

BLOOMINGTON HISTORIC PRESERVATION COMMISSION

Showers City Hall

McCloskey Room

Thursday October 10, 2013

4:30 P.M.

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MINUTES** July 11, 2013, August 8, 2013
- IV. CERTIFICATE OF APPROPRIATENESS**
 - A. COA-19-13
939 West Kirkwood Owner Vivian Gray
Request to build a garage in the Prospect Hill Conservation District
- V. DEMO-DELAY**
- VI. NEW BUSINESS**
 - A. Changes to Rules and Procedures
- VII. OLD BUSINESS**
 - A. Plans to remove houses in University Courts
 - B. Title 8 Revisions Council Schedule Oct 23, 30
 - C. Report of Paint/Materials Committee
- VIII. COMMISSIONERS' COMMENTS**
- IX. PUBLIC COMMENTS**
- X. ANNOUNCEMENTS**
- XI. ADJOURNMENT**

Next meeting date is Thursday October 24, 2013 at 4:30 p.m. in the McCloskey Room

Posted: October 3, 2013

BLOOMINGTON HISTORIC PRESERVATION COMMISSION
Thursday July 11, 2013
Minutes

I. CALL TO ORDER

Meeting was called to order by Chairman Dave Harstad at 4:30 pm

II. ROLL CALL

Commissioners

Danielle Bachant-Bell
Doug Bruce
Jeannine Butler
Sandi Clothier
Dave Harstad
Chris Sturbaum

Advisory

Duncan Campbell

Staff

Lisa Abbott - HAND
Jacob Franklin - HAND
Patty Mulvihill - LEGAL
Nate Nickel - PLANNING

Guests

Paul Chambers
Bruce Storm
Steve Wyatt
Dennis Laffoon
Jenny Southern
Armiller Grubb

III. APPROVAL OF MINUTES June 13th, 2013

Jeannine Butler made a motion to approve the June 13th, 2013 meeting minutes. **Chris Sturbaum** seconded. Minutes Approved 5/0/1 (yes/no/abstain)

Question(s): **Sandi Clothier** notes page 4, line 2 of the June 13th 2013 minutes should

read as follows. It is a good size house, but is **packed** in to keep it in line with the surroundings.

IV. CERTIFICATE OF APPROPRIATENESS

COA-12-13

A. 828 South Woodlawn Owner: Stanley Ritchie STAFF APPROVAL
placement of a handrail on the front steps of a house.

COA-13-13

B. 1022 East 1st Street Owners Alan and Laura Bender
Removal of a metal awning entrance and creation of a permanent porch

Lisa Abbott gives her report. Paul Chambers the contractor explains he is building two limestone ashlar pattern columns on either end of the porch. Paul will be doubling the size of the porch from 5' x 7' to 10' x 7'. Paul notes the existing aluminum roof is falling apart and actually held down by a brick. He will be unfastening band board against the stone to raise the roof at the back of the porch 6" to change the pitch. The roof height as to the porch will be unchanged.

Question(s):

Chris Sturbaum asks if this is a flat roof or has a little pitch. Paul answers the roof has a pitch. Chris asks what type of materials he will be using. Paul answers the new roof will be asphalt shingles. Chris asks if it will have enough pitch to shingle. Paul explains it will have enough pitch to shingle. Chris suggests he use ice shield on such a low pitch. Paul explains there will be ice shield throughout the roof and the porch. Paul explains he has a roofer putting a new roof on the house and that is going to be done before he builds the porch. Chris asks if the columns will be 16" and if one will be against the house and one at the other end of the porch. Paul explains the pillars will be 16" and against the house with the other opposite. Chris asks if the gutter will be applied to the face of what will be the beam structure. Paul explains he will put drip edge and fascia metal behind the gutter so you wont see the wood.

Doug Bruce asks if he will run one new downspout to the far end column. Paul explains that he will be running a new downspout.

Public Comment:

Jenny Southern states the inventory of this property shows this house being built around 1945 due to the construction and patterns in the stone work.

Jeannine Butler states Nancy Hiestand reported this house was built sometime

after 1947, early 50's.

Question(s)/Comment(s):

Danielle Bachant-Bell has a question and a comment. Danielle Bachant-Bell states the BHPC always seems to have a drawing with a materials list that is not part of the record, to show what will be changed. Paul Chambers asks if this question is for him. Danielle states she is not sure who the question is for but that it is the responsibility of the applicant, it doesn't have to be from an architect. Danielle is surprised there is not some sort of list or drawing of work to be performed. Paul states there will be from now on as this is his time in front of the board. Danielle states that normally Nancy Hiestand would be telling the applicant what is to be brought before the board. Paul states that Nancy asked for a drawing or a photo, which he provided a photo, he is not an architect and for something that is so small he did not want to spend the money on an architect. Danielle states it doesn't have to be drawn by an architect but this group likes to have something other than verbal explanation. Lisa Abbott states that Nancy must have thought this was such a small change that a picture was acceptable. Danielle states that her second question was then if a verbalization on record is acceptable to the board for a passing of a COA as it was not always the case. Lisa states that she believes a common person can understand the design and work scope, as the Staff Person she is satisfied so it is up to the board.

Chris Sturbaum asks if the ceiling will be flat or angled with the roof. Paul Chambers states the ceiling will be angled with the roof. Paul is going to construct using 2"x 6" boards that will be 16" on center so it will be substantially stronger. Chris asks how long the beam will be. Paul states it will be 12' long which will be 2" x 10" treated lumber. Chris asks if he will just join the rafters into that beam and build a little projection out for the soffit and gutter. Paul answers yes the eve will match the rest of the house. Chris states it sounds sensible, sounds right.

Comments:

Jeannine Butler states this looks like a real improvement on the front of the house and makes the home look better and it will not interfere with what the house looks like.

Chris Sturbaum states that he agrees with Jeannine.

Sandi Clothier asks if the columns will be square and if they will be wrapped in a pattern that matches the other limestone work. Paul Chambers answers that is correct.

Danielle Bachant-Bell states that she doesn't think there is a problem with anything that has been said nor the design. She agrees that the common person can understand the picture of what will be constructed. She will say the board has had plenty of people come here and say one thing but do another and we have been very clear on making notes of what will be done in writing. If we do one thing for one applicant then

we should do it for all applicants.

Chris Sturbaum asks about the end view of the porch, so will you carry out the gable as it seems to have a triangle as the current porch. Paul answers the end view will follow the roof line and he will construct the overhang as the rest of the house.

