

**Department of Community Planning and Economic Development (CPED)**  
 Certificate of Appropriateness  
 BZH-27744

**Proposal:** Replace one-story side addition with a new one-story side addition and second floor deck

**Applicant:** Chuck Levin, Charles Levin Architects, 612-729-5333

**Address of Property:** 2304 Milwaukee Avenue

**CPED Staff:** Aaron Hanauer, Senior City Planner, 612-673-2494

**Date Application Deemed Complete:** May 29, 2013

**Public Hearing:** July 9, 2013

**Appeal Period Expiration:** July 19, 2013

**Ward:** 2

**Neighborhood Organization:** Seward Neighborhood Association

**Concurrent Review:** Not applicable

<b>CLASSIFICATION:</b>	
Local Historic District	Milwaukee Avenue Historic District, contributing resource
Period of Significance	1883-1904
Criteria of Significance	Architecture, Social History
Date of local designation	1975
Date of National Register listing	1989
Applicable Design Guidelines	The Secretary of the Interior's Standards for Treatment of Historic Properties  Milwaukee Avenue Historic District Design Guidelines (Adopted November 14, 1975, Revised March 26, 1976)

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PROPERTY INFORMATION	
Current name	Residence
Historic Name	Worker housing
Current Address	2304 Milwaukee Avenue
Historic Address	2304 Milwaukee Avenue
Original Construction Date	1883
Original Contractor	Charles J. Bingson
Historic Use	Residence-duplex
Current Use	Residence-duplex
Proposed Use	Residence-duplex

**BACKGROUND:** The subject property is a two-story, two-family residence designed in a vernacular manner and built in 1883. It is located midblock between 22<sup>nd</sup> Street East and 24<sup>th</sup> Street East and is a contributing building to the Milwaukee Avenue Historic District.

The Milwaukee Avenue Historic District is a contiguous two-block development of 19th century homes constructed for working class families. Originally platted as an alley, real estate agent William Ragan developed it as a street for speculative purposes in 1883. Building clusters of modest homes on small narrow lots was a method often employed for housing lower class residents in the industrial period. Milwaukee Avenue is the earliest planned workers' community in Minneapolis. Representing vernacular architecture popular in the later 19th century, houses along Milwaukee Avenue were generally constructed of brick veneer on timber frame between 1884 and 1890. The houses share common architectural treatments such as uniform roof slopes, uniform separation on lots, modified flat arch windows and open front porches.

The lots are smaller than a typical low-density residential Minneapolis lot. The subject property is 3,078 square feet, compared to a typical residential lot that is 5,000 square feet. However, the subject property and many of the Milwaukee Avenue houses were built with ample square footage for today's living standards. The subject property contains approximately 1,800 square feet on the first and second floor; the basement provides an additional 1,000 square feet (approximately 500 square feet is finished). The footprint of the building is 23 feet wide by 41 feet deep (943 square feet). The building also includes a 21 foot wide by 6 foot deep open front porch (126 square feet). The south elevation of the house contains an original bump out and a 1970s addition. The subject property does not contain a garage, however, it does have a surface parking area at the back of the lot.

**SUMMARY OF APPLICANT'S PROPOSAL:** The applicant is proposing to replace the one-story 1970s side addition with a new one-story addition that has an open deck on top. The applicant's architect states that the 1970s addition is beyond repair and needs to be torn down and replaced. The architect, Mr. Levin, provides additional details about its condition: "Ill-conceived water control detailing and a structurally insufficient foundation (ground supported pre-cast pier blocks) have led to substantial rot and deformation."

The existing 1970s addition is 5'-6" by 16'-2" (88 square feet) and contains an exterior staircase that extends an additional 3'-11" towards the southern property line. The existing porch is 6'-11" from the south interior property line, with the staircase it is 3'-0" from the property line

The proposed addition with second floor deck would be 151 square feet (9'-5" by 16'-2") and would be located 3'-0" from the south interior property line. The applicant states that the larger enclosed area (compared to existing conditions) helps compensate for a lack of a garage. The second floor deck is proposed to be accessed through a proposed door that would be located where there is an existing window opening. The applicant is proposing to maintain the original width of the opening and the masonry arch. The proposed addition would contain stairs on the west and east side which would be stepped in from the outer wall. The south elevation of the porch is not proposed to have windows. Given that the addition is 3'-0" from the property line, the building code does not allow for window (or door openings) on this elevation. The material of the proposed deck would be painted cement board (Hardie) lap siding with PVC (Azek) corner boards.

The applicant submitted their Certificate of Appropriateness application on April 24, 2013. CPED reviewed the application and determined that it was incomplete. CPED met with the applicant and the property owner on May 9, 2013, to discuss the project and to encourage the applicant to meet the five foot side yard setback requirement (instead of the proposed three foot setback) for the addition. The applicant analyzed their options and decided to submit their design as originally proposed for Heritage Preservation Commission consideration. On May 29, 2013, the applicant submitted the information requested in the incomplete letter and their application was deemed complete.

**PUBLIC COMMENT:** As of the writing of this report, CPED has received three letters. The Milwaukee Avenue Homeowners Association (MAHA) and the property owner at 2307 22<sup>nd</sup> Avenue South submitted letters of support. In their letter, MAHA states that the support the project is conditioned on the applicant using a wood material for the vertical plane elements (e.g. posts and skirting) and not PVC. CPED also received a letter from the neighboring property owner directly to the south of the subject property (2308 Milwaukee Avenue) opposing the project. Among the reasons not supporting the project is potential drainage and noise issues with the addition and roof deck's proximity to their house.

**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 contributing structures to the Milwaukee Avenue Historic District are significant for their collective representation of vernacular architecture and turn-of-the century worker housing. As conditioned, the proposed alterations are compatible with and support the criteria of significance, and period of significance for the Milwaukee Avenue Historic District. CPED is recommending that the proposed 9'-5" wide porch be reduced to 7'-5" in width in order to better relate to the modest width of the structure (23 feet) and to come closer in maintaining the original uniform separation of the buildings on the lots (see Sanborn map). Modest sized structures and uniform separation were features of the original construction.

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

The Milwaukee Avenue Historic District is significant for being an intact collection of late 19th century, brick veneer worker housing sharing similar architectural treatments. The nomination form, which led to the exterior designation states, "The houses [of Milwaukee Avenue] share common architectural treatments such as uniform roof slopes, uniform separation on lots, flat arch windows; and open front porches." The nomination also states, "The distinct architectural quality of Milwaukee Avenue is created by the continuity of modest and similar forms, while maintaining a relationship of closeness with the spaces in between."

As conditioned, the proposed alteration is compatible with and supports the exterior designation for which the property is designated. The subject property and the house to the south (2308 Milwaukee Avenue) originally had 15 feet of separation at the location of the proposed addition. When the 1970s addition and staircase were added it reduced the separation of the two houses to five feet. The proposed addition would also be five feet from the neighboring house; however, the massing of the proposed addition is more substantial compared to the existing open staircase. As conditioned (allowing a 7'-5" wide addition), the houses would have more separation (seven feet) and come closer to the original spacing design compared to existing conditions. Furthermore, a narrower addition would better relate to the original construction (23 feet in width) which is highlighted as an important design element in the nomination form.

**(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, as conditioned, is compatible with and will ensure continued integrity of the historic district.

*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:* As proposed, the applicant's addition would impact the building's design. The 9'-5" addition would create a significantly wider house than originally designed (32 feet in width as proposed compared to 23 feet in width). It would also create a windowless façade for 20 feet on the south elevation. The lack of windows for this distance is not typical for the secondary elevations of historic Milwaukee Avenue houses. If the proposed addition is reduced in width by two feet, it would better relate to the size of the original construction and allow for window openings and windows on the south elevation, which is consistent with the original construction.

*Setting:* As proposed, the applicant's addition would negatively impact the building's setting, in particular in relation to the neighboring structure to the south. The original nomination form for the Milwaukee Avenue Historic District stated that a shared common characteristic of Milwaukee Avenue homes is their uniform separation on the lots. The 1912-1951 Sanborn map confirms that the houses were built close to the northern property line and had a larger southern yard. These setting, spacing, and design characteristics are still intact within the district and would be negatively impacted by the proposed addition.

*Materials:* The proposed project would have a minimal impact to the building's original materials. Although the building would replace a window with a door opening on the second floor of the south elevation, the proposed work would be at the rear of a secondary elevation.

*Workmanship:* The modifications proposed will not result in the loss of workmanship. The character defining features and the architectural details of the building are not proposed to be removed. The applicant is proposing to maintain the arched masonry detail above the window that is proposed to be replaced with a door.

*Feeling:* As conditioned, the proposed project would not have an adverse impact on the building's ability to evoke the historic sense of modest worker style housing. An addition that is two feet less in width will better relate to the size of the original construction.

*Association:* As conditioned, the proposed alterations would not have an adverse impact on the worker house characteristic of the Milwaukee Avenue Historic District. The reduced width of the structure would help increase the spacing between the subject property and the house to the south, which is an important aspect to the district's setting.

**(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 residence at 2304 Milwaukee Avenue will not materially impair the significance and integrity of the historic district evidenced by the consistency with the Milwaukee Avenue Historic District Guidelines (1976). The Milwaukee Avenue Historic District Guidelines provide limited guidance for rehabilitation projects; a majority of the guidelines provide guidance for infill construction. However, the guidelines do provide guidance for windows and siding for existing structures.

**Windows:** The applicant is proposing to install a double hung window (vertically oriented) and door on the both the front (west) and rear (east) elevation of the addition. The applicant's proposal is consistent

with the Milwaukee Avenue Historic District Guidelines which highly encourages the use of wooden windows and for the windows to be rectangular. CPED is recommending that two vertically oriented, double hung windows similar to what is proposed on the east and west side of the addition (and shown on page 1 of the applicant's submittal) be installed on the south elevation.

**Siding:** The applicant is proposing to have painted cement board lap siding with polyvinyl chloride (PVC) Azek corner boards. The cement board lap siding would have a five inch exposure. The district guidelines recommend the use of "lapped, narrow cedar or redwood siding, or preservative-treated other species should replace asphalt siding and deteriorated wood siding." Even though the guidelines do not call out cement board lap siding as a recommended material, CPED has found cement based lap siding to be a compatible material for additions to historic residential structures and is supportive of the applicant's material choice. However, CPED has not found PVC materials to be an acceptable exterior cladding material. Therefore, CPED is recommending that the PVC corner boards be replaced with cement board or wood siding.

**(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.**

As conditioned (a narrower addition with windows and no PVC materials), the addition and second floor deck will be consistent with the following Secretary of the Interior's Standards for Rehabilitation:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
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.
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.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**(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.**

As stated in Findings #1 through #5, CPED is supportive of the overall rehabilitation project with conditions. If the addition and deck is reduced in width it will allow the property owners to have additional living space compared to existing conditions, while having the addition better relate to the exterior environment of the Milwaukee Avenue Historic District. As conditioned, the certificate of appropriateness will conform to all applicable regulations of this preservation ordinance and would be consistent with the following policies of the comprehensive plan.

- Preservation policy 8.1: 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) City shall protect historic resources from modifications that are not sensitive to their historic significance.
- Preservation policy 8.8: Preserve neighborhood character by preserving the quality of the built environment. (Implementation Step 8.8.1) Preserve and maintain the character and quality of residential neighborhoods with regulatory tools such as the zoning code and housing maintenance code.

**(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. The applicant is proposing to replace a noncontributing addition built in the 1970s with a new addition.

*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 alteration demonstrates that the applicant has made adequate consideration of the original nomination in maintaining the principal elevation (including open front porch) and having the proposed addition located at the back portion of a secondary elevation. However, the original nomination also mentions the significance of the structures maintaining a uniform separation on the lots and the continuity of modest and similar form structures. The applicant's proposal will not maintain the uniform separation of the lots within the Milwaukee Avenue Historic District. It will also reduce the continuity of modest and similar form structures.

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

The proposed project will not require a site plan review application. However, a goal of the site plan review application is to encourage residential and nonresidential structures to have windows uniformly placed on a building wall to help with natural surveillance. The applicant's proposal to have a windowless façade on the south elevation for 20 feet is counter to this goal. In addition, the project as

proposed will require a side yard setback variance. If the addition is built as recommended (7'-5" from the south property line) it will be five feet from the property line and will not require a side yard setback variance.

**(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 Secretary of the Interior's Guidelines for Rehabilitation recommend that the historic relationship between buildings and landscape features of the setting be retained. If the proposed addition is 7'-5" in width it will assist with the building maintaining the spacing characteristic of the houses within the Milwaukee Avenue Historic District.

*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.**

As conditioned, the proposed addition is 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.**

As conditioned, 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 through #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.**

As conditioned, the approval of 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. If the proposed addition is 7'-5" in width, it will better maintain the character, setting, and design of the area. Furthermore, if the project is built as conditioned it will likely not require land use applications, such as a side yard variance.

**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 side addition with second floor deck at 2304 Milwaukee Avenue, subject to the following conditions:

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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 July 9, 2015.
2. Community Planning and Economic Development staff shall review and approve the final plans and elevations prior to building permit issuance. 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. The proposed addition shall be setback a minimum of five (5) feet from the south side property line.
4. The proposed addition shall include two wood, vertically oriented, double hung windows on the south elevation similar in design and size as those proposed on the east and west side of the addition.
5. The corner boards and lattice shall be made of cement board or wood.

**Attachments:**

- District map, zoning map, Sanborn maps, and date of construction map
- Project description, authorization letter, and statement of proposed use
- Specifications
- Letter to council member and neighborhood
- Photographs
- COA statement
- Milwaukee Avenue Historic District background
- Plan set: existing condition site plan, proposed site plan, floor plans, elevations, renderings
- Communication submitted to SHPO