Department of Community Planning and Economic Development
Certificate of Appropriateness
BZH-27724

Proposal:	Rehabilitation including repointing of masonry, window and door replacement, loading dock replacement, rooftop additions, site modifications.
Applicant:	Maureen Michalski with Schafer Richardson
Address of Property:	900 3rd Street North
CPED Staff:	Aaron Hanauer, Senior City Planner, 612-673-2494
Date Application Deemed Complete:	May 1, 2013
Public Hearing:	May 14, 2013
Appeal Period Expiration:	May 24, 2013
Ward:	5
Neighborhood Organization:	North Loop Neighborhood Association
Concurrent Review:	Site plan review and conditional use permit application

CLASSIFICATION:	
Local Historic District	Minneapolis Warehouse Historic District (contributing resource)
Period of Significance	1865-1930
Criteria of Significance	Events, Architecture, Architect
Date of local designation	2010
Date of National Register listing	1989
Applicable Design Guidelines	*Minneapolis Warehouse Historic District Design Guidelines* *The Secretary of the Interior's Standards for Treatment of Historic Properties*

PROPERTY INFORMATION	
Current name	900 3rd Street North
Historic Name	Gurley Candy Factory
Current Address	900 3rd Street North
Historic Address	900 3rd Street North
Original Construction Date	1919
Original Architect	Tyrie & Chapman
Original Builder	McMillan
Historic Use	Factory
Current Use	Office
Proposed Use	Ground floor restaurant and offices and upper floor residential units

BACKGROUND: The original Gurley Candy Company Building, at the corner of 3rd Street North and 9th Avenue North, dates back to 1919. It is a four-story rectangular structure designed in a plain Commercial Style. The façade is articulated through a series of enframed brick panels. A semicircular arch above the entry is one of the only decorative building features.

By 1949, Fanny Farmer Candies owned the building. Between 1949 and 1955 Fanny Farmer built the addition on the northwestern side with similar window openings and brick detail as the original construction. The addition was built to an equal height to the original construction for two bays; the last bay drops to two stories. The Fanny Farmer addition was built outside of the Warehouse District's period of significance (1865-1930).

The building experienced other alterations. A penthouse addition was added to the northeast of the original penthouse in 1940. By 1956, the windows on the 3rd Street North elevation had the bottom portion filled in with brick and modifications were made to the first floor door and window openings on 9th Avenue. By 1986, the bottom half of the windows on the 9th Avenue North elevation had also been infilled.

In 2009, the Heritage Preservation Commission approved a certificate of appropriateness for the proposed rehabilitation of the Gurley Candy Factory by a previous applicant that included the following work:

- Repointing the masonry,
- Replacement windows and doors,
- Reconstruction of the 9th Avenue loading dock that would provide accessibility into the building,
- Construction of a two-story addition on the northwest portion of the building,
- Parking and landscaping improvements.

The approvals for this proposal have now lapsed. In 2010, the previous applicant pulled a building permit to remove the 9th Avenue loading dock in preparation of the installation of the new loading dock. The loading dock was removed, but a new loading dock was not installed.

SUMMARY OF APPLICANT'S PROPOSAL: The applicant, Schafer Richardson, is proposing a rehabilitation project that includes the following work:

- Repointing of masonry,
- Replacement of windows and doors,
- Construction of a new loading dock along 9th Avenue North
- Construction of rooftop additions,
- Installation of new window openings and windows on a secondary elevation,
- Site modifications.

The applicant states that the rehabilitation work to the 1919 building is a tax credit eligible project and that the work proposed to the 1949-1955 Fanny Farmer addition is not eligible for tax credits because it is a noncontributing building to the Minneapolis Warehouse District.

The building is proposed to be a mixed use building. The first floor will have approximately 4,000 square feet of retail, 6,000 square feet of office, and a lobby for the 30 residential units on the upper floors.

PUBLIC COMMENT: As of the writing of this report, CPED has received one public comment; a letter from the North Loop Neighborhood Association which supports the project.