Jeannine Butler makes a motion to approve COA-13-13 for 1022 E. 1st St. for a removal of a stoop and construction of a front porch, **Chris Sturbaum** Seconded. Motion Approved. 6/0/0 (yes/no/abstain)

Patty Mulvihill submitted Findings of Fact for COA-13-13:

1. The Commission finds that expanding the front stoop at 1022 E. 1st St. into a front porch will not detract from the historical character of either the house or the Elm Heights Historic District.
2. The Commission finds that the use of salvaged limestone with a rough face for the porch will match the texture and veneer of the attached house, which will ensure the new porch does not detract from the historic character of either the house or the Elm Heights Historic District.
3. The Commission finds that the expansion of the front stoop at 1022 E. 1st St. into a front porch will correspond with how the fronts of the homes were traditionally used in the Midwest, for entertainment and relaxation.
4. The Commission finds that while the loss of the current wrought iron support on the front stoop of the house at 1022 E. 1st St. is a loss, it is not one that will seriously harm or jeopardize the historic of either the house or the Elm heights Historic District.

Jeannine Butler makes a motion to approve findings of fact for COA-13-13 for 1022 E 1st St. **Chris Sturbaum** seconded. Motion Approved. 6/0/0 (yes/no/abstain)

V. DEMO-DELAY

A. 402 and 404 1/2 East 4th Street Partial-Demo Owner Bruce Storm.
Construction of a rear addition and a staircase to the west side of the house.

Lisa Abbott gives her presentation. Lisa adds that if the BHPC chooses to approve the demo-delay that it be contingent upon an approval from the BPW (Board of Public Works) for an encroachment onto the public right-of-way. Bruce Storm adds that they are trying to clean up the property and that there is no change to the architectural face of the property. Bruce thought it would be wise to come to the BHPC before going to the BPW for the handicap ramp. Bruce notes the BPW has helped with fixing sidewalks on both sides of the street. Bruce explains the design of the handicap ramps, the right-of-way setbacks of surrounding buildings. Bruce explains there have been two kitchen additions to the building for the two businesses. The back area between the two businesses has become the "slosh bucket" for mops and brooms for the kitchens. The

two cellar doors between the kitchens keep the supplies and food supplies for the two businesses. The employees have to exit out of their back doors, walk outside and around to gain entrance into the basement to get supplies. Bruce explains that he will square off the back of the building with an addition to internalize the entrances into the kitchens and basement of the two businesses as well as make the building more attractive. Chris Sturbaum asks if the supplies are delivered in the back of the building. Bruce explains the delivery trucks can unload in the back through the two doors. Bruce states this project will clean up an unsightly mess though none of this is seen from 4th St., you would have to come North on Grant St. to get a view of the area.

Comment(s):

Doug Bruce states he has helped Bruce with the project and that they have tried to keep add-ons in the back of the building and away from the street. The issue with the ramp is that typically you would have that type of ramp in the front and you would want everyone to enter in the same door. It is just not feasible on this project with the space they have to work with especially with the space they have for accessible parking, literally being in the back of the building, this is why the entrance will be made from the two windows on the side of the building anything other than that placement will be in the kitchen. The ramp will be constructed in a way that if it needs to be removed it can be removed. Doug would like to see Bruce retain the windows that will be removed. The back of the house has had a couple additions that were done some time ago which is a mess and unhealthy, this is a way to gain access to both businesses while maintaining the fact that you have two restaurants under one roof.

Questions(s):

Sandi Clothier asks that the people in the apartments above will have access to there apartments. Bruce explains that there will be a deck in order to raise the AC units and phone boxes off the ground. There will be a stairway coming down to the parking lot which is a safety feature for the apartments. A safety concern was raised by the tenants' parents that will be addressed with the deck leading straight to their vehicles as well as allows maintenance access to the AC units and phone boxes.

Chris Sturbaum asks if he sees a little roof in the west elevation of the entrance of the handicap ramp. Doug explains there is a bay there and that they are not adding or taking anything away. Chris asks if the door will be centered in the entrance. Bruce explains it will be centered as the doors will be wide so it will have to be centered. Chris states centering the door and making the door transom will make the door attractive and gain more interior light. Bruce asks Doug if there is room to make a transom door. Doug will have to check the structure. Chris states that the window might be 8' and with using a 6'8" door it will give you enough room at the top for a transom but if you use a short door it will not only look narrow but to short. Bruce notes while removing the aluminum awning they were able to salvage a beautiful stained glass window which would look

good with the door. Chris asks about the handrail finish and wonders if they will satin the handrail. Bruce states that the other building he has remodeled has a natural treated handrail. Chris states that the facade should be stained to make it like. Doug suggests the brand Sikens paintable stain. Bruce asks if he meant white like the second story of the building. Chris states yes.

Sandi Clothier asks if they are to be asking questions parcel by parcel or by the entire demo-delay. She is looking at the one building. A few people inform this is one building.

Jeannine Butler asks if the stairway heads to the back parking lot. A few people answer yes.

Comment(s):

Chris Sturbaum states all the railing will look better with a color that puts it in the contemporary age of the house.

Jeannine Butler made a motion that today, regarding the property located at 402 and 404 1/2 East 4th Street the Historic Preservation Commission (HPC) declares it:

- Got notice of proposed partial demolition.
- After today's discussion, sees no need to review the plans any further.
- Waives the rest of the demolition delay waiting period.
- Additionally the Demo-Delay passage will be incumbent upon the approval of encroachment from the Board of Public Works.

The HPC may later recommend the property for historic designation to the Common Council. **Sandi Clothier** seconded. Motion Approved. 5/0/1 (yes/no/abstain)

B. 308 North Rogers full demolition Owner: Bethel AME Church
demolition of a residential structure.

Lisa Abbott gives her presentation. Pastor of Bethel AME Church Dennis Laffoon states they were looking at possibilities of demolition and have found someone to do this at cost. Pastor Laffoon states he has met with the planning department to see about expanding their parking spaces, however they did not receive as many spots as they had hoped. He had then called Nancy Hiestand who suggested he contact Steve Wyatt, who presented other options. Pastor Laffoon states no one in the church specializes in this area and the house has been vacant for a significant period of time. They are concerned about the liability and the squatters as well as it is becoming an eye sore. The

church is open to the options they were presented and understand this property is designated as an historical sight or building and can not move forward with demolition with that designation still in place. Pastor Laffoon states they are asking for the designation be lifted so they can explore the other options and may move forward. Jeannine Butler states the house is not designated and Lisa Abbott concurs. Lisa states the property is on the list on the survey of historic structures. Lisa explains the procedures and possibilities the board may take. Duncan Campbell states this property is also on the national registered and is a contributing building. Chris Sturbaum states demolition delay gives this board a chance to consider each building before it is simply torn down.

Question(s):

Jeannine Butler asks where Steve Wyatt and his group are at on this building.

