated warehouses throughout the historic district. The balconies that exist within the district tend to be smaller and less conspicuous from the primary façade of the building. Balconies are not located on top of the primary facades of buildings such as the subject deck.

Decks within the district are typically not elevated off of the roof of structures. In addition, they are typically set back to reduce their visibility. The material of the subject addition is unpainted galvanized steel. Steel was commonly used throughout the district's period of significance

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

The property is designated for its association with the agricultural implement warehousing industry and for its architecture. The subject addition is visible from the public right of way; its visibility is reduced though by the height of the building and the deck's location adjacent to the nine story portion of the Deere-Webber Building. The introduction of the elevated deck element introduces a new design element to the original architecture of the building.

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

The occupation and investment in buildings and their rehabilitation for new uses will ensure the continued integrity of the district and of the individual resources. However the introduction of a elevated deck that is visible from the public right of way adds an incompatible design element that diminishes the design integrity of the historic structures. The elevated deck if duplicated throughout the district could erode the integrity of the design of the buildings within the district.

**(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 current NRHP Minneapolis Warehouse Historic District is under interim protection and does not have adopted design guidelines; therefore the Secretary of the Interior's Standards for the Treatment of Historic Properties are used.

**(5) *The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.***

The Secretary of the Interior's Standards for Rehabilitation state the following:

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

This Standard is further explained in the Secretary of the Interior's Guidelines for Rehabilitation, which state that the following is recommended for rooftop additions such as the subject deck. "Designing a rooftop addition, when required for the new use, which is set back from the wall plane and as inconspicuous as possible when viewed from the street." The subject addition is setback from the wall plane by one window bay; however it is still visible from the public right of way. The guideline states "as inconspicuous as possible when viewed from the street." The photographs provided by the applicant indicate that the addition is still visible from the adjacent street. The deck addition could be lowered in height, reduced in size or setback further to make it as inconspicuous as possible from the adjacent street.

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- (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 comprehensive plan: The Minneapolis Plan for Sustainable Growth offers the following guidance:

Implementation Step: 8.1.1 “Protect historic resources from modifications that are not sensitive to their historic significance.”

Implementation Step: 8.1.2 “Require new construction in historic districts to be compatible with the historic fabric.”

The implementation and analysis of these is best done through adopted local design guidelines and the Secretary of the Interior’s Standards and Guidelines. The above analysis regarding the Secretary of the Interior’s Standards and Guidelines addresses the deck addition.

The subject site is located just outside of the Downtown East – North Loop Master Plan.

***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.***

At the time of construction, the property was not under interim protection. See above background section.

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

Chapter 530 of the Zoning Ordinance does not prohibit an addition such as the subject deck addition.

- (10) *The typology of treatments delineated in the Secretary of the Interior's Standards for the Treatment of Historic Properties and the associated guidelines for preserving, rehabilitating, reconstructing, and restoring historic buildings.***

The treatment can be best described as rehabilitating.

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***Before approving a certificate of appropriateness that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:***

- (11) The alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.***

The property and the District is designated for its association with the agricultural implement warehousing industry and for its architecture. The introduction of a two story deck that is visible from the public right of way adds an incompatible design element that if duplicated throughout the district would erode the integrity of the design of the buildings.

- (12) Granting the certificate of appropriateness will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.***

The addition as constructed is not as inconspicuous as possible and will negatively alter the essential character of the historic district. The continued occupation of and investment in buildings and their rehabilitation for new uses will ensure the continued integrity of the district and of the individual resources. Allowing for these investments is in keeping with the spirit and intent of the ordinance. However, allowing these investments at the cost of the integrity of the individual resources or the district as a whole is not in keeping with the spirit and intent of the ordinance or the Secretary of the Interior's Standards and Guidelines for Rehabilitation.

- (13) The certificate of appropriateness will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.***

This proposal represents a chipping away of the integrity of the structure which could be injurious to the overall integrity of the district. An addition that is not required for the new use and is not as inconspicuous as possible will alter the integrity of the subject building.

**STAFF RECOMMENDATION**

CPED-Planning staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** the Certificate of Appropriateness to allow for a 744 square foot elevated rooftop deck addition at 800 Washington Avenue North with the following conditions:

1. The subject deck shall be setback one additional window bay to ensure that it as inconspicuous as possible from the street.
2. CPED-Planning review and approve final site plan, floor plans, and elevations including paint samples.

**Attachment A:** Submitted by CPED staff

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**Attachment B: Materials submitted by Applicant**