Passed 6-3 (Banach, Willsey, Sabbagh)

ORDINANCE 01-04

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION " TO ESTABLISH A HISTORIC DISTRICT
Re: The McDoel Conservation District
(Petitioner(s): The Bloomington Historic Preservation Commission)

WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission and established procedures for designating historic districts in the City of Bloomington; and

WHEREAS, the Historic Preservation Commission held a public hearing on November 9, 2000, which was continued to January 11, 2001, and was for the purpose of allowing discussion and public comment on the proposed historic district designation of the McDoel Conservation District located roughly between Wylie and Hillside, the CSX railroad right-of-way and Patterson Drive and the Indiana Enterprise Center; and

WHEREAS, at the January 11, 2001 meeting the Historic Preservation Commission found that the Historic Preservation Commission, having had input from residents of the proposed conservation district and from the City administration regarding future public works projects involving Hillside Drive, resolved to support the concept of connectivity of Hillside from the CSX right-of-way to Rogers Street and will cooperate with the public works department to create the best design possible; and

WHEREAS, at the January 11, 2001 meeting the Historic Preservation Commission found that that the areas outlined on the map are related by history and development sufficiently to be considered one district;

WHEREAS, at the January 11, 2001 meeting the Historic Preservation Commission found that the district has historic and architectural significance that merits the protection of the property as a conservation district; and

WHEREAS, the Commission has prepared a map and written report, which accompanies the map and validates the proposed district by addressing the criteria outlined in BMC 8.08.10;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA. THAT:

SECTION 1. The map setting forth the proposed conservation district and the accompanying report are hereby approved by the Common Council, and the McDoel Conservation District is hereby established. A copy of the map submitted by the Historic Preservation Commission is attached and made a part of this ordinance. The accompanying report is incorporated by reference and two copies are on file in the office of the City Clerk for public inspection. The McDoel Conservation District shall consist of the following addresses:

714, 712, 710, 708, 706, 704, 702 and 717, 715, 713, 711, 709, 707, 705, 703, 701, 613, 611, 605, 603, 521, 517, 515, 513 West Wylie Street;

716, 714, 712, 708, 706, 704, 702, 608, 606, 604, 602, 516, 514, 510, 508, 414, 412, 410, 408, 322, 320, 312, 302 and 711, 709, 707, 705, 701, 701 ½, 611, 609, 607, 605, 603, 601, 519, 515, 511, 509, 505, 503, 411, 401, 321, 319, 315 West Dodds Street;

722, 720, 710, 708, 620, 606, 600, 514, 512, 510, 506, 504, and 725, 715, 713, 703, 701, 609, 607, 605, 603, 601, 515, 513, 511, 507, 503 West Dixie;

728, 724, 722, 720, 716, 706, 704, 702, 614, 612, 608, 604, 600, 516, 514, 512, 510, 508, 428, 414 and 716, 715, 709. 705, 701, 615, 609, 607, 605, 603, 601, 515, 513, 511, 509, and 415 West Allen Street;

407 and 405 West Driscoll Drive;

408, 406, 404, 402, 400, 400 ½ West Wilson;

407, 405, 403, 321 West Hillside Drive;

800, 804, 806, 808, 810, 810 ½, 902, 902 ½ , 908, 910, 912, 916, 920, 1006, 1100, 1106, 1108, 1112, 1116, 1122, 1128, 1130, 1134, and 803, 805, 807, 809, 809 ½ , 811, 813, 815, 817, 901, 905, 905 ½, 917, 919, 923, 1001, 1003, 1005, 1009, 1013, 1017, 1101, 1105, 1109, 1109 ½ , 1111, 1111 ½ , 1113, 1117, 1119, 1121, 1125, 1125 ½ , 1133, 1205, 1205 ½ , 1207, 1215, 1217, 1219, 1221, 1223, 1225, 1301, 1305, 1309, 1311, 1317, 1405, 1409, 1413, 1417, 1421, 1501, 1505 South Rogers Street;

808, 812, 904, 908, 912, 1000, 1004, 1008, 1012, 1016, 1020, 1104, 1106, 1108, 1112, 1118, 1122, 1126, 1128, 1130, 1206, 1206 ½ , 1210, 1214, 1300, 1306, 1310, 1402, 1414, 1416, 1418, 1422, and 809, 905, 907, 909, 1001, 1005, 1009, 1013, 1017, 1021, 1109, 1117, 1123, 1125, 1129, 1201, 1205, 1209, 1213, 1301, 1305, 1309, 1313, 1401, 1405, 1409, 1413, 1417, 1421, 1425, 1501 South Madison Street; and

736, 738, 740, 748 812 and 916 South Morton Street; and

the boundaries of the district are further described as follows:

Hillcrest Lots 1-20; Dixie Highway Lots 1-33, and ½ of a vacated alley lying north of Lots 29-33, Lots 40-73, 88-110, 120-136; Duncan Subdvision Lots 4-16 and Lots 19-22; Seminary Part Lot 38 plat # 38Q, 38V, 38W, 38V, 38U, and 38T; and Seminary Part Lot 54 plat# 54A, 54B, 54C, 54D, 54E, 54F, and 54G; MM Campbell Subdivision Lots 1-23, 26-31, 34-39, 42-47, 50-55, 58-63, 66-71, 75-76; Stull Subdivision Lots 1-15; Dodds Subdivision Lots 15-26, 28-52; Libey Subdivision Lots 2 and 3; Allentown Village Plat# U601E, U601D, U601B, U601C, U601A and U603and Perry Section 8, Township 8N, Range 1W Plat # 5, 56, 6, 54, 8, and 76; Monroe County, the City of Bloomington.

SECTION 2. The following addresses in the McDoel Conservation District shall be assigned the rating classifications as indicated below:

The following properties shall be rated as "outstanding":
748 South Morton

The following properties shall be rated as "notable":
908, 920 South Rogers
712, 606, 604, 602, 503, 320, 321, 315 West Dodds
907 South Madison
710, 720, 713, 708, 507 West Dixie
710, 709, 708, 707, 701, 613, 603 West Wylie
722, 509, 508 West Allen

The following properties shall be rated as "Non-contributing":
714, 711 West Wylie
701 ½ , 414 West Dodds
620, 703, 609, 601 West Dixie
718, 716, 702, 612, 608, 705, 701, 615, 609, 601 West Allen
407, 405 West Driscoll
400- 408 West Wilson
805, 809-817, 901, 905, 917, 919, 923, 1109-11 ½, 1125, 1125 ½ , 1205-1207, 1215-1225, 1311, 1130 South Rogers
808, 912, 1000, 1008-1016, 1118, 1122, 1206, 1310, 1416, 1416 ½ , 807, 905, 1005, 1009, 1021, 1201, 1301, 1309, 1313 South Madison

738 South Morton

All other property addresses listed in Section 1, but not mentioned previously in Section 2, shall be rated as "contributing"

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled A List of Designated Historic Districts, is hereby amended to include the McDoel Conservation District and the entry shall read as follows:

McDoel Conservation District

Section 4. Pursuant to BMC 8.08.010(b)(1), this conservation district is being established with the intent of future review of its status by the Common Council and its status as a conservation district shall be changed only by ordinance of the Common Council.

Section 5. Prior to two and one-half years following the adoption of this ordinance, the Department of Housing and Neighborhood Development (HAND) shall survey all property owners in the conservation district to receive input on the future of the conservation district after it has been in effect for three years. HAND shall send each property owner, by first class mail, a ballot affording the property owner the options of voting:

A. Whether the conservation district status should be retained or rescinded; and

B. Whether the conservation district status should be elevated to historic district status.

An envelope with the HAND department's return address shall be included with the ballot. To be valid for tabulation, a ballot must include the signatures of the voting property owner, or owners, and the address of the property.

Ballots shall be mailed by HAND in the two week period prior to the two and one-half year anniversary of the adoption of this ordinance. Each ballot shall be clearly marked with the dates between which the ballot must be received by HAND. HAND shall tabulate the responses and report the tallies to the Historic Preservation Commission.

No later than forty-five days prior to the third anniversary of the adoption of this ordinance, the Historic Preservation Commission shall file with the City Clerk and submit to the Common Council a report or report and proposed ordinance as reflected by the following scenarios accurately drawn from the ballot vote:

1. If the report indicates that a majority of property owners oppose continuation of the conservation district, then the proposed ordinance shall be for rescission of the conservation district;

2. If the report indicates that a majority of property owners favor continuation of the conservation district, then the conservation district shall continue in effect unless other action is taken by the Common Council;

3. If the report indicates that a majority of property owners favor elevation of the conservation district to full historic district status, then the proposed ordinance shall be for elevation of the conservation district to full historic district status;

4. If the report indicates that no option on the ballot receives a majority vote, then the conservation district shall remain in effect, unless other action is taken by the Common Council.

For the purposes of determining a "property owner" the following rule shall apply:

1. Property owned by an estate, trust, corporation, S-corporation, limited liability corporation or partnership, shall be considered to have one (1) owner.

2. An owner of two or more properties in the conservation district shall be allowed only one (1) vote.

3. Properties owned by a husband and wife shall be considered to have two owners, as opposed to ownership by the entireties, and thus two votes.

4. Where two or more persons appear on a deed, each person shall have one (1) vote.

SECTION 6. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 7th day of February, 2001.

Patricia Cole
PATRICIA COLE, President
Bloomington Common Council

ATTEST:

Regina Moore
Regina Moore, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 9th day of February, 2001.

Regina Moore
Regina Moore, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this _____ day of _____, 2001.

VETOED 2/18/01
MESSAGE ATTACHED

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the List of Designated Historic Districts in the City of Bloomington by establishing the McDoel Conservation District. In recommending this designation, the Bloomington Historic Preservation Commission has: conducted a survey; held public hearings; submitted a map describing the boundaries of the district and classifying the 271 properties within the district; and, filed a report to the Council demonstrating how this district meets the necessary criteria. The area was developed from the 1890's through the 1920's and is significant for its portrayal of the development patterns and working class lifestyles associated with that past industrial era. The inventory of modest bungalows, gabled-ells and kit homes in the district express the built environment during Bloomington's booming years in the limestone, railroad and furniture making industries. The conservation district is, in general, less restrictive than a full historic district, and only requires the review of proposals to demolish or move buildings or construct new principal or accessory buildings. In addition, this conservation district will be governed by the guidelines adopted by the Commission at its January 11th meeting.

Note: At their February 7, 2001 Regular Session the Common Council adopted Am 1 by a vote of 5 – 4. This amendment inserted new Sections 4 and 5 and renumbered the initially proposed sections accordingly. These sections clarified what will occur at the end of the first three years of this conservation district. Other amendments were either defeated or not introduced by the Council. In particular, Am 4, and Am A and Am B, which would have amended Am 1, were defeated; and, Am 2, Am 3, and Am 5 were not introduced by the Council. After action on the foregoing amendments, the Council adopted the ordinance as amended by a vote of 6 – 3.

Clerk's Notes:

The following is a chronology regarding Ordinance 01-04:

January 24, 2001 -- In a Common Council Committee of the Whole meeting the council voted a recommendation of Do Pass by a vote of 4-3-2.

February 7, 2001 -- In a Common Council Regular Session the council took final action with a vote of 6-3-0.

February 9, 2001 -- Amended legislation presented to the mayor for signature.

February 18, 2001 -- Mayor John Fernandez officially vetoed Ordinance 01-04. Veto statement (dated 2-19-01) filed with the ordinance.

February 21, 2001 -- In a Common Council Regular Session, the council overrode the mayor's veto with a vote of Ayes: 6; Nays: 3 (Willsey, Banach, Sabbagh).

Regina Moore, CLERK
City of Bloomington

City of Bloomington
Office of the Mayor
John Fernandez

TO: Councilmembers
FROM: John Fernandez
SUBJECT: Veto of Ordinance 01-04
DATE: February 19, 2001
CC: Dan Sherman

The purpose of this memo is to inform you that this morning I vetoed Ordinance 01-04 that established the McDoel Conservation District. While I think it likely that the veto will be overridden, I cannot put my signature indicating approval on this legislation. My position on this ordinance was given to you during public deliberations upon it, and if anything my concerns have increased as a result of the public discussion. Those concerns include:

- The inclusion of properties adjacent to Hillside Drive in the conservation district. As you know, plans to extend and improve Hillside from Walnut Street west across the railroad tracks and up to Rogers Street have been approved by the Metropolitan Planning Organization and are included in its Long Range Transportation Plan. Should the design of the project require the acquisition and use of a single property in the district, the design of this important transportation project will require the approval of the Historic Preservation Commission. The fact that the president of the Commission dismissed our concern out-of-hand at the January 24 Council meeting as "bogus" only emphasizes the inappropriateness of the Commission's role in transportation design. With the appeal of a negative Commission decision being to write and submit an ordinance to the Council removing specific property from the district — in addition to the implicit design approval the Council has through the appropriation process and the community input processes we have always used in projects such as this — Ordinance 01-04 adds unprecedented, cumbersome and lengthy layers of additional approval

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to the transportation design process, even assuming an outcome in the best community interest.

- I remain unconvinced that conservation district designation allows for the best future use of *all 271 properties* within the district — either in terms of the neighborhood or the community as a whole. This concern is only underscored by the large number of properties that the Commission itself has designated "non-contributing."

- Including properties in the district over the strong and passionate objection of many long-time property owners troubles me. This is not an absolute property rights principle with me. Indeed, I strongly supported the local historic designation of the Von Lee Theatre and believe that designations of this sort must be evaluated on a case by case basis, weighing benefits against "costs." I also recognize that the desires of property owners are not even a factor in state statutes that guide designation.

  But perhaps the problem is with the statute and I am not convinced that this absence of a process for reliably ascertaining even the opinions of those affected by the designation should be adopted as a community norm. What is clear to me is that we don't know in any summary and clear sense, how the neighborhood — defined as the collection of affected property-owning residents — feel about the designation. At a minimum it