Steve Wyatt states he has looked at the house with Pastor Laffoon and noted it has been altered a good deal with the windows being replaced as well as some of the trim. Steve Wyatt states the form is still there and this is a solid house. He did not see much deterioration so the house is rehabitable if someone wants to do that. The building is not a good candidate to move as so much has been changed. His company seeks out buildings that are more in an original condition. Steve Wyatt suggested working with developers with a long term lease and paying a lease fee to the church or a land lease. He recognizes most people want to own the land the building sits on.

Chris Sturbaum states he thinks he just heard Steve Wyatt say that there was a way to do it onsite but BRI is not interested in that type of alternative. Chris states it sounds like the church has already thought this would not be a beneficial income for the church. Pastor Laffoon states at this point they have not been interested with the option of renting and rehabbing the building. If there is an option that presents itself they would be interested in hearing it out. Chris Sturbaum agrees as there will be a large cost upfront with small gains over a long period of time.

Sandi Clothier asks if you can't use it for much parking does the church want to get rid of it because of the liability issues and because they don't think they can make it work financially. Pastor Laffoon states in terms of numbers it would take 25 thousand for instance to bring the house up to a livable condition and they are not in the position to make that kind of investment and they have a company that is willing to perform the demolition at cost. Pastor Laffoon states they would like for a doable option to present itself to rehab the building which they could turn around and help someone however that option has not come forward. The church does not know what to do with it but they do know they can do more with the space than what the building is doing. Sandi Clothier states there is a Rental Rehab Program. Someone asks about squatters during Sandi's statement which Pastor Laffoon replies they have had squatters as the building is close to downtown. The church is very concerned about liability issues. Lisa Abbott states there is a Rental Rehab Program and that she spoke to someone from the church when she was a program manager in HAND. Lisa states the program is a match so every dollar HAND puts in the church would have to put in a dollar. Lisa stated they did a preliminary write

up and it was every bit of 25 thousand dollars back then which the church did not have the funds at the time to invest given the return would be fairly small. Pastor Laffoon states within the church the building is very old and the congregation is very young which is great for fellowship and worship but not so good for paying the bills. It would be a significant bite to try to even match HAND with the Rental Rehab Program.

Chris Sturbaum asks if they have considered selling the property or does the church not want to see the property go? Pastor Laffoon states they are not interested in selling the property as it is downtown and they can use the space. They are still looking for options with the space.

Sandi Clothier states they are not really trapped for time so if there are things that can be done there is time to explore options. Pastor Laffoon states they are not really trapped for time however the company that has offered to demolish the building are trying to fit them in between other jobs so they are really tied into the company's timeline. Sandi Clothier states in terms of the use of the land though it isn't useful as it sits would it be a viable rental property if it were rehabbed. Pastor Laffoon states if it was a doable situation they would be open to that. Sandi Clothier asks if it is gone do they have plans for the use of the land. Pastor Laffoon states the meeting with the City of Bloomington Planning Dept. was a week and a half ago and the outcome was a bit of a blow due to the amount of parking they could actually get out of the space. Pastor Laffoon states the park and the bike path on Rogers St. have taken the L shaped parking on the side. Even the 5 parking spaces that engineering allows would be valuable to the church.

Chris Sturbaum asks if we still have quorum if he leaves, Jacob Franklin replies we will retain quorum. Chris Sturbaum leaves the meeting at 5:35 pm

Danielle Bachant-Bell asks whether or not the Near Westside Neighborhood Association has been involved in anyway in working with the church. Pastor Laffoon states they have only been in contact with the City of Bloomington Planning Department and HAND. Lisa Abbott states technically this property is outside of the Near Westside Neighborhood boundaries therefore it would not have occurred to HAND to send the church anything.

Sandi Clothier states she is an Officer of the near Westside Neighborhood Association and invited Pastor Laffoon to a picnic that will take place in a week to discuss the churches plans. Jeannine Butler states it is not within the boundaries which Sandi Clothier concurs, but it is right across the street.

Duncan Campbell states years ago when the Johnson Creamery was renovated he worked for the developer and a deal was worked out with Pastor Laffoon's church where they could utilize the parking and asks if that was still in place. Pastor Laffoon states the deal was still in place. They are able to utilize the parking after 5pm on weekdays and then Saturday and Sunday. Duncan Campbell asks if it isn't adequate parking. Pastor Laffoon states there are only 17 parking spaces. Duncan states he was

talking about the entire lot. Pastor Laffoon states no. He is sure some of the congregation do park in the parking lot however he can not say for certain. Duncan Campbell asks if Pinnacle still owns the lot. Dave Harstad states no, person out of Oregon owns the property. Duncan Campbell states he knows the City looks favorably with shared parking. Duncan Campbell states the BHPC hates to see a house torn down. Even if the house is not in elite condition anymore, it means the space is no longer there and the house is kind of a place holder for the way the neighborhood looks. Duncan Campbell thinks there is some solution to be able to rehab the house. Duncan Campbell encourages Pastor Laffoon to look at every option as removing a house in a community has a price to the community. Pastor Laffoon states they really do not want to sit on this property for too long due to the company's schedule. Lisa Abbott asks what the time frame is for them to have the house removed. Pastor Laffoon states the company is wanting to have this project done by the end of July. Pastor Laffoon states the company needs to notify the state of asbestos and there plans for removal. Pastor Laffoon states he is not familiar with how the system works and is not sure how long or if the information has come back from the state. Lisa Abbott suggests the commission table their decision since Pastor Laffoon is meeting with the neighborhood association as well as looking at additional options for the property and building they are asking to be demolished.

Comment(s):

Doug Bruce states this is one of those compelling projects with two tough decisions. On one hand with the demolition, even of the John Nickels designed house this something that should not be taken lightly given the report Steve Wyatt presented. We have had a house or two on N. College we walked through that was structurally in bad shape. Here you have a house that is structurally sound, which is a tough call. Doug Bruce does appreciate the safety factor and the issues of cost especially for a young congregation that is extremely important in its history and its location. So it is a tough position and given the thoughts and discussion of what Steve Wyatt presented his inclination, is to allow the decision to be given more time, he would like to see the building and walk through it. Doug is thinking of ideas and people he could contact to see if they knew there was a potential for the building. Doug Bruce states they speak for the houses that can't speak for themselves to almost quote Danielle Bachant-Bell. Doug Bruce is in favor of tabling the decision in order to assist Pastor Laffoon at the next meeting in doing something with the property as well assist in doing something before the next meeting.

Jeannine Butler states she agrees with Doug Bruce and would like to point out that the house was not designed by Mr. Nickels the Church was (Bethel AME Church). Doug Bruce states he knew the Church was designed by Mr. Nickels and thought the house was as well. Jeannine Butler states she understands the church congregation being up against the wall with money as she does not know of very many churches that aren't. She would like to have another 30 days for Pastor Laffoon to be able to see if other opportunities are available. If the demolition company is talking about the end of July this board meets again on the 11th day of August, 2013 she believes. Jacob Franklin states he would need to check the meeting schedule, which would be the 25th day of July, 2013.