Findings as required by the Minneapolis Preservation Code:

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 proposed alterations are compatible with and support the criteria of significance and period of significance for the building. The Minneapolis Warehouse Historic District's period of significance is from 1865-1930. The Warehouse District is historically significant as an area of commercial development during the early growth of the city and the region. The city's Warehouse District developed during the late nineteenth and early twentieth centuries when Minneapolis became a major distribution and jobbing center for the upper Midwest. The district is also architecturally significant for its concentration of commercial buildings designed by the city's leading architects in styles that evolved from the Italianate Style of the 1860s to the curtain-wall structures of the early twentieth century.

The applicant's proposal will restore the original portion of the Gurley Candy Factory Building to its 1919 exterior appearance. This includes installing new windows to the same dimension, style, and operation as the original windows on the northeast, southwest, and southeast elevations, reopening the first floor openings on 9th Avenue to their original dimensions, and reconstructing a loading dock along 9th Avenue North that will be close to the dimensions of the original loading dock.

The applicant's proposed modifications to the Fanny Farmer portion of the building, which was built outside of the period of significance, also support the criteria of significance and period of significance of the district. The proposed modifications, including the installation of windows to their original dimension but in a different style to the proposed windows in the Gurley Candy Factory is sympathetic to the building, to the Warehouse District and will distinguish the original construction from the 1949-1955 addition.

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

The Gurley Candy Factory, along with the other buildings in the Warehouse District, was designated at the local level for their exterior significance. The buildings in the Warehouse District are significant for their association of commercial development in Minneapolis and for their commercial/warehouse architecture. As detailed in Finding #1, the proposed modifications to the 1919 Gurley Candy Factory will help restore the building to its original design. In addition, the proposed modifications to the non-contributing Fanny Farmer portion of the building are sensitive to the original construction and the neighboring contributing resources in the Warehouse District.

(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 have a positive impact on the building and not impair its integrity.

Location: The applicant is not proposing to change the location of the structure, thus the project will not impair the landmark's integrity of location.

Design: The applicant's proposal to restore the window openings to their original size and install new windows that replicate the original windows, as well as the installation of a loading dock on 9th Avenue North that outlines the original loading dock's dimensions will help recall the Gurley Candy Factory's original design.

Setting: The applicant is not proposing any modifications that would have a negative impact on the integrity of setting. In fact, the installation of a loading dock will help improve the building and district's warehouse setting.

Materials: The proposed project would have a minimal impact to the building's original materials. The materials that the applicant would be removing, such as the infill brick in the window openings, was added after the Warehouse District's period of significance.

Workmanship: The modifications proposed, such as the modest rooftop additions, will not result in the loss or alteration of any distinctive decorative or character defining elements on the building and would not have an impact on the integrity of workmanship.

Feeling: The proposed alterations would improve the feeling of the building, by returning it closer to its original appearance.

Association: The proposed alterations would also have a positive impact on the building's association with the Warehouse District, by restoring the window openings to their original appearance and rebuilding a loading dock on 9th Avenue North to interpret the original loading dock.

(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.

As conditioned, the proposed alterations to the Gurley Candy Factory will not materially impair the significance and integrity of the historic district evidenced by the consistency with the Warehouse District Guidelines.

Parts II and III of the *Minneapolis Warehouse Historic District Design Guidelines* provide guidance for alterations to buildings. The existing building design guidelines provide guidance for the buildings

constructed within the district's period of significance (1865-1930). Buildings constructed outside the period of significance are analyzed by the design guidelines for New Buildings on Infill Sites. The original Gurley Candy Factory was built in 1919. The Fanny Farmer addition was built between 1949 and 1955. CPED used the design guidelines for existing buildings to analyze the rehabilitation proposal to the Gurley Candy Factor and the design guidelines for new buildings on infill sites to analyze the rehabilitation of the Fanny Farmer addition.

GURLEY CANDY FACTORY ORIGINAL CONSTRUCTION

Façade materials: The applicant is proposing to repoint only those areas that are in need. The applicant states that they are anticipating that this will be the parapet and around the original window and door openings when they are opened to their original dimensions.

CPED recommends that conditions of approval be added that limit abrasive cleaning techniques for the masonry, and ensure that new mortar matches original when completing repointing work.

