

**CITY OF MINNEAPOLIS
CPED PLANNING DIVISION
HERITAGE PRESERVATION COMMISSION STAFF REPORT
BZH-26806**

FILE NAME: 5308 Fremont Avenue South, Rudolph and Eva Reinhold Residence

APPLICANT: LDK Builders (Bill Roemer), 763-221-8481

PUBLICATION OF STAFF REPORT: May 3, 2011

DATE OF HEARING: May 10, 2011

APPEAL PERIOD EXPIRATION: May 20, 2011

CATEGORY: Historic Resource

CLASSIFICATION: Demolition of a Historic Resource

STAFF INVESTIGATION AND REPORT: John Smoley, Ph.D., 612-673-2830

A. BACKGROUND

On January 21, 2011 J.S. Stewart Companies, Inc. submitted a Wrecking/Moving Application to demolish the single family residence at 5308 Fremont Avenue South. The proposed demolition would clear the property for another single family residence. On January 27, 2011 CPED staff informed the Applicant that the property appeared to be a historic resource. On March 29, 2011, LDK Builders submitted a complete Demolition of a Historic Resource application for the subject property.

The subject property may lie within the Minnehaha Parkway potential historic district, as noted in Mead and Hunt's July 2005 *Southwest Minneapolis Historic Resources Inventory*. This potential historic district, previously identified as such by the Minnesota State Historic Preservation Office, includes a yet-to-be-determined swath of properties along Minnehaha Creek that are emblematic residential development designed in period revival styles in proximity to the area's aquatic amenity: Minnehaha Creek.

The subject property also lies close by a portion of the Grand Rounds, the linear parkway that circles the City of Minneapolis. The State Historic Preservation Office is currently evaluating this potential historic district.

B. DESCRIPTION

5308 Fremont Avenue South is a one and one-half story single family residence designed in the Tudor Revival style. A complex, composition shingle roof with gables on the northern (side), eastern (front), and western (rear) elevations caps the building. A gabled entryway projects out from the center of the building's front face where a red brick Gibbs surround frames the front door. A large, red brick chimney with a replaced cap projects through the roof and down the front of the building. An arched opening leads pedestrians along the southern side of the building. The exterior walls are clad in stucco. Fenestration appears to consist of 3/1 double-hung and fixed windows. A wood deck extends off of the back of the building, where a steeply sloped lot exposes a basement level tuck-under garage.

C. PROPOSED CHANGES

The Applicant is proposing to demolish the single family residence at 5308 Fremont Avenue South to construct a new single family residence (Attachment C). Proposed residences are subject to review by CPED-Planning for Zoning Code compliance once a complete application for the new residence is received.

D. NECESSITY OF DEMOLITION

The Minneapolis Code of Ordinances, Title 23, Heritage Preservation, Chapter 599 Heritage Preservation Regulations states that before approving the demolition of a property determined to be an historic resource, the commission shall make findings that the demolition is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the demolition. 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 up to one hundred-eighty (180) days to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it.

d1. UNSAFE OR DANGEROUS CONDITION

The Applicant does *not* contend that the demolition of the subject property is necessary to correct an unsafe or dangerous condition. A February 28, 2011 structural evaluation of the existing residence performed by Larson Engineering, Inc. (Attachment C) identified one unsafe or dangerous condition: bowing in the foundation. The report concluded that the foundation needed reinforcement to prevent the possibility of its collapse. The Applicant feels that the condition of the foundation warrants replacement.

d2. REASONABLE ALTERNATIVES TO DEMOLITION

Reasonable alternatives to demolition exist. Both the existing and proposed uses are single family residences. The Zoning Code permits single family residences on this lot. Rather than demolishing the existing single family residence, it could be reused.

d2a. SIGNIFICANCE

The subject property's period revival architecture and its place within the neighborhood's development pattern make it appear to contribute to the significance of the Minnehaha Parkway potential historic district. The subject property does not, however, appear to individually meet any of the significance criteria that would qualify it for designation as an individual Landmark.

Criterion 1. The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.

The property does not appear significant under criterion 1. Staff has uncovered no sources that indicate that historically significant events occurred at the subject property.

Criterion 2. The property is associated with the lives of significant persons or groups.

The property does not appear significant under criterion 2. In 1929 A.W. Sorenson constructed the residence at 5308 Fremont Ave S. for R.H. Reinhold.¹ Rudolph H. Reinhold and his wife Eva lived at 5308 Fremont Avenue South until 1968.²

At the time the home was built, Rudolph was a salesman for the Fuller Brush Company and Eva was a teacher at Washburn High School.³ Rudolph lived in Minneapolis for the final forty years of his life. A short obituary in the *Minneapolis Sunday Tribune* identifies his employment with Butler Brothers and his membership in Temple Baptist Church and the Old Guard.⁴ These characteristics do not indicate that this gentleman was historically significant to the city, state, or nation.