Jeannine Butler states if there is a meeting. Lisa Abbott states as of today we have received no applications. Jeannine Butler suggests that two weeks is not sufficient time to come back with other options for the demolition. Jeannine Butler states to have someone come in and rehab a house and not own the land is problematic even if you have a 50 or 100 year lease. These are things that Pastor Laffoon will hopefully have time to look at.

Sandi Clothier states that she agrees with what has been said and as a member of the Near Westside and a neighbor that she is in contact with a number of people in the neighborhood who have held discussion of how to preserve and protect their neighborhood.

Danielle Bachant-Bell agrees with previous comments. She would like to see if there is a way to gain income for the church through the leasing of the property. Danielle Bachant-Bell states it would be wonderful if the community could come together and work on this house rather than having a demolition company come in and say they would take the building down at cost, throw the waste in a land fill and have more of a negative impact on the environment, that instead the community came together to help this church and created housing for low income people which she would think the church would favor as well as income for the church which would be so much more positive.

Danielle Bachant-Bell makes a motion to table the decision for 308 North Rogers full demolition Owner: Bethel AME Church for 30 days. **Jeannine Butler** seconds. Motion Approved. 5/0/0 (yes/no/abstain)

VI. NEW BUSINESS

Plans to remove houses in University Courts

Patty Mulvihill gives her presentation.

Generally speaking cities gain their authority to act and regulate via the Indiana Home Rule Act.

This Act limits a city's power in two ways:

1. A city cannot exercise any power that is expressly granted to another governmental entity (Ind. Code 36-1-3-5(a)(2)).
2. A city cannot regulate conduct that is already regulated by a state agency (Ind. Code 36-1-3-9(a)(7)).

The State General Assembly has given the power to alter, demolish or remove historic structures owned by a State Education Institution to the State Institution itself. These institutions do not require approval to demolish one of their historic structures, there only requirement is to notify the public that they are demolishing one (Ind. Code 14-21-1-18.4(f) and 14-21-1-18.6(b)).

In the Vincennes case, the city tried to argue two things, both of which are incomplete

understandings of how courts have interpreted the Indiana Home Rule Act. First they argued that since Ind. Code 36-7-11 (where we get our authority to adopt a historic preservation ordinance) does not exclude state universities from a local commission's review, universities are inherently subject to the local commission's review. They next argued that the local ordinance did not conflict with Ind. Code 14-21-1-18.4 (the state law regulating how university demolish their historic structures), but was rather an added supplemental and extra step, and thereby permissible.

The arguments raised by Vincennes are flawed when the court decisions on the Indiana Home Rule Act are read in their entirety. One case shows why Vincennes was flawed and why the City of Bloomington can't regulate IU historic property. An Attorney General Opinion also reached the same type of conclusion.

INDR v. Newton County, was a case where a county passed an ordinance which required anyone, including a State agency, who wanted to purchase more than 20 acres of land in their county to jump through a variety of hoops. The DNR purchased 120 acres in that county to use as a bird habitat and the County filed suit against the DNR for violating its ordinance. The court held that the "extra steps" were not supplemental but were "frustrations of the actual State law". The court held that a particular state law (the Game Bird Habitat Act) expressly granted the DNR the power to acquire land and that only this act could regulate how the DNR acquired the land, the county could not create additional hoops to pass through. The Court held that the extra hoops exceeded the county's power under the Home Rule Act.

In 2008 the A.G. was asked if a city could pass an ordinance pertaining to red light camera enforcement. The A.G. held that the State law already fully covered the procedure for which automobile violations were handled and any additional steps added by a city were outside of the city's jurisdiction and violated the Home Rule Act.

Discussion is held on zoning, purchasing and selling of the property BETWEEN Indiana University, Bloomington and Fiji Fraternity House.

Discussion is held of previous encounters between the BHPC and Indiana University, Bloomington.

- VII. OLD BUSINESS**
 - A. Title 8 Revisions
 - B. Report of Paint/Materials Committee
- VIII. COMMISSIONERS' COMMENTS**
- IX. PUBLIC COMMENTS**
- X. ANNOUNCEMENTS**
- XI. ADJOURNMENT**

Jeanine Butler moves to adjourn. Meeting Adjourned at 6:45 pm

BLOOMINGTON HISTORIC PRESERVATION COMMISSION
Thursday August 8, 2013
MINUTES

I. CALL TO ORDER

Meeting called to order by Chairman Dave Harstad at 4:30 pm.

II. ROLL CALL

Commissioners

Danielle Bachant-Bell	Leaves meeting at 6:25 pm.
Jeannine Butler	
Sandi Clothier	Leaves meeting at 5:53 pm.
Marjorie Hudgins	
Dave Harstad	
Chris Sturbaum	
Doug Wissing	Leaves meeting at 6:20 pm.

Advisory

Chris Cockerham	Leaves meeting at 6:20 pm.
John Saunders	Leaves meeting at 6:20 pm.
Eric Sandweiss	Leaves meeting at 5:43 pm.

Staff

Nancy Hiestand – HAND	
Lisa Abbott – HAND	Leaves meeting at 6:20 pm.
Jacob Franklin – HAND	
Patty Mulvihill – LEGAL	Leaves meeting at 6:20 pm.
Justin Wykoff – ENGINEERING	

Guests

Dirk Fraser
Teri John
Armiller Grubb
Pastor Dennis Laffoon

III. APPROVAL OF MINUTES

No Minutes to approve

IV. CERTIFICATE OF APPROPRIATENESS

COA--32-12 Amendment

A. 317 South Jackson Street Owner Fraser
Request to modify the roof type and a change in the location of the salvaged window.

Nancy Hiestand gives her presentation. Dirk Fraser explains he has nothing to add.

No Questions or Comments

Jeannine Butler makes a motion to approve **COA-32-12 Amendment** for 317 South Jackson Street for a request to modify the roof type and a change in the location of the salvaged window, **Sandi Clothier** Seconded. Motion Approved. 6/0/1 (yes/no/abstain)

Patty Mulvihill submitted Purposed Findings of Fact, 317 South Jackson Street,
COA- 32-12:

1. The Commission finds that adding a window to the accessory structure to the west side of the accessory structure will not detract from the historic nature of the overall property or the Prospect Hill Historic District.
2. The Commission finds that changing the location of the pedestrian door on the accessory structure is appropriate and that it does not detract from the historic nature of the overall property or the Prospect Hill Historic District.
3. The Commission finds that the proposal presented for the accessory structure is consistent with the Prospect Hill Historic District.

Marjorie Hudgins makes a motion to approve findings of fact for **COA-32-12 Amendment** for 317 South Jackson Street. **Danielle Bachant-Bell** seconded. Motion Approved. 6/0/1 (yes/no/abstain)

COA-14-13

B. Park Street between 7th and 8th Streets University Courts
Owner COB Public Works Representative Justin Wykoff
Request to blacktop small areas of gravel including utility cuts and gutters, in order to stabilize the road bed over the winter, prior to brick restoration in 2014.

Nancy Hiestand gives her presentation. Justin Wykoff states February 12, 2014 they hope to have a named contractor from INDOT to start the work. Justin explains they will use the brick that was salvaged from previous work. Justin explains Engineering has worked with Vectren and Utilities with all the work having taken place, water and sewer, so there is no reason for anyone to make cuts or dig unless something odd happens. Justin states they will be patching and not paving the street as they want to only fill in the bad spots with asphalt to help stabilize the street through the winter. Jeannine Butler asks if the asphalt will go past the sidewalks on 7th Street. Justin explains the asphalt will go to the curb line of 7th Street. Chris Sturbaum asks if they will be paving the intersection. Just explains they will only pave up to the curb line of 7th Street. Justin states they will be refurbishing the intersection of 8th Street as well as all the approaches. Chris asks if they have enough brick. Justin states they saved all the old brick and have all the new

brick stored at another location. Chris asked if they will mix the new and old bricks. Justin states they plan on using the old brick to make repairs to the other sections of the street as needed. Justin states even though side by side the new and old bricks are an 1/8" off which will leave to much of a joint. As far vehicles are concerned everything is good it is just that the tighter the joints the longer the road lasts, that is why the road has been there all these years. Nancy asks what will happen to the pattern of the brick. Justin states they will keep the same pattern. Nancy states that was a neat engineering feat. Justin states there is a book from 1910 or 1912 that has the reasoning for the pattern with all the turning movements. Jeannine Butler states the intersection at 8th and Fess has held up well. Justin states 8th and Woodlawn have also held up well. Chris Sturbaum states that generations will appreciate what they are doing today with these streets. Justin states Engineering has met with the State Historic Preservation Office in December 2012 with all the work being approved and has submitted the work to INDOT to the ERMS (Electronic Records Management System), everything has to be submitted 4 months in advance to INDOT. Justin states they are trying to shoot for September to have everything turned in. Justin states Engineering is waiting to hear from INDOT.

Question(s):

Marjorie Hudgins asks to change on the purposed findings and facts from South Park to North Park.

Comment(s):

Marjorie Hudgins comments she is glad to see it happen and that they have been waiting probably 15 years to have the brick replaced.

Danielle Bachant-Bell makes a motion to approve **COA-14-13** for Park Street between 7th and 8th Streets University Courts request to blacktop small areas of gravel including utility cuts and gutters, in order to stabilize the road bed over the winter, prior to brick restoration in 2014, **Sandi Clothier** Seconded. Motion Approved. 7/0/0 (yes/no/abstain)

Patty Mulvihill submitted Purposed Findings of Fact, Right-of-Way at 300 Block of North Park Avenue and Intersection of 8th and Park Avenue, **COA-14-13**:

1. The Commission finds that it is necessary and prudent to stabilize the portions of the street described in the Staff Report with a layer of asphalt, with the understanding that this stabilization is temporary and that the already approved brick restoration will occur during the 2014 calendar year.
2. The Commission finds that while the use of asphalt is generally not acceptable under the restrictions imposed by Title 8 of the Bloomington Municipal Code on the areas described in the Staff Report, the commission supports the temporary use of the asphalt so that the final restoration and replacement of the historic brick roadways can actually be made to occur.

Marjorie Hudgins makes a motion to approve Purposed Findings of Fact for, **COA-14-**

13: Right-of-Way at 300 Block of North Park Avenue and Intersection of 8th and Park Avenue, **Jeannine Butler** seconded. Motion Approved. 7/0/0 (yes/no/abstain)

COA-15-13

C. 325 South Rogers Owner Lynn John STAFF APPROVAL
Request to rebuild a dry stone wall on the Prospect Street side.

Nancy Hiestand gives her presentation. Chris Sturbaum states they talked with neighbors with the general consensus that the wall was acceptable. Chris states he wanted to make sure the Commission kept the precedent that they could have had the work stopped or torn out.

V. **DEMO-DELAY**

A. 308 North Rogers full demolition Owner: Bethel AME Church demolition of a residential structure.

Nancy Hiestand gives her presentation. On July 30th 2013 **Dave Harstad**, **Jeannine Butler** and **Sandi Clothier** met with Pastor Laffoon on site for a walk through of the building Bethel AME Church is requesting be demolished. Nancy states the house was built prior to the Church in 1922 which does not appear on the 1913 Sanborn, it does appear in the 1927 Sanborn, Nancy is dating the house around 1913 – 1916. Upon research with the City Directory it appears a gentleman who was not associated with the church resided at the house for 4-5 years prior to the Bethel AME Church, being constructed. In 1927 there was a series of pastors whom resided at 325 S. Rogers according to directories the house has been vacant since 2000 and appears to have been used as a rental from 1983-2000 when it was again vacant. The Rev. R.S. Jones was the last pastor to live in the house in 1977. The house was vacant from 1978-1982, again vacant in 1985 and 1991-1995 and then after 2000 so it has been a difficult property. Nancy states an inspector prepared a write up and walked through the house with the Commission members. The inspector estimated the repairs of the house being around \$30,000 to \$40,000 thousand dollars. The building is fairly stable with exception to a bathroom addition which shows this house having severe rot under the siding. The finish work on the interior is problematic with original and replacement craftsmanship. The house does not have an historical feel on the inside according to Nancy. The exterior windows have all been replaced. The siding is now vinyl. Nancy sent Pastor Laffoon a package of incentives for commercial, rental and low income rehabilitation. Dave Harstad adds that he took a quick measurement of the house and shows it to be about 750 sqft. over an old basement. Jeannine Butler states Nancy did a good job assessing what she saw. Pastor Laffoon states the Church is looking over the packet Nancy forwarded to them.

Question(s):

Eric Sandweiss asks for a sense of what the house means to the congregation. Pastor Laffoon states they are a young and transit congregation in a very old building.

Most of what comes in is spent on the repair and maintenance of the Church. The Church will not be putting a pastor in the home. Pastor Laffoon states he has a family of 5 and will not be placed in that parsonage. The home has not been used for anything for some time.

Chris Sturbaum asks Steve Wyatt if there was any interest in moving the building. Steve Wyatt states there was none.

Sandi Clothier asks pastor Laffoon if they are most interested in demolition. Pastor Laffoon states they want demolition as a last resort and welcome any opportunity to work with anyone who has the resources and knowledge to walk the church through the restoration. Pastor Laffoon reiterates they are a young and transit congregation with no professionals with the knowledge to repair the house.

Jeannine Butler asks if someone showed up with the funds to repair the house, would the church be willing to sale off the parcel. Pastor Laffoon states they are not interested in selling the parcel.

Chris Cockerham asks if the \$30,000 dollar assessment was just to make the house rentable or if it included any cosmetics. Nancy states it was just to bring the house up to a rentable status.

Dave Harstad states it is such a simple property, you start with the electric panel, new bath, kitchen and all new HVAC as the property has only a "very old gas furnace". Lisa Abbott states there is a foundation problem with the back of the house which would cost a substantial amount of money.

Doug Wissing states if this house was to be brought up to a rentable state with attractive cosmetics and landscaping there certainly is a market for this type of house. This isn't worth doing without attractive cosmetics.

Chris Sturbaum states they need all systems at this point i.e. roof, exterior and foundation. The foundation alone would put this at around \$25,000 alone.

Lisa Abbott states she only asked the inspector to assess what it would take to bring this house up to a rentable status.

Danielle Bachant-Bell asks Pastor Laffoon if he is interested in having this delayed further to explore more opportunities or a chance to explore and work on some of the scenarios. Pastor Laffoon states he is not interested wasting anyone's time and unless there are solid, substantial recourses there is no reason to delay conversation. Pastor Laffoon is willing to pursue rehab but no one has came forward with the resources or knowledge.

Doug Wissing states he is just now thinking of resources and people he could reach out to and would like some time to get to these resources and see if they are

interested. Pastor Laffoon emphasizes the initial reasoning for demolition was for parking and creating more space for parking. After meeting with Engineering and realizing only 5 more parking spaces, they are now seeing what they can do with this building now that parking is off the table.

Chris Cockerham asks if Pastor Laffoon has received an estimate on demolition. Pastor Laffoon states it was around \$13,000.00 which was at cost and the cost for the Church.

Dave Harstad understands the Church does not have the time or energy to serve as a general contractor on this project. Pastor Laffoon states no. Dave asks if there is some amount of money the Church could put in to rehab the house like the \$13,000 to demolish. Pastor Laffoon states they would be willing to put the same money in to rehab as to demolish. Dave asks if the Church would be interested renting the property as an office or residential would the Church be willing to take some rental income to repay the money a third party would invest. Pastor Laffoon states they think they would be open to the idea.

Comment(s):

Eric Sandweiss states he is not ready to advise designation and is excited about learning the history of the property.

Doug Wissing agrees with Eric and states this could become an asset to the Church and the community yet would need more than \$30,000 but it could be rethought and redone which long term could add something to the coffers.

Chris Sturbaum states he wishes he was hearing the church needed the space as an office but he thinks they have enough space in the Church. Pastor Laffoon states that they would love more space however with the transient congregation they are contained to the space they have. Chris states he remembers delivering newspapers to the house even then it was an eyesore and wasn't impressive to him then. Chris can see the desire to make the house go away. Chris states there may be some future for the house but he can not see the Commission designate the house. He doesn't seem like giving more time as a problem either. Chris states the numbers aren't working to well.

Sandi Clothier states it is unfortunate there aren't groups in town willing to rehab places like this as it seems very doable. Sandi states she is torn on one hand as it makes sense to allow the demolition permit to move forward and unless something happens it will not help the church in time to make a difference for this property. Sandi states putting them in limbo for a long time without having a solid solution does not make sense. Sandi thinks it would be terrific to make something happen with this house by having it advertised and see who would be willing. Sandi understands they do not want to have something sitting there that is a liability.

Jeannine Butler states she is in a lot of ways were Sandi is in thinking of this

property. Jeannine states she agrees with Chris and after walking through the house she doesn't see any reason to designate the house. Jeannine asks Nancy if the Commission was to not act would the permit be released after 90 days to allow demolition. Nancy states yes, if no action is taken then after 90 days the permit could be released and the demolition would be allowed.

Marjorie Hudgins states it is unrealistic to think and ask to have this house preserved. Marjorie suggests pastor Laffoon contact James Stewart to ask his advice on the property.

Chris Cockerham states this is a tough decision as he thinks this house would rent all day if it was rehabbed. Chris sees value however you have to be careful how much you spend to realize the gain.

Danielle Bachant-Bell states we don't have to vote which would show it is ok to demolish the house. Danielle states just one month later she still hears the possibilities of ideas and discusses the possibilities to help the Church. Danielle states the purpose of Demo Delay is to try and find other solutions. Danielle states it seems a shame to not try and help the church. Danielle states she has a hard time writing something off especially when she hears of income potential, there is no income potential if nothing is there. Danielle states it is an investment that will take time to realize gain. Danielle states what happens when all the others in town come to the board and state they don't have the money to fix a place up and that they want to just demolish it. Danielle states it seems like a good example of how the Commission could help small homes, help a nonprofit, help a long standing community leader, this is a different case then your average rental income.

Dave Harstad Thanks Pastor Laffoon and the congregation for their hard work and they have been wonderful to work with as this is the third time they have met with the Commission. Dave states he has no problem releasing this property for full demolition as he doesn't think through inaction or clearly not voting to move it forward are good ideas. There is a big difference in helping others and compelling others to help themselves. Dave gives options for how money could work in the churches favor.

Jeannine Butler adds if the house sits as it is then the commission will be looking at demolition for neglect which she would not want to see how the house will look in 5 years.

Jeannine Butler made a motion that today, regarding the property located at 308 North Rogers Street for full demolition the Historic Preservation Commission (HPC)

declares it:

- Got notice of proposed demolition, and,
- After today's discussion, sees no need to review the plans any further, and,
- Waives the rest of the demolition delay waiting period.

The HPC may later recommend the property for historic designation to the Common Council. **Marjorie Hudgins** seconded. Motion Approved. 5/0/2 (yes/no/abstain)

VI. NEW BUSINESS

No New business

VII. OLD BUSINESS

A. Plans to remove houses in University Courts

Eric Sandweiss and Dave Harstad present letters they drafted and or revised to the Commission for their review to send to various Indiana University Officials. Discussion is held. General consensus is approval of the letters contents.

Lisa Abbott and Patty Mulvilhill concur and state that Mayor Kruzan should review the contents of the letter prior to using City of Bloomington Letter Head. General consensus is approval.

B. Title 8 Revisions

To be reviewed in the next meeting

C. Report of Paint/Materials Committee

VIII. COMMISSIONERS' COMMENTS

No Commissioners' Comments

IX. PUBLIC COMMENTS

No Public Comments

X. ANNOUNCEMENTS

No Announcements

XI. ADJOURNMENT

Meeting adjourned at 6:25 pm.

Summary:

Construction of a new two car garage in the Prospect Hill Conservation District

COA-19-13

**929 West Kirkwood
Prospect Hill Historic District
Owner Vivian Gray Bridgwaters**

Zoning RC

105-055-64334 C

929 House; Gable Front Cottage, c.1920 NR



This residential property is located within the boundaries of the Near West Side National Register District and the Prospect Hill Conservation District. Rose Hill Cemetery is located just to the west of this lot. In a Conservation District only new construction of a building, moving or demolition within the district is reviewed.

The owner is planning several modifications to the property. The new construction of a two car garage falls within the purview of the Commission.

This is a 147' lot which is about 30 feet deeper than the standard lot. It is narrower than the standard by about 15' (147'x 45.5').

The house is a modified pyramidal cottage. It has been sided with vinyl and has an enclosed porch. It carries the

form and massing of housing in the district generally but not the architectural integrity. This request is only for a review of a new garage behind the house.



There is a structure behind the house that is actually attached to it as is seen in these photographs. The location of the new garage will be to the south, behind the house and will load off of a north-south alley that runs along the east side of the house. This is set an appropriate distance from the front of the house and should be obscured from Kirkwood. The garage is 20' in height (the

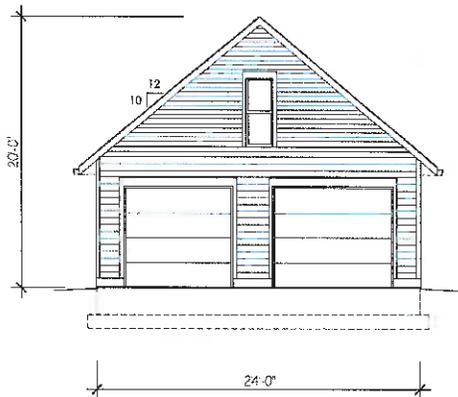
maximum for this zone), but will be 118' from the street frontage on Kirkwood.

The owner proposes building a 24x24' garage, which is large, but is a size previously approved at 725 West Howe in 2009. Since the house is sided with vinyl the owner will use vinyl siding but vary the width of the framing in order to better break up the mass of the building. There will be two windows and a pedestrian door, and two automobile



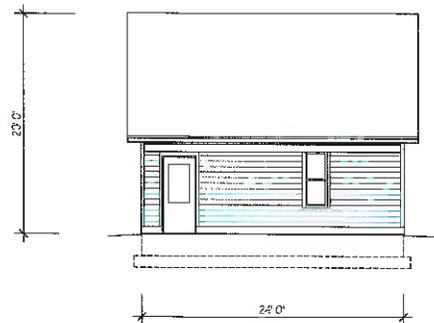
doors.

These photographs show the house from the back yard towards the house, the area where the garage will be built and the alley running along side the lot



GARAGE ELEVATION

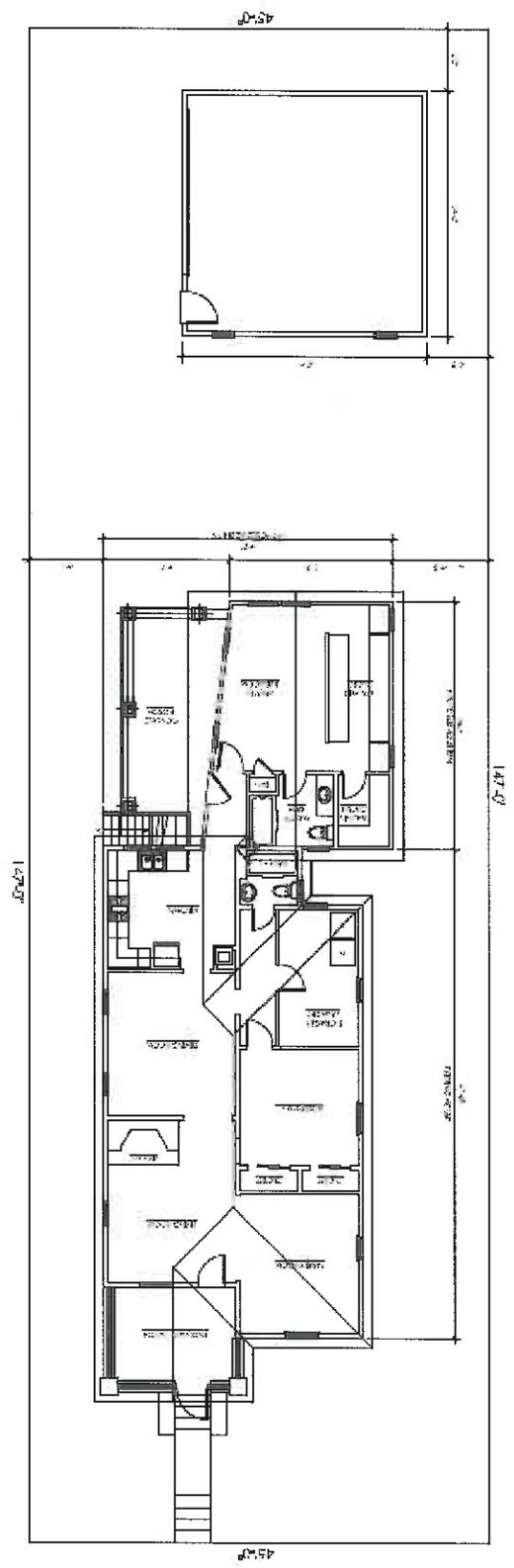
SCALE: 1/8"=1'-0"



NORTH GARAGE ELEVATION
SCALE: 1/8"=1'-0"

22

BRIDGEWATER RESIDENCE · 929 W KIRKWOOD AVE
 W/OA - UNLICENSED ARCHITECT



The site plan does not show the garage location or positioning as it has been described and this should be clarified before the meeting. The parking apron in front of the garage should not be a large parking pad, but this is not clear with the information presented. The application face (included) was submitted many weeks ago with different drawings. The new drawings came in on Thursday afternoon with flaws and omissions. The parking apron in front of the garage should fit no more than 2 cars, to remain residential and in keeping with the neighborhood. This is not adequately depicted in the drawing. The direction of the garage remains confusing.

ACCESSORY STRUCTURES

SUBJECT TO REVIEW AND APPROVAL:

All structures greater than 80 square feet.

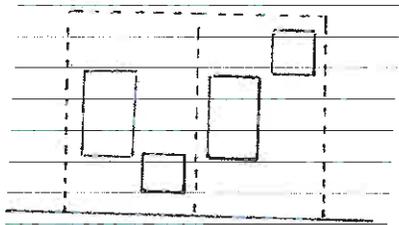
Definition : Any structure secondary to the principal building on the lot and greater than 80 square feet in size is subject to the following guidelines:

RECOMMENDED

1. New structures accessory to primary buildings should be visually compatible with existing historic neighborhood patterns for accessory structures and of material consistent with the historic neighborhood pattern
2. New structures should be placed, where possible, in a subordinate position to the primary building on the lot.

There are still problems with this design. The application says the materials may be cement board or vinyl, the owner has lately said vinyl and this is not a historic building material. In discussions with the subcommittee, they have asked for more information and corrections to the obviously incorrect drawing. The subcommittee also wishes to know the relative height of the garage and the house.

Although staff does not hold the owner responsible for these issues, it is apparent that the case will have to be continued to the October 24th meeting.



APPLICATION FORM
CERTIFICATE OF APPROPRIATENESS

Case Number: COA-18-13

Date Filed: 10/9/13 (AMENDMENT)

Scheduled for Hearing: 10/10/13

Address of Historic Property: 929 West Kirkwood, Bloomington, Ind. 47404

Petitioner's Name: Vivian Bridgwaters

Petitioner's Address: 21231 Indian Creek Dr, Farmington Hills, MI 48335

Phone Number: 610-329-3546

Owner's Name: Vivian Bridgwaters

Owner's Address: SAME AS ABOVE (will be relocating to Bloomington)

Phone Number: SAME AS ABOVE

Instructions to Petitioners

The petitioner must attend a preliminary meeting with staff of the Department of Housing and Neighborhood Development during which the petitioner will be advised as to the appropriateness of the request and the process of obtaining a Certificate of Appropriateness. The petitioner must file a "complete application" with Housing and Neighborhood Department Staff no later than seven days before a scheduled regular meeting. The Historic Preservation Commission meets the second Thursday of each month at 4:30 P.M. in the McCloskey Room. The petitioner or his designee must attend the scheduled meeting in order to answer any questions or supply supporting material. You will be notified of the Commission's decision and a Certificate of Appropriateness will be issued to you. Copies of the Certificate must accompany any building permit application subsequently filed for the work described. If you feel uncertain of the merits of your petition, you also have the right to attend a preliminary hearing, which will allow you to discuss the proposal with the Commission before the hearing during which action is taken. Action on a filing must occur within thirty days of the filing date, unless a preliminary hearing is requested.

Please respond to the following questions and attach additional pages for photographs, drawings, surveys as requested.

A "Complete Application" consists of the following:

1. A legal description of the lot.

2. A description of the nature of the proposed modifications or new construction:

New Construction will be a garage built on the back of the site. The structure will be similar to the garage at the back of the property at 930 W 4th St, facing E 14th St.

3. A description of the materials used.

Foundation will be concrete slab. The primary structure will be wood with vinyl or aluminum siding, with aluminum gutters and down spouts. Roofing will be wood with typical shingles (Please see attached drawings)

4. Attach a drawing or provide a picture of the proposed modifications. You may use manufacturer's brochures if appropriate.

5. Include a scaled drawing, survey or geographic information system map showing the footprint of the existing structure and adjacent thoroughfares, Geographic Information System maps may be provided by staff if requested. Show this document to Planning Department Staff in order to ascertain whether variances or zoning actions are required.

6. Affix at least three photographs showing the existing full facade at each street frontage and the area of modification. If this petition is a proposal for construction of an entirely new structure or accessory building, include photographs of adjacent properties taken from the street exposure.

My brother, Preston Bidjusatara will bring these to your office and answer any questions about the plans.

If this application is part of a further submittal to the Board of Zoning Appeals for a Conditional Use or development standard variance, please describe the use proposed and modification to the property which will result.

Rules and Procedures Changes

This is formal notice of a rules change that will move the starting time of the regular meeting of the Bloomington Historic Preservation Commission to 5:00 PM from 4:30 PM

Staff would also like to consider a future change to our own (non-statutory) process of creating historic districts in National Register listed areas. In the past our rules indicate that 3 public information sessions should be held. Staff thinks it advisable to reduce this number of meetings in areas where historic significance has already been determined and many owners have been alerted to the historic value of their holdings by another prolonged process.

APPLICATION FORM:
Historic Designation
Historic Preservation Commission of the City of Bloomington

Case Number: _____

Date Filed: _____

Date of Commission Hearing: _____

Request: Conservation or Historic District: _____

Request: Primary of Secondary Areas: YES NO

Address of proposed district or description of boundaries:

Petitioner's Name:

(If more than two you may attach a petition or letter from multiple owners)

Petitioner's Address: _____ Phone Number: _____

Owner's Address: _____

Instructions to Petitioners

The petitioner must attend a preliminary meeting with the staff of the Bloomington Historic Preservation Commission in the Housing and Neighborhood Development Department during which the petitioner will be advised as to the appropriateness of the designation. **Petitioner, at the time of filing must present a list of property owners and adjacent property owners to the Commission.** Notice by first class mail must be mailed 10 days before the public hearing at which the action is taken. Upon receiving the application the Commission will appoint an ad hoc Historic District Committee. If the petitioner is other than the Historic Commission or the district larger than one structure and its accessory buildings, then the Commission will appoint property owners within the proposed district and the Common Council member of that jurisdiction to a special committee which will coordinate required public meetings concerning the designation. The Ad Hoc Committee will determine if secondary and primary areas will be assigned to the district and will categorize each building on the basis of merit.

A vote will be taken at the next regular meeting of the Bloomington Historic Preservation Commission after appropriate educational meetings have taken place. The Commission meets the second Thursday of each month at 4:30 P.M. in the McCloskey Room of Showers City Hall on Morton Street. The petitioner of his designee must attend the scheduled meeting in order to answer any questions or supply supporting materials. If you feel uncertain about the merits of the designation, you also have the right to attend a preliminary hearing, which will allow you to discuss the proposal with the Commission before the hearing during which the action is taken. Action by the Commission must occur within ninety days of the filing date, unless a preliminary meeting is requested.

Please respond to the following questions and attach additional pages for photographs, drawing surveys, as requested.

1. A legal description of the proposed district
2. Provide photographs of the structure(s) proposed for designation. If the district contains several structures, provide a representative sampling
3. Provide a zoning map and a geographic information system map showing the proposed boundaries of the district. The material may be obtained from staff.
4. Provide copies of any listing on the state or national registry or historic survey information.
5. If the designation is proposed on grounds other than architectural significance, supply evidence of the historic linkages described. Such evidence as deed transfers, Sanborn maps, City Directory entries, and Atlases, written and oral histories may be used.

An historic district must be ruled to meet one of the following criteria by the Historic Preservation Commission:

Historic:

- a. Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, nation; or is associated with a person who played a significant role in local, state or national history.
- b. Is the site of an historic event:
- c. Exemplifies the cultural, political, economic, social or historic heritage of the community or

Architecturally worthy: