

**CITY OF SAINT PAUL
HERITAGE PRESERVATION COMMISSION STAFF REPORT**

FILE NAME: 241 Kellogg Boulevard East
HISTORIC NAME: Depot Bar
CURRENT NAME: Kelly's Depot Bar
APPLICANT: Jim LaValle – TJL Development LLC
OWNER: Richard and Jean Kelly
DATE OF APPLICATION: October 25, 2018
DATE OF PUBLIC HEARING: November 15, 2018
HPC DISTRICT: Historic Lowertown Heritage Preservation District (1984)
INVENTORY #: RA-SPC-4519
NRHP SITE/DISTRICT: Lowertown Historic District (1983) RA-SPC-4580
PERIOD OF SIGNIFICANCE: 1867-1929
CATEGORY: Non-Contributing **WARDS:** 2 **DISTRICT COUNCILS:** 17
ZONING: B5
CLASSIFICATION: Building Permit
BUILDING PERMIT #: N/A
STAFF INVESTIGATION AND REPORT: Christine Boulware
DATE: November 9, 2018

A. SITE DESCRIPTION: The Depot Bar is a one-story, brick load-bearing building constructed by William Baumeister at the corner of Wacouta Street and Kellogg Boulevard in 1924 as a store for the Hamm Realty Company. The building permit index card notes the estimate cost of construction as \$2000 and describes the building as 21 ft. in width, 36 ft. in length, and 14 ft. in height. The National Register nomination form for the Lowertown Historic District describes the Depot Bar as a “small but nevertheless obtrusive bar which was extensively and inappropriately altered in 1945.” It appears that the Hamm Realty/Hamm Brewing Company owned the building at least throughout the 1930s. In 1945, a building permit for a \$2000 alteration/repair was issued and subsequent permits in the 1940s identify the owner of the property as the Depot Café/Depot Tavern. The building is categorized as non-contributing to the Historic Lowertown Heritage Preservation District.

B. PROPOSED CHANGES: The applicant proposes to construct a seven-story, 90-unit market rate apartment building with parking in the first and second levels for a total of 35 stalls. The proposed footprint is 93'-0" along Kellogg Boulevard with a seven-foot setback from the building to the east and 131'-4" along Wacouta Street with an eight-foot setback from the alley to the north. The proposed height is 76'-8" to the parapet (seven-stories). Plans illustrate a box-massing with traditional base/shaft/capital form. Preliminary materials include: cast stone base, brick veneer, aluminum storefront windows, cementitious and/or metal panels, metal cap flashing and decorative lighting. Signage location is shown at the corner of Kellogg and Wacouta as a projecting blade-sign. The plans show inset balconies along the Wacouta elevation and projecting metal balconies along the alley (north) elevation. The non-primary elevation materials transition from brick to either cementitious panels and colored CMUs. Access to first level parking is proposed through garage doors at Kellogg and second-level parking would be accessed through the alley north of the building.

C. BACKGROUND:

The HPC reviewed and commented on the proposal at a preapplication review on October 4, 2018. Summary of the HPC comments from that meeting:

- The attic-level and window differentiation - appreciated
- Center the levels – uniform window placement and vertical alignment
- Preferred revised color-scheme and windows
- Concern about mechanical venting near the corner
- Profile-band detail between the storefront and second level noted – both for and not

- Bring the pilasters/vertical emphasis to the base as much as possible
- Support for entryway detail
- Make Kellogg garage door/entry design relate better to Historic Lowertown
- Make sure parapet is appropriate height to screen if solar installation in future
- Suggested adding charging stations to parking area
- Canopy materials and design?
- Wrapping the corners with the primary elevation materials is preferred and appreciated

D. PRESERVATION PROGRAM CITATIONS AND FINDINGS:

The Secretary of the Interior's Standards for Rehabilitation

Historic Lowertown Heritage Preservation District Legislative Code Sec. 74-112.

PRESERVATION PROGRAM CITATIONS	Meets Preservation Program?	FINDINGS:
		<p>1. On March 22, 1984, the Historic Lowertown Heritage Preservation District was established under Ordinance No. 17120, § 2. The Heritage Preservation Commission shall protect the architectural character of heritage preservation sites through review and approval or denial of applications for city permits for exterior work within designated heritage preservation sites §73.04.(4).</p> <p>2. The Depot Bar is categorized as non-contributing to the character of the Historic Lowertown Heritage Preservation District.</p>
<p><u>The Secretary of the Interior's Standards for Rehabilitation</u></p>		
<p>SOI 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize a 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.</p>	<p>Yes</p>	<p>3. The proposed construction will require the demolition of the non-contributing Depot Bar. The size and features or the Depot Bar are not consistent with the storefront and warehouse character of the surrounding historic district and its historic character was compromised by alterations and additions completed after the period of significance for district. The new construction would not destroy distinctive historic materials, features, spaces and spatial relationships that characterize the property.</p>
<p>SOI 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p>	<p>Yes</p>	<p>4. The proposed new construction will be setback from the adjacent historic buildings and if removed in the future would not impair the essential form and integrity of the property and its environment.</p>

Sec. 74-112.I New Construction Guidelines		
<p>Sec. 74-112.I.A. Setback—Siting. There should be no major variation in setback from the building line. Minor variations for bays and entrances are permissible. The proportion of built edge to open space should preserve the plane of the street wall, particularly along the streets facing Mears Park and the Farmer's Market.</p>	<p>Yes</p>	<p>5. The setbacks comply with the guideline that states, "The proportion of built edge to open space should preserve the plane of the street wall...." This proposal is consistent in setback from Kellogg with the historic Weyerhauser-Denkman Building (Lowertown Lofts) to the east, the Union Depot Head House to the west, and the new construction Oaks Union Depot building north of the site along Wacouta Street.</p> <p>Stacked inset balconies are proposed along the Wacouta elevation; they provide some variation along the street wall.</p> <p>The building setback from the neighboring historic building is seven feet and should not compromise the historic integrity, long-term use and viability of the adjacent historic building by requiring any closure of existing, historic openings. Although this secondary façade of the Weyerhauser-Denkman building was exposed and visible for many decades, there are not visible advertising or ghost signs on the west elevation and this proposal will still allow for maintenance and repairs of the historic masonry wall.</p>
<p>Sec. 74-112.I.B Massing, volume and height. The buildings of the district built before 1900 are generally small to medium in volume and up to seven (7) stories in height. Sometimes several buildings are grouped. Buildings constructed after 1900 are generally large in volume and up to eight (8) stories in height, with the Burlington Northern Building being thirteen (13) stories. The structures of the district are distinguished by their boxy profiles; preservation of this aspect is the most essential element for maintaining the unity of the district. New construction should be compatible with the massing, volume, height and scale of existing adjacent structures.</p>	<p>Yes</p>	<p>6. The footprint covers nearly the whole parcel and at 7-stories, the proposal complies with the guideline for massing and volume. The rendering and elevation plans submitted show the proposed heights as relating to the adjacent historic and newer buildings. The base, shaft and capitol detailing of the building relates to the nearby buildings and along Fourth, Wacouta, and Kellogg complying with the guideline.</p> <p>Overall, the new construction has a boxy profile and will be compatible with the scale of the existing adjacent structures.</p>
<p>Sec. 74-112.I.C. Rhythm and directional emphasis. The rhythm and directional emphasis is</p>	<p>Yes</p>	<p>7. Rhythm is created by window and door spacing, bays and detailing. The building has a boxy appearance which is</p>

