

Certificate of Appropriateness
BZH-27299

Proposal: Install a projecting sign

Applicant: Deepak Nath, Empire Entertainment, LLC, 612-306-6666

Address of Property: 10 5th Street South

Planning Staff: John Smoley, Ph.D., 612-673-2830

Date Application Deemed Complete: April 18, 2012

Public Hearing: May 15, 2012

Appeal Period Expiration: May 25, 2012

Ward: 7

Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Concurrent Review: n/a

Attachments:

- Staff Report – A1-A10
- Materials Submitted by CPED – B1-B4
 - Zoning District Map – B1
 - Figures – B2-B4
- Materials Submitted by Applicant – C1-C6
 - Application – C1-C2
 - Letter to Neighborhood Group and Councilmember – C3
 - Plans – C4-C6
- Materials Submitted by Other Parties – n/a

Department of Community Planning and Economic Development - Planning Division
BZH-27299

CLASSIFICATION:	
Landmark Name	Lumber Exchange
Period of Significance	1800-1899, 1900-
Criteria of Significance	Architecture, Master Builders
Date of local designation	1983
Date of National Register listing	1983
Applicable Design Guidelines	<i>The Secretary of the Interior's Standards for the Treatment of Historic Properties</i>

PROPERTY INFORMATION	
Current name	Lumber Exchange
Historic Name	Lumber Exchange
Current Address	10 5 th Street South
Historic Address	423-429 Hennepin Avenue
Original Construction Date	1887, 1890
Original Contractor	none listed
Original Architect	Long and Kees
Historic Use	Offices
Current Use	Offices, restaurant, and bar
Proposed Use	Offices, restaurant, and bar

BACKGROUND:

The subject property (Figures 1 and 2) is a large commercial building at the northeast corner of 5th Street South and Hennepin Avenue (Attachment B).

When it was constructed, the Lumber Exchange Building was one of the largest, most expensive buildings in Minneapolis. Completed in two phases, first in 1887 and then in 1890, the building cost an estimated \$1,200,000. The architectural firm of Long and Kees executed the design in a Richardsonian Romanesque style. The building's design attracted national attention from architects and engineers for its use of terra cotta sheathing over the wood and iron structural skeleton which was applied only after an 1891 fire. The Lumber Exchange was constructed to function as the nucleus for the lumber trade and housed the operations of both local and out-of-state trading distributors. The lumbering industry is ranked as one of the most significant forces in the economic development in Minnesota. After the decline of the lumber industry the building continued to function as a trade center for wholesale garment distributors in the Upper Midwest.

SUMMARY OF APPLICANT'S PROPOSAL:

The Applicant wishes to install a projecting sign on southwest corner of the building at the height of the second and third stories.

PUBLIC COMMENT:

Staff has received no public comment on the project.

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.

Regardless of what changes are made to the subject property, it will maintain its historical significance, but proposed changes may affect its integrity (i.e. the property's ability to communicate its historical significance), as discussed in finding #3 below.

(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 building communicate the building's significance. The building is significant for its architecture and association with master architects Long and Kees. Signs existed on the building throughout its period of significance, therefore permitting some signage on the building is in keeping with the property's designation. The appropriateness of the specific design, location, and other attributes of the sign are discussed below in finding #5.

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

As conditioned, the proposed work will not affect the building's location, design, setting, materials, workmanship, feeling, or association and will not, therefore, affect the building's integrity.

(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 HPC has not adopted local design guidelines for the property.

The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* states that a Certificate of Appropriateness is required for sign or awning proposals that do not conform to the design guidelines. The proposal does not comply with the design guidelines, as discussed below. In determining whether to approve a Certificate of Appropriateness for a sign or awning proposal, the guidelines state that the HPC will consider special situations including building condition, building orientation, historic precedence and exceptional design proposals.

Sign Message

The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* states that all signs, except window signs, real estate signs, project information signs, auxiliary signs, temporary signs and portable signs, are limited to the name and address of the establishment. The application includes one proposed projecting sign with the establishment's name (The Pourhouse) and a figure of a man revealing empty pants pockets (Attachment C4-C5).

The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* states that, in determining whether to approve a Certificate of Appropriateness for a sign or awning proposal, the HPC will consider special situations including building condition, building orientation, historic precedence and exceptional design proposals.

The sign is proposed to be constructed of a durable metal (aluminum) and will not include a plastic face cover. The text will be illuminated by exposed light bulbs or LED bulbs designed to look like old light bulbs. The figure will be halo lit. No tag lines or flashing elements would be included. While it is not completely clear whether this is truly an exceptional design proposal, the sign message does not detract from the building's historic character, and logos such as the figure of a man are widely accepted elements of signs that help identify an establishment's location.

Location

The proposed sign's location is its most debatable characteristic, but the proposed sign seems to create an effective compromise between wayfinding, and preservation, especially considering the lack of a historic sign band at the building's monumental entrances.

The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* states that, "Projecting signs should be located near a building entrance and should not be higher than fourteen (14) feet. Projecting signs should not conceal architectural features or obstruct openings, and should not be suspended from the soffit."

The applicant proposes to hang the sign above the building's corner entrance (Attachment C4-C5-C6), but this entrance requires patrons to travel through another establishment before entering the main lobby and then The Pourhouse. From a wayfinding standpoint, better alternatives exist at entrances mid-building along both the 5th Street South side and the Hennepin Avenue side sixty to sixty-six feet from the building's corner. These locations lead patrons into the lobby where the entrance to The Pourhouse's tenant space is located. This restaurant and bar possesses what appears to be the majority of floor space on the Lumber Exchange's first floor, making signage along both 5th Street South and Hennepin Avenue appropriate.

Entrances along these streets, however, bear much more architectural detail (Figure 3) than the corner of the building. Projecting or wall signs in these mid-block locations would have to be much smaller in size and asymmetrically placed along one side of each building entrance to

prevent damaging or obscuring this historical detail (to include being hung from the soffits of the entrance's massive arches). The guidelines also state that, "Only one of the signs should be illuminated." Signs for bars naturally need to be lit to ensure patrons can identify them when they are open at night, and it is natural to expect the restaurant and bar will want illuminated signage to identify the space to patrons travelling along 5th Street South (closer to the establishment's interior entrance) and Hennepin Avenue (a more heavily traveled entertainment thoroughfare). From a preservation standpoint, a single illuminated sign in the proposed location will affect the building's historic character less than multiple, illuminated, asymmetrically placed projecting signs at other entrances. Some views of the proposed sign from 5th Street South will be blocked, since the curve of the building, a skyway, and light rail lines interfere with views at various points. But any sign installed on this façade would experience similar impediments.

The applicant originally proposed two large signs. The first would have hung from the soffit of the 5th Street South entrance, in violation of the HPC's guidelines. The second was a projecting sign in the currently proposed location. Although the guidelines permit two sign per first floor tenant or entrance (whichever is less), the applicant is only seeking approval of one sign. Staff, appreciative of the reduction in the number of proposed signs and avoidance of architecturally sensitive areas, believes the proposed sign is an effective compromise between wayfinding and the preservation of the building.

The plans do not indicate how high the sign will be installed, but staff recommends the project be conditioned to permit the 16' 7" high sign to reach up to twenty-eight feet in height. This will permit the sign to be installed below the Zoning Code's permitted maximum (twenty-eight feet) and above the Municipal Code's minimum height (eight feet). Historic sign bands are the usual determinant of the appropriateness of proposed sign heights, but there is no clear historic sign band on the building. Belt courses, arches, historic signs, and other details interrupt the space between the first and second floors enough to justify placement of the sign at a height greater than the fourteen feet permitted by the design guidelines.

Area

The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* states that, "Projecting signs should be no more than twelve (12) square feet in area..." The proposed sign is 40 square feet in area (Attachment C4). Given the size, bulk, and scale of the building (Figure 1) the proposed sign does not seem too large.

Thickness

The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* states that, "The thickness of a projecting sign should not exceed eight (8) inches." The Applicant has not indicated the thickness of the proposed sign. Staff recommends the project be conditioned to meet this standard.

Installation

The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* states that, "Projecting signs should always use a single permanent mounting plate." The proposed three mounting plates (Attachment C4), attached through mortar joints on the building, seem to be a reasonable compromise between structural safety and preservation of the building. No blocks are proposed to be removed to illuminate the sign. The contractor intends to tie into existing electrical conduit already on the building.

Real Estate Signs

The Minneapolis Heritage Preservation Commission *Design Guidelines for On-Premise Signs and Awnings* states that real estate signs attached to a building should be window signs.

The building currently possesses one real estate sign mounted on the third story near the corner of the building's two street sides, as depicted in the applicant's photographs (Attachment C5). Staff recommends that the project be conditioned to remove this wall real estate sign.

Window Signs

The number, size and location of window signs are not regulated by the HPC's guidelines. The Zoning Code, however, prohibits window signs that exceed 30% of a window's area. Staff recommends that the project be conditioned to ensure the removal of window signs that exceed 30% of a window's area (e.g. signs depicted in Figure 3).

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

The Applicant is conducting a rehabilitation of the subject property.

The proposed signs are consistent with the very limited sign standards in the rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* which recommend preserving historic signs. The Applicant has not proposed removal of the historic "Lumber Exchange" signs etched into the stone of the building.

(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.*

Comprehensive plan policy 8.1 states that the City will, "Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture." The proposed work will help preserve the landmark.

Implementation Step 8.1.1 of the Minneapolis Plan for Sustainable Growth indicates that the City shall protect historic resources from modifications that are not sensitive to their historic significance. As conditioned, the project will not modify the building in ways that are insensitive to its historical character, as discussed in items 4 and 5 above.

(7) Destruction of any property. Before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make findings that the destruction is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the property a reasonable opportunity to act to protect it.

The project does not involve the destruction of the property.

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:

(8) 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's proposed avoidance of architectural features, retention of historic signs, and lack of damage to historic masonry blocks indicates a clear grasp of the property's architectural significance.

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

The proposal does not trigger Site Plan Review required by Zoning Code Chapter 530.

(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 application, as conditioned, complies with the rehabilitation guidelines of *the Secretary of the Interior's Standards for the Treatment of Historic Properties* as discussed in finding #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:

(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 does not lie within a historic district.

(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 property does not lie within a historic district.

(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.

The request might set a precedent for future cases, but will not authorize changes to other Landmarks, Historic Districts, or properties under interim protection without staff or HPC review.

STAFF RECOMMENDATION

The Department of Community Planning and Economic Development - Planning Division recommends that the Heritage Preservation Commission adopt the findings above and **approve** the Certificate of Appropriateness subject to the following conditions:

1. The projecting sign may not exceed twenty-eight feet in height above grade.
2. The thickness of the projecting sign shall not exceed eight inches.
3. The sign shall be anchored to the wall through mortar joints. No blocks shall be altered or removed for the installation of wiring.
4. By ordinance, approvals are valid for a period of one year from the date of the decision unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than May 15, 2013.
5. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.
6. CPED-Planning Staff shall review and approve the final plans and elevations prior to building permit issuance.