As conditioned, the applicant's proposal for façade materials is in compliance with the following Minneapolis Warehouse District Design Guidelines:

- 2.12. Abrasive cleaning techniques, such as sandblasting, soda blasting, or high-pressure water wash shall not be used under any circumstances.
- 2.13. Facade cleaning methods that are considered to be gentle, non-abrasive methods such as a low pressure (100 psi or less) water wash shall be used.
- 2.18. Replacement mortar shall duplicate the original mortar's composition, color, texture, joint width, and joint profile.

Fenestration-Windows: The applicant is proposing to maintain the two original first floor windows on the southeast elevation and the one original window on the northeast elevation that still remain fully intact. The applicant is also proposing to maintain the wood-clad replacement windows that were installed approximately eight years ago on the first floor of the 3rd Street North and 9th Avenue North elevations. At that time, 900 3rd Street North was not part of the local Warehouse District.

The upper floor steel, divided light windows currently have the bottom half infilled with brick on the southwest, southeast, and northeast elevations. In a site visit, it was confirmed that the lower portion of the window does not remain behind the brick infill. The applicant is proposing to install new windows in these openings that will match the original opening size, design and operation. The new windows are proposed to be a dark coated aluminum window (black in color) with a simulated divided light with interstitial spacer to match the original window's design, and operation (operable center). All of the windows within the brick exterior are proposed to be positioned in the same plane as the historic window and will be positioned at least one brick from the face of the building wall. There are two caveats:

- On the 9th Avenue North elevation, the applicant is proposing to install a window that was shown as a brick infill on the original construction plans (bay 2 from 3rd Street North on the 3rd floor).
- Within the stairwells (4th bay on the southeast elevation measured from 3rd Street North and the third bay on the northeast elevation), the applicant is proposing to maintain, clean, repaint, and re-glaze the existing windows.

These proposed changes/treatments will not have an adverse impact on the building and will help with the proposed new uses.

CPED recommends that a condition of approval be added that clear transparent glass be used for the new windows. As conditioned, the applicant's proposal for windows will help restore the building to its original appearance and is in compliance with the following Minneapolis Warehouse District Design Guidelines:

- 2.22. All decorative trim around the windows shall be retained, including lintels, pediments, moldings or hoods and if replacements are proven necessary, the original profile shall be replicated.
- 2.23. Clear transparent glass shall be used to replace missing panes or in full window replacement unless historical documentations show other treatments. Low emission coatings will be considered if they are not reflective or tinted.
- 2.25. New or expanded window openings on primary facades are not allowed, unless it is to restore an historical window opening and evidence is provided to support the opening.
- 2.31 Where true divisions are not possible, applied muntins, with an interstitial spacer will be considered. Applied muntins shall be installed on both sides of the glass.
- 2.33 Replacement windows shall be finished with a painted enamel finish. Anodized or other unfinished treatments are not allowed.

Fenestration-Entryways: On the first floor of the 9th Avenue North façade (southeast elevation), the applicant is proposing to open up two of the entrances to their original opening size and to install a window at the location of a rollup door with the same dimensions as the original opening. The entrance on the 3rd Street North elevation was and still is the building's primary pedestrian entrance. The original exterior stone entry steps were previously removed and replaced with treated lumber steps. The applicant is proposing to remove the treated lumber steps and replace them with stone steps to match the originals.

The applicant's proposal for entryways is in compliance with the following Minneapolis Warehouse District Design Guidelines:

- 2.4: A building's original pedestrian entrance shall remain and shall be used as the building's primary entrance.
- 2.34: Original or historically significant entryways and doorway configurations shall be retained.
- 2.36. When replacement is proven necessary, a door style that is similar in material and design to that used originally shall be used. If historic photos or models are not available, the new replacement door shall be of simple design, with an open transparent glass panel and a transom.
- 2.37: Original loading dock doors, which were typically overhead or sliding, shall be maintained when feasible. Filling the opening with glass or another treatment that preserves the wall opening will be considered.
- 2.40. If original entryways were altered, the preferred treatment is to restore them to their original condition based on historic photos or other evidence.
- 2.43: New openings or entryways on elevations that face a public street will be considered if evidence is provided that the new opening or entryway keeps with the original fenestration pattern and no other feasible alternative exists.

Canopies: The building has a metal canopy over the alley loading dock. The applicant is proposing to maintain the canopy, which is compliance with Guideline 2.55:

- 2.55: Existing canopies over loading docks, entrances, or other features shall be retained.