<p><i>Lowertown can be found both in the relation of several buildings to each other and in the relation of the elements on a single building facade. Rhythm between buildings is usually distinguished by slight variations in height, windows and doors, and details, including vertical and horizontal elements. Rhythm may, as in the case of Park Square Court, be accentuated by slight projections and recessions of the facade, causing the scale of the building to match that of its neighbors. The rhythm and directional emphasis of the new construction should be compatible with that of existing adjacent structures.</i></p>		<p><i>recommended by the Lowertown Guidelines. The building also has a vertical emphasis and is horizontally organized by the storefront base, the shaft and the upper floor capital. This is consistent with surrounding structures. The storefront bays partially line up with the upper floors. The central portion of the ground floor at Kellogg Boulevard is offset to accommodate access into the parking area. The use of similar colors, despite changes in materials, reinforces the rhythm and directional emphasis.</i></p> <p><i>The variation in rhythm between the proposed construction and existing adjacent buildings is demonstrated in window configurations and groupings. The directional emphasis is generally vertical except for the ground floor at Kellogg when it reads as horizontally oriented.</i></p>
<p>Sec. 74-112.I.D. Roofs, caps and cornices. <i>New roof, cap and cornice designs should be compatible with existing adjacent structures. Generally, roofs in the district are flat. It is important for roof cornices and roof edges to relate in scale, proportion and detailing.</i></p>	<p>Yes</p>	<p>8. The guideline states “It is more important for roof edges to relate in size and proportion, than in detailing.” The proposed cornice complies with the guidelines. The flat roof is also consistent with the character of Lowertown.</p> <p><i>The rooftop amenity feature is setback from the Kellogg and Wacouta elevations. The stairway and elevator overruns at the roof are common features in the district. The final materials, details and finishes of a rooftop patio will need to be reviewed for consistency with the preservation program.</i></p>
<p>Sec. 74-112.I.E. Materials and detail. <i>The materials of new construction should relate to the materials and details of existing adjacent buildings. New buildings in the district should provide more detailing than typical modern commercial buildings, to respond to the surrounding buildings and to reinforce the human scale of the district. Walls of buildings in the district are generally of brick, or occasionally of stone. All non-masonry surfaces, if painted, should be of colors compatible with the masonry character of the</i></p>	<p>Yes/Maybe</p>	<p>9. New construction in the historic district should reinforce the unique qualities and character of Lowertown without mimicking the historic buildings. The use of materials in new construction is paramount and can mean the difference in complying with the guidelines or not. One way to reinforce the existing character of Lowertown with new construction is to simplify the number of materials present on primary elevations. Brick and stone are the dominant materials in Lowertown and should be for new construction.</p>

<p><i>district.</i></p>	<p><i>The cementitious and/or metal panels are shown on the plans. Metal panels would be preferred to cementitious panels given the historic precedent of metal used in cornices and storefront details used in the Lowertown district.</i></p> <p><i>The use of cementitious panels on primary elevations, while not recommended, is employed in a way that does not dominate the facades. The panels are used in the capital element to complement the cast stone proposed for the base.</i></p> <p><i>The storefront windows are shown as aluminum and the fixed and awning at the upper-floors are specified as Andersen fiberglass. Metal windows are not recommended by the guidelines but have been approved on a case-by-case basis in the Lowertown District. The material being proposed may not necessarily compromise the overall quality of the design if the windows are appropriately colored and detailed. The guidelines state that "Window and door frames should be wood, appropriately colored or bronze-toned aluminum or vinyl-clad." A bronze toned aluminum and dark finish in the fiberglass would be acceptable. More detailed window and storefront plans will need to be provided.</i></p> <p><i>Balconies are not addressed specifically in the guidelines but have been approved for new construction projects and for non-primary elevations on historic buildings in Lowertown. Balconies proposed on primary elevations are a highly visible feature and have not been approved in the past except for areas recessed into upper floors. Balconies proposed on the Wacouta elevation are recessed and integrated into the overall design with dark metal railings and may comply. The projecting balconies on the alley elevation have a utilitarian design, are metal and have a dark finish and comply with the guideline.</i></p> <p><i>The guidelines call for materials to be used that are most prevalent in the District which is natural brick usually of dark red, buff or brown colors and that</i></p>
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		<p>more detailing be incorporated with new construction than in typical modern commercial buildings. The guidelines do not distinguish between primary and non-primary elevations when addressing materials and detail, however, as with traditional buildings the detailing and material often changes for non-primary elevations. Typically, a common brick would be used for non-primary elevations. The proposal continues the main elevation design and materials to the south, alley elevation and wraps the non-primary elevation for one-bay. This is acceptable. The HPC will want to discuss the materials, colors and finishes in more detail. The intermediate cornice between the ground and second floors was removed from the current plans and the storefront with bulkhead detail was altered to become a punched storefront in the cast-stone surround.</p>
<p>Sec. 74-112.I.F. Windows and Doors Windows should relate to those of existing buildings in the district in terms of solid to opening ration, distribution of window openings, and window setback. In most of the buildings in the district, the area of openings is between 30% and 50% of the facade wall. The proportion, size and detailing of windows and doors in new construction should relate to that of existing adjacent buildings. Double-hung windows are traditional in the district and are preferred for new construction. Window mullions should emphasize their vertical direction. Casement windows and horizontal sliding windows are not historically common, and because they were not usually used in commercial district are not preferred for new construction. Window and door frames should be wood, appropriately colored, or baked enamel finish aluminum or vinyl-clad.</p>	<p>Yes/No</p>	<p>10. The guidelines state “Windows should relate to those of existing buildings in the district in terms of solid to opening ratio, distribution of window openings, and window setback. For most of the buildings in the district, the area of openings is between 30% and 50% of the facade wall. The proportion, size and detailing of windows and doors in new construction should relate to that of existing adjacent buildings.” The windows are punched but do not have similar depth from the wall as the historic buildings. The proposed solid-to-void relationship appears to be consistent with existing historic construction and adjacent new construction. The guidelines state “Double-hung windows are traditional in the district and are preferred for new construction. Window mullions should emphasize their vertical direction.” The pre-application showed single and grouped double-hung windows above the first floor; the current set now shows grouped fixed windows with a vertical orientation and awning windows below. Mullions do have a vertical orientation. The first-level storefront windows generally follow the placement of windows above, but now read as a punched opening rather than a</p>

		<p><i>detailed as a storefront with surround and bulkhead details. This is an important feature to consider when assessing compatibility with adjacent historic buildings, especially given that the first-floor will be at grade and not several steps above sidewalk level.</i></p>
<p>Sec. 74-112.I.G. Parking <i>Parking lots should be screened from street and sidewalk either by walls or plantings or both. If walls are used, their materials should be compatible with the walls of existing adjacent buildings. Walls should be at least eighteen (18) inches high. Walls or plantings should continue the planes of existing adjacent buildings.</i></p>	<p>Yes</p>	<p>11. <i>Given the grade change along Wacouta Street, parking access for the first level is proposed from Kellogg Boulevard and is not consistent with other historic buildings along Kellogg Boulevard. Garage door access at street level on a primary façade was approved with conditions by the HPC once before along Fourth Street; this was also due to the grade change along Wall Street.</i></p> <p><i>Access for the second level is at the alley elevation and complies with the guideline.</i></p>
<p>Sec. 74-112.I.H. Landscaping and street furniture. <i>When lots are used for green space or parking, a visual hole in the street "wall" may result. Landscape treatment can eliminate this potential problem by avoiding a wall of enclosure for the street. Traditional street elements of the area, such as granite curbs, should be preserved. New street furniture should complement the scale and character of the area.</i></p>	<p>Need information</p>	<p>12. <i>Street trees, lighting and street furniture were not shown in the plans but have been discussed with the applicant. The Wacouta plans should be consistent with the HPC approval for the Oaks at Union Depot construction and Kellogg plans should be consistent with the existing historic lighting and street features.</i></p> <p><i>If street trees are required, accessible trees grates shall be used and not pavers. If there are brick gutters, granite curbs and brick or granite pavers that will be disturbed in the Public Right-of-Way around the site, including the alley, and the applicant will need to maintain these historic elements and make any necessary repairs.</i></p>
<p>Sec. 74-112.III Signs and accessories</p>		
<p>Sec. 74-112.III.A Materials. <i>Sign materials should complement the materials of the related building and/or the adjacent buildings. Surface design elements should not detract from or conflict with the related structure's age and design in terms of identification symbol (logo), lettering, and related patterns or pictures. Materials used should be the same as those used for signs during the period of the building's</i></p>	<p>Need information</p>	<p>13. <i>The corner projecting sign is a place holder for future signage. Materials and details were not provided and will require separate HPC review and approval.</i></p>