In 1968 Eva M. Reinhold sold the subject property to Mr. Ints Busevics, who lived there until his death in 2010.⁵ Busevics was born in Riga, Latvia in 1929, the same year that the residence at 5308 Fremont Avenue South was built. In 1949 Busevics emigrated to the United States. After schooling at Augsburg College and the University of Minnesota, Busevics found employment at Tennant Company as a Design Engineer.⁶ While Busevics was undoubtedly successful, sources do not indicate that he was historically significant.

Criterion 3. The property contains or is associated with distinctive elements of city or neighborhood identity.

The property does not appear individually significant under criterion 3. The home is representative of the neighborhood's development. The building is a small single family residence built during interwar years and situated in close proximity to Minnehaha Creek. In *Where We Live: The Residential Districts of Minneapolis and St Paul*, Judith Martin and David Lanegran's study of Minneapolis' residential development, he authors identify the area around the subject property as a prewar amenity zone. In this zone development sprang up around natural amenities like lakes, streams, and open space.⁷ The home was one of the neighborhood's residences whose construction prompted Thomas Lowry's trolley company to build a bridge over Minnehaha Creek, which in turn accelerated growth of residential construction south of the creek.⁸

¹City of Minneapolis Building Permit #B212706, 5308 Fremont Avenue South;

² Abstract Index, Lot 22, Block 2, Clarkes Harriet Park 2nd Division Addition to Minneapolis, Hennepin County Office of the Examiner of Titles, Minneapolis, MN.

³ *Minneapolis City Directory*, 1929.

⁴ "Rudolph H. Reinhold," *Minneapolis Sunday Tribune*, 9 August 1959.

⁵ Abstract Index, Lot 22, Block 2, Clarkes Harriet Park 2nd Division Addition to Minneapolis, Hennepin County Office of the Examiner of Titles, Minneapolis, MN.

⁶ "Busevics, Ints," *Minneapolis Star-Tribune* 29 August 2010.

⁷ Judith Martin and David Lanegran, *Where We Live: The Residential Districts of Minneapolis and St Paul* (Minneapolis: University of Minnesota Press, 1983) 115-123.

⁸ John W. Diers and Aaron Isaacs, *Twin Cities by Trolley. The Streetcar Era in Minneapolis and St Paul* (Minneapolis: University of Minnesota Press, 2007) 253-256, 323.

These attributes alone do not qualify the home for designation as a Landmark under criterion 3, however.

Criterion 4. The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.

5308 Fremont Avenue South is a modest example of the Tudor Revival style. The building possesses multiple gables on its front and sides, stucco wall cladding, a Gibbs surround, multi-pane windows, and a massive chimney featured prominently on both the roof and front façade. Its small size and lack of other characteristic Tudor features, such as half-timbering and high peaked roofs, do not make it an exemplary representation of the Tudor style in a specific way.

The architectural design also has characteristics of Bungalow architecture and as such it has a strong association with a period of cross-pollination between both styles. This hybrid style is underrepresented in Minneapolis.

Individually, it does not appear eligible for designation as a Landmark based upon its architecture, but it may have merit as part of a potential historic district.

Criterion 5. The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.

The lot in question possesses commonplace trees, shrubs, and grass. These elements are not part of a unified landscape design. The deciduous tree in the rear yard may date back to the property's early days and may thus contribute to the significance of the property, but the tree alone does not constitute a landscape design or development pattern.

Criterion 6. The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.

The property does not appear significant under criterion 6. Contractor A.W. Sorenson constructed the residence at 5308 Fremont Ave S. for R.H. Reinhold in 1929.⁹ Federal census records indicate that Andrew W. Sorenson was born in 1867 in Denmark.¹⁰ Sorenson worked in the construction industry in Minneapolis for a number of years and was successful enough to have worked as an independent contractor.¹¹ There are likely more than a few other extant buildings that Sorenson constructed, in whole or in part. In any event, the subject property does not exemplify the work of a master builder. The subject property has few architectural flairs, the most notable being a brick Gibbs

⁹City of Minneapolis Building Permit #B212706, 5308 Fremont Avenue South;

¹⁰ Year: 1930; Census Place: *Minneapolis, Hennepin, Minnesota*; Roll: 1094; Page: 21B; Enumeration District: 136; Image: 267.0. Ancestry.com, 1930 United States Federal Census [database on-line], Provo, UT, (USA: Ancestry.com Operations Inc, 2002), Original data: United States of America, Bureau of the Census, *Fifteenth Census of the United States, 1930*. Washington, D.C.: National Archives and Records Administration, 1930. T626, 2,667 rolls.

¹¹ Minneapolis City Directory, 1928-1931.

surround. It is worthwhile to note that Sorenson's accomplishments have not merited mention in Larry Millett's *AIA Guide to the Twin Cities* nor has the Northwest Architectural Archives collected plans or information about this builder.

Criterion 7. The property has yielded, or may be likely to yield, information important in prehistory or history.

The subject property has not yielded information important in prehistory or history. Records available at the Minnesota State Historic Preservation Office indicate that no archaeological sites have been identified on the subject property nor have any archaeological surveys been conducted on or near the property in question.

The subject property is not likely to yield information important in prehistory. The subject property is located just over 500 feet from Minnehaha Creek and a former pond just southwest of the site.¹² Sites in close proximity (generally five hundred feet or less) to bodies of water have a higher than average potential to include archaeological evidence of precontact human habitation, since bodies of water generally serve as sources of water, food, and transportation.

The subject property is not likely to yield information important in history. Building permit records do not indicate the presence of buildings onsite prior to the construction of the present building in 1929.¹³ City records indicate the lot was connected to the municipal sewer system in 1934.¹⁴ While there is a chance that the lot contains privy vaults bearing archaeological evidence, it would only be from a very limited period of time (no more than five years). Other archaeological sources of information such as sheet refuse (general surface trash scatters that accumulate over time), trash pits, and builder's trenches may still be present on the lot, but the few alterations to the property and limited number of owners make such information less likely to be significant. Also this sort of evidence is generally found in the backyards of residences, but the rear yard of this property has been impacted by a driveway. For these reasons, the subject property is not likely to yield information important in history.

d2b. INTEGRITY

The subject property retains integrity, as evident in its retention of all seven aspects of integrity.

Location: The building remains in its original location, indicating the building maintains integrity of location.

Design: With the exception of a 12' x 12' deck added to the rear of the residence in 2001, the building's exterior design has not been altered since its date of construction.

¹² U.S. Surveyor General's Office, *Minnesota Public Land Survey Plat Map*, Township 28 N, Range 24 W, 4th Meridian, 1876 [<http://www.mngeo.state.mn.us/glo/Index.htm>] accessed 11 February 2011.

¹³ City of Minneapolis Building Permit Index Card, 5308 Fremont Avenue South.

¹⁴ City of Minneapolis Public Works and Engineering Sewer and Water Connections Inspection.

Setting: The property's integrity of setting remains intact. The building remains on a block dominated by single family residences, the majority of which are from the same time period.

Materials: Apart from replacements of composition shingles in 1985 and 1999, building permit records indicate no other exterior material changes on the building.

Workmanship: Integrity of workmanship is evident in the existing chimney and matching brick Gibbs surround.

Feeling: The building's exterior has changed extremely little, giving the residence a strong feeling of a 1929 residence.

Association: The building retains the look of a small, 1929 Tudor Revival residence characteristic of the neighborhood, thus it retains integrity of association.

d2c. ECONOMIC VALUE OR USEFULNESS OF THE EXISTING STRUCTURE

The Applicant has *not* demonstrated that the building in question has no economic value or usefulness. The Applicant notes that the property costs \$190,000. The Applicant states that the foundation is in need of replacement, and that such a replacement would cost \$35,000. This aggregate (\$225,000) exceeds the average of comparable real estate listings (\$197,523) by \$27,477, according to a February 18, 2011 analysis prepared by Nathan Plasch (Attachment C). This amount does not take into consideration the cost of the proposed demolition, valued at \$5000 by wrecking contractor J.S. Stewart Companies, Inc., and the cost of constructing a new residence onsite, not submitted by the Applicant. The building only has two bedrooms and one bathroom, but an analysis of comparable real estate listings prepared by Nathan Plasch indicates a number of residences in the area of a similar size that have sold recently. The building in question is unusual in that it has had only two sets of owners during its eighty-two year existence. Clearly, the property had enough economic value and usefulness for two owners to retain it for roughly eight decades.

E. PUBLIC COMMENT

Staff has received one comment letter as of the date of publication of this staff report. The writer, Chris Strom, indicates that he seeks to purchase the home from its current owner and remodel it for use as his family's primary residence (Attachment D).

F. APPLICABLE ORDINANCES

Chapter 599. Heritage Preservation Regulations

ARTICLE V. DESIGNATION

599.210. Designation criteria. The following criteria shall be considered in determining whether a property is worthy of designation as a landmark or historic district because of its historical, cultural, architectural, archaeological or engineering significance:

- (1) The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.
- (2) The property is associated with the lives of significant persons or groups.
- (3) The property contains or is associated with distinctive elements of city or neighborhood identity.
- (4) The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.
- (5) The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.
- (6) The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.
- (7) The property has yielded, or may be likely to yield, information important in prehistory or history.

599.230. Commission decision on nomination. The commission shall review all complete nomination applications. If the commission determines that a nominated property appears to meet at least one of the criteria for designation contained in section 599.210, the commission may direct the planning director to prepare or cause to be prepared a designation study of the property. In cases where an application for demolition is initiated by the property owner, the planning director may determine that the property owner bears the full financial responsibility of conducting the designation study. In all cases, the planning director shall define the scope of services for a designation study, review qualifications of agent conducting study and make a determination of what constitutes a final submission upon completion.

599.240. Interim protection. (a) Purpose. Interim protection is established to protect a nominated property from destruction or inappropriate alteration during the designation process.

(b) *Effective date.* Interim protection shall be in effect from the date of the commission's decision to commence a designation study of a nominated property until the city council makes a decision regarding the designation of the property, or for twelve (12) months, whichever comes first. Interim protection may be extended for such additional periods as the commission may deem appropriate and necessary to protect the designation process, not exceeding a total additional period of eighteen (18) months. The commission shall hold a public hearing on a proposed extension of interim protection as provided in section 599.170.

(c) *Scope of restrictions.* During the interim protection period, no alteration or minor alteration of a nominated property shall be allowed except where authorized by a certificate of appropriateness or a certificate of no change, as provided in this chapter. (2001-Or-029, § 1, 3-2-01)

ARTICLE VIII. HISTORIC RESOURCES

599.440. Purpose. This article is established to protect historic resources from destruction by providing the planning director with authority to identify historic resources and to review and approve or deny all proposed demolitions of property.

599.450. Identification of historic resources. The planning director shall identify properties that are believed to meet at least one of the criteria for designation contained in section 599.210, but that have not been designated. In determining whether a property is an historic resource, the planning director may refer to building permits and other property information regularly maintained by the director of inspections, property inventories prepared by or directed to be prepared by the planning director, observations of the property by the planning director or any other source of information reasonably believed to be relevant to such determination.

599.460. Review of demolitions. The planning director shall review all building permit applications that meet the definition for demolition to determine whether the affected property is an historic resource. If the planning director determines that the property is not an historic resource, the building permit shall be approved. If the planning director determines that the property is an historic resource, the building permit shall not be issued without review and approval by the commission following a public hearing as provided in section 599.170.

599.470. Application for demolition of historic resource. An application for demolition of an historic resource shall be filed on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160.

599.480. Commission decision. (a) *In general.* If the commission determines that the property is not an historic resource, the commission shall approve the demolition permit. If the commission determines that the property is an historic resource, the commission shall deny the demolition permit and direct the planning director to prepare or cause to be prepared a designation study of the property, as provided in section 599.230, or shall approve the demolition permit as provided in this section.

(b) *Destruction of historic resource.* Before approving the demolition of a property determined to be an historic resource, the commission shall make findings that the demolition is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the demolition. 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 up to one hundred-eighty (180) days to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it.

(c) *Mitigation plan.* The commission may require a mitigation plan as a condition of any approval for demolition of an historic resource. Such plan may include the documentation of the property by measured drawings, photographic recording, historical research or other means appropriate to the significance of the property. Such plan also may include the salvage and preservation of specified building materials, architectural details, ornaments, fixtures and similar items for use in restoration elsewhere.

(d) *Demolition Delay.* The commission may stay the release of the building, wrecking or demolition permit for up to one hundred-eighty (180) days as a condition of approval for a demolition of an historic resource if the resource has been found to contribute to a potential historic district to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it. The release of the permit may be allowed for emergency exception as required in section 599.50(b).

G. FINDINGS

1. The subject property's period revival architecture and place within the neighborhood's development pattern make it appear to contribute to the significance of the Minnehaha Parkway potential historic district. The subject property does not, however, appear to individually meet any of the significance criteria that would qualify it for designation as a Landmark.
2. The Applicant has not submitted information that demonstrates that demolition is necessary to correct an unsafe or dangerous condition on the property.
3. Reasonable alternatives to demolition exist.
4. The building retains integrity.
5. The Applicant has not demonstrated that the building in question has no economic value or usefulness.
6. The commission may delay a final decision for up to 180 days to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it.

H. STAFF RECOMMENDATION

CPED recommends that the Heritage Preservation Commission **adopt** staff findings and **delay** the demolition application of the property at 5308 Fremont Avenue South for 180 days until November 6, 2011 to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it.

ATTACHMENTS

- A. Staff Report – A1-A9
- B. Materials Submitted by CPED – B1-B2
 - 350' Zoning map – B1
 - 350' Land use map – B2
- C. Materials Submitted by Applicant – C1-C14
 - Application – C1-C11
 - Project plans – C12-C14
- D. Materials Submitted by Other Parties – D1