Loading docks: In 2009, the former applicant removed the loading dock along 9th Avenue North. Schafer Richardson is proposing to rebuild the loading dock on 9th Avenue North to the same width as the original loading dock. The applicant is also proposing to match the original height with the outer wall while also providing a 1:20 slope to meet accessibility requirements. The loading dock would be built with a poured concrete base and slab and have a railing with simple vertical and horizontal members.

The proposed work to the loading docks is in compliance with the following Guidelines:

- 2.56: Loading docks and their associated canopies shall be preserved. Their location, height, width, and length shall be retained.
- 2.57: Railings on loading docks, when required, shall be designed as new additions with simple vertical or horizontal members which reflect the industrial heritage of the area.
- 2.59: A poured concrete base with a poured concrete slab is appropriate repair or replacement materials for loading docks.
- 2.60: Creative and adaptive reuse of integrated loading areas is encouraged to highlight these unique features.

Rooftop uses and additions: Setback two bays from 9th Avenue North and two bays from 3rd Street North is a rooftop deck. This rooftop deck was the original location of a sugar elevator and sugar storage bins. The former applicant removed the sugar storage bins to allow for the rooftop deck.

The applicant is proposing a stairwell enclosure on the north side of the building to provide a code-required second exit from the roof area. The proposed location is aligned with the existing building stairwell. The proposed addition will be ten feet in height at its tallest point and be clad in a dark horizontal metal panel. The stairwell enclosure will be visible for those traveling south on 9th Avenue North, but will not be visible when looking at the building straight on from 9th Avenue North or from 3rd Street North.

The second modification is to the original penthouse (4th bay on the 9th Avenue elevation). This is the historic location of the building's elevator shaft. The applicant is proposing the addition to bring the elevator to the roof in order to allow access (including handicapped) to the mechanical equipment on the Fanny Farmer addition, the Starch Penthouse (the 1940 penthouse addition to the north of the original penthouse), and the exhaust systems for the Gurley Building. A three foot high addition is proposed to be clad in dark horizontal metal panels. In addition, the applicant is proposing to clad the rear portion of the elevator penthouse in the same dark horizontal metal panels; it is currently concrete block.

CPED realizes that the north stairwell enclosure is located within the first structural bay, which is not in compliance with Guideline 2.68 (new rooftop addition shall be set back a minimum of one structural bay or 15 feet, whichever is greater) however, it will have minimal visibility from the primary elevations and is in the place of the building's original staircase.

As conditioned, the applicant's proposal for rooftop additions is in compliance with the following Minneapolis Warehouse District Design Guidelines:

- 2.69. The height of the rooftop addition shall be limited to one story and shall not exceed 14 feet in height measured from the structural roof deck of the existing building. The height includes stair and elevator penthouses and rooftop mechanical equipment proposed on top of the addition.

- 2.70. The design of rooftop additions shall be clearly differentiated from the historic building in a way that does not detract from the character of the historic building or the district.

FANNY FARMER ADDITION

Fenestration-Windows: Similar to the 1919 construction, the Fanny Farmer addition (1949-1955) on the 3rd Street North elevation had the lower half of the upper floor windows infilled with brick. Windows were not originally installed on the first two floors of the 1949-1955 addition along 3rd Street North, however, windows were installed on the first floor at some point after 1986.

On the 3rd Street North elevation, the applicant is proposing to install new windows in the existing openings of the Fanny Farmer addition and add three windows to the second floor. The proposed design of the windows on the first two floors will match the windows on the first floor of the Gurley Candy Factory along 3rd Street North. The applicant is proposing a three part window on the first two floors (large casement window with a fixed upper window and lower hopper) and a two part window on the third and fourth floors (large casement window with a lower hopper).

On the northeast elevation of the Fanny Farmer addition, all of the windows, with the exception of the windows on the second floor, were infilled. The applicant is proposing to remove all of the windows on the northeast elevation and install single hung windows that are approximately the same size as the original windows.

All of the windows within the brick exterior are proposed to be black aluminum windows. The windows will be positioned in the same plane as the original windows and will be positioned at least one brick from the face of the building wall.

On the northwest elevation, the applicant is proposing to add new window openings to the upper floors. They are proposing to add 13 single hung windows to each of the upper floors that are vertically and horizontally aligned.

The applicant's proposal for new windows and new window openings in the noncontributing Fanny Farmer addition is sympathetic to the Gurley Candy Factory Building windows and will easily distinguish the two buildings. The applicant's proposal for windows in the Fanny Farmer portion of the building is in compliance with the following Minneapolis Warehouse District Design Guidelines for buildings built outside of the period of significance:

- 3.40. A simple rectangular fenestration pattern is appropriate.
- 3.41. Windows shall be compatible with the surrounding historic buildings in their alignment, type and proportion.
- 3.42. Window frames and mullions shall match the scale of the window opening and glazed area and be compatible with the color and materials of the facade.
- 3.43. Clear glass or non-reflective low emission glass or coatings shall be used.
- 3.45. Real single or double hung windows at regular intervals, and in a size and number that compliments the building are appropriate.

Materials: The northwest elevation of the 1949-1955 Fanny Farmer addition has a plain face concrete masonry units (CMU) exterior. The applicant is proposing to maintain the CMU wall. When installing new windows the applicant stated they will need to replace concrete masonry units in order to have

tightly sealed windows. The proposed windows would be recessed in the window opening. The applicant's proposal for materials in the Fanny Farmer portion of the building is in compliance with the Minneapolis Warehouse District Design Guidelines for buildings built outside of the period of significance in that it is maintaining the original exterior material and not proposing a material called out in Guideline 3.70 as inappropriate (vinyl, wood, hardy board lap siding, stucco, EIFS, exposed metals and materials with shiny finishes).

Mechanical equipment: The applicant is proposing to install mechanical equipment on the roof. The mechanical equipment would be stepped back five bays from 3rd Street North, two bays from the 9th Avenue elevation, two bays from the northeast elevation, and 11 feet from the northwest elevation. The mechanical equipment will be approximately 11 feet in height.

CPED recommends that a condition of approval be added in case there are modifications to the mechanical equipment proposal that the mechanical equipment will not to be taller than 14 feet. As conditioned, the applicant's proposal for mechanical equipment will be in compliance with the following Minneapolis Warehouse District Design Guidelines:

- 2.24. Windows on primary facades shall not be removed or blocked to install air conditioning, mechanical equipment, louvers, or for any other reason.
- 2.63: Rooftop decks and equipment including HVAC, wind or solar power equipment that projects above the roofline shall be set back from the primary building elevation(s) one structural bay. They shall not be visible from the street. More visible locations will be considered if evidence is provided of structural load needs.
- 2.69. The height of the rooftop addition shall be limited to one story and shall not exceed 14 feet in height measured from the structural roof deck of the existing building. The height includes stair and elevator penthouses and rooftop mechanical equipment proposed on top of the addition.
- 3.39. Louvers or other openings in the facades for mechanical equipment such as fireplace heating ventilation air condition (HVAC) and laundry vents are not appropriate and shall not be permitted on primary (street facing) facades.

SITE

Landscape: The applicant is proposing to update the area not covered by the building. The applicant is proposing two planting areas next to the building on the northeast elevation (alley); the larger of the planting areas is next to the loading dock. The planting areas would consist of grass, hostas, and shrubs. The landscaping proposed next to the loading dock is minimal compared to the entire site (332 square feet of 22,391 square feet), but will be an amenity to the building and the surrounding area. In addition, the green space does not detract from reinforcing the street wall, is located mid-block, which will minimize its visibility, and will help with the creative and adaptive reuse of a loading dock as an outdoor space for a restaurant or retail space.

The applicant is also proposing to restripe the parking lot with 10 parking stalls along the northeast property line and an additional three spaces next to the building on the northwest elevation. On the outside of the three parking spaces, the applicant is proposing to plant two trees. In order to come closer into compliance with the zoning code's requirements for screening and landscaping requirements for parking lots, CPED is recommending that the applicant install a landscaped yard three feet in depth between the property line and the parking stalls along 9th Avenue North and plantings three feet in in height at this location (see Finding 9 for further analysis).

The applicant's proposal for the areas not covered by the building and CPED's recommended conditions of approval will improve the site compared to existing conditions and provide green space without compromising the historic appearance and feel of the area.

As conditioned, the applicant's proposal for landscaping is in compliance with the following Minneapolis Warehouse District Design Guidelines:

- 1.37. Parks and open space that reinforce the street wall are encouraged.
- 1.38. Mid-block parks and open spaces adjacent to public streets are appropriate.
- 1.39. Landscape grass strips, planting beds, and grass boulevards are not recommended in most locations within the district. These features will be considered on a case by case basis.

(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 proposed office, residential, and retail uses are different than the original factory use; however, the applicant is proposing a sensitive rehabilitation project that will bring the original Gurley Candy Factory Building closer to its original appearance. These rehabilitation efforts include expanding the window openings to their original size, installing windows that are similar in design and operation to the original windows, and installing a loading dock that will interpret the original loading dock width and height. In addition, the proposed rooftop additions will not destroy historic materials, features and spatial relationships that characterize the property. Furthermore, the applicant has taken measure to have the new work be differentiated from the old while still being compatible with the historic materials, features, size, scale and proportion, including the proposed windows in the 1949-1955 Fanny Farmer addition.

The proposed alterations are consistent with the recommendations contained in the following Secretary of the Interior's Standards for Rehabilitation:

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

9. 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.

(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 preservation 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 historic building by allowing for adaptive reuse. These actions will not impair the building's integrity of design.

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 findings #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 proposed alterations demonstrate that the applicant has made adequate consideration of the Warehouse District's statement of significance and original nomination. Please see Findings 1 and 2 for analysis.

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

Per Chapter 530 of the zoning code, the applicant's proposal will require a site plan review application that will be reviewed by the City Planning Commission. Among the requirements in Chapter 530 is that parking lots fronting a public street shall be screened by either a masonry wall, fence, berm or hedge or combination thereof that forms a screen three (3) feet in height and not less than sixty (60) percent opaque. In addition, parking areas are required to have a landscaped yard along a public street of seven

feet. The Planning Commission may approve alternative compliance to a site plan when the alternatives meet the intent of the site plan chapter and the site plan includes amenities or improvements that address adverse effects of the alternative. Given the existing conditions and the limited real estate, CPED is recommending that the applicant install a landscaped yard three feet in depth between the property line and the parking stalls and plantings three feet in height and not less than 60 percent opaque.

(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.

With the adoption of the staff recommendation, the project complies with the rehabilitation guidelines of the Secretary of the Interior's Standards for the Treatment of Historic Properties as discussed in finding #5 above.

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 proposed alterations are compatible with and will ensure continued significance and integrity of all contributing buildings in the historic district based on the period of significance for which the district was designated. Please see Findings 1 and 2 for analysis.

(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 proposed alterations will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district. Please see Findings 1, 2, 3, and 4 for analysis.

(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.

Approving the certificate of appropriateness application 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. The applicant’s proposal will restore the Gurley Candy Factory, a contributing structure to the Minneapolis Warehouse District to its original appearance.

STAFF RECOMMENDATION:

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt the findings above and **approve** the Certificate of Appropriateness to allow the proposed rehabilitation project of the Gurley Candy Factory Building located at 900 3rd Street North, subject to the following conditions:

1. By ordinance, approvals are valid for a period of two years 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 14, 2015.

2. 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.

3. Community Planning and Economic Development staff shall review and approve the final plans and elevations prior to building permit issuance.

4. New mortar shall duplicate the original mortar's composition, color, texture, joint width, and joint profile. When completing the repointing work, abrasive cleaning techniques, such as sandblasting or high-pressure water wash shall not be used.

5. Glazing shall be clear. Low E and other energy-efficient glazing is acceptable.

6. The rooftop mechanical equipment shall not exceed 14 feet in height measured from the structural roof deck of the existing building.

7. The parking area along 9th Avenue North shall be screened by a landscaped yard three feet in depth and plantings three feet in in height and not less than sixty (60) percent opaque.

Attachments:

- Project description
- Statement addressing the applicable certificate of appropriateness findings
- Letter authorizing application
- Letter of support from the North Loop Neighborhood Association
- Photographs
- Plan set: historic plans, site plan, demolition plans, floor plans, elevations (existing and proposed), axions, sections.