<p>construction, such as wood, wrought iron, steel, and metal grill work. Newer materials such as extruded aluminum and plastics may not be appropriate.</p>		
<p>Sec. 74-112.III.B Types. The sign type should enhance the building's design and materials. New billboards are not permitted in the Lowertown District.</p>	<p>Yes</p>	<p>14. Corner blade-signs are a sign type historically found in the Historic Lowertown Heritage Preservation District.</p>
<p>Sec. 74-112.III.C Location and method of attachment. There should be no sign above the cornice line or uppermost portion of a facade wall. Signs should not disfigure or conceal architectural details. Painted signs of pedestrian scale may be permissible on glass windows and doors. The facade should not be damaged in sign application except for mere attachment. The method of attachment should respect the structure's architectural integrity and should become an extension of the architecture. Projecting signs should have a space separating them from the building. (Protection of architecture in method of attachment shall be regarded as a basis for granting variance of the normal zoning code prohibition against guy wire supports for projecting signs).</p>	<p>Generally, but need more information</p>	<p>15. Corner projecting signs are an appropriate location. Given the grade change at the location, the location between the second and third floors should not conceal architectural details but will need to have a separation from the facades. More details regarding the proposed signage and attachment will be required in a future application.</p>
<p>Sec. 74-112.III.D Lighting. Location of exterior lights should be appropriate to the structure. Signs should generally be lit from on the site. There should be no flashing, blinking, moving, or varying intensity lighting. Subdued lighting is preferred. Backlit fluorescent or exposed neon are generally inappropriate.</p>	<p>Need more information</p>	<p>16. Signage details have not been provided. Decorative lighting is shown along the brick, vertical areas along the primary elevations and rear elevation and at the storefront level. So long as the fixtures and finishes are compatible with the design and guidelines and the lighting is subdued, the lighting will comply.</p>
<p>Sec. 74-112.III.E. Grills, exhaust fans, Etc. Grills, exhaust outlets for air conditioners; bath and kitchen exhaust fans should be incorporated into filler panels and kept out of principal facades, if possible. They may be painted the same color as the filler panel.</p>	<p>Generally, but need more information</p>	<p>17. The guidelines state "Grills, exhaust outlets for air conditioners, bath and kitchen exhaust fans should be incorporated into filler panels and kept out of principal facades, if possible. They may be painted the same color as the filler panel." There are pre-finished metal architectural louvers/vents proposed on all elevations and while not recommended, they are generally integrated into the overall design but should be colored to match the surrounding panels. The location of the</p>

		<p>vents in the western most bays of the front and rear elevations were discussed at the pre-application review and the choice of location should be discussed.</p>
<p>Sec. 74-112.IV. Demolition The heritage preservation commission will follow the guidelines stated in the Heritage Preservation Ordinance (#16006), Section 6 (1) (2), when reviewing permit applications for demolition: "In case of the proposed demolition of a building, prior to approval of said demolition, the commission shall make written findings on the following: architectural and historical merit of the building, the effect on surrounding buildings, the effect of any proposed construction on the remainder of the building (in case of partial demolition) and on surrounding buildings, the economic value or usefulness of building as it now exists, or if altered or modified in comparison with the value or usefulness of any propose structures designated to replace the present building or buildings."</p>	<p>Yes</p>	<p>18. The Depot Bar is categorized at non-contributing to the Lowertown Heritage Preservation District, the architectural and historic merit of the build is low, as the building has been altered and does not retain the architectural detail that it had during the period of significance for the district.</p> <p>The demolition of the Depot Bar will not have an adverse effect of the surrounding buildings; it is not physically attached to adjacent structures, nor does its scale, massing or design relate to adjacent historic buildings.</p> <p>The economic value and usefulness of a 90-unit apartment building on the site is greater than the economic value or usefulness of the Depot Bar as it currently exists or if it were altered or modified given the sheer volume and capacity of the proposed new construction. If the building retained its historic and architectural character and were classified as contributing to the district, its historic value would factor into the comparison.</p>
		<p>19. HPC staff finds that the proposed demolition of the Depot Bar will not adversely affect the Program for the Preservation and architectural control of the Lowertown Heritage Preservation District (Leg. Code §73.06 (e)).</p> <p>Staff also find that the proposed new construction will not adversely affect the Program for Preservation or architectural control of the Lowertown Heritage Preservation District so long as the conditions are met.</p>
<p>(Ord. No. 17120, § 2, 3-22-84)</p>		

G. STAFF RECOMMENDATIONS: Based on the findings, staff recommends approval of the permit applications with the following conditions:

1. Masonry and mortar specifications and details will need to be provided for final review.
2. More details regarding the changes to the hardscape, plantings, lighting, and proposed

changes to the roadway, sidewalk, and curb alignments will need to be submitted for review. Those features and details should follow historic precedent as closely as possible and comply with Chapter 74 of the City of Saint Paul Legislative Code.

3. Any fencing/screening plans will need to be included with the final submission.
4. The pre-existing condition of the surrounding public right-of-way shall be documented prior to any demolition, and all extant historic materials shall be carefully removed, salvaged, secured, and reinstalled. This includes but is not limited to tree grates, granite/stone curbs, brick gutters and brick/stone alley.
5. The door and window glass shall be two-way and have no reflective, tinted, or mirrored qualities.
6. A more traditional storefront bulkhead detail shall be added at the base of all storefront style windows.
7. Signage and lighting were indicated on the plans; however, a separate application and details will be required.
8. Vents, utilities, or other mechanical protrusions shall be painted to match the surrounding material and shall be low profile.
9. All final materials, colors, details and finishes and shall be submitted to the HPC and/or staff for final review and approval including but not limited to masonry, mortar, balcony and guardrail details, hardscaping, plantings, window and door brands, styles, and finishes, etc.... A mock-up shall be constructed on site for a design review committee of the HPC to review and approve.
10. The HPC stamped approved plans shall remain on site for the duration of the project. If an updated set of plans is submitted for City permits, HPC staff shall receive a full-size set for final review to determine compliance with the HPC decision and conditions.
11. Any revisions to approved plans shall be re-reviewed and approved by the HPC staff. If revisions are significant, new plans may need to be drafted and submitted for final review and approval.
12. Items not listed in project scope have not been reviewed. Any changes or additions require further review.
13. This Certificate is VOID if the approved plans are altered from the Heritage Preservation approved plans.
14. All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with submitted plans at the responsibility of the applicant. Inaccuracies or differences should be reported to HPC staff prior to commencement.
15. Work shall be accomplished in accordance with all applicable zoning regulations and building codes, and/or Board of Zoning Appeals decisions. This authorization does not constitute or recommend a hardship for purposes of zoning review.
16. Further permits and approvals may be required. This approval signifies review and issuance based on Heritage Preservation regulations and guidelines. No other city, state, or federal review and approval should be assumed or implied by this approval.

H. SUGGESTED MOTION: I move to conditionally approve application #19-006 for the demolition of the one-story commercial building and construction of a seven-story apartment building at 241 Kellogg Boulevard East as per the findings of fact, presented testimony, submitted documentation and information provided in the staff report with the eight conditions.

I. ATTACHMENTS:

1. HPC Design Review Application
2. Plans and photographs submitted by applicant
3. Materials board will be available at the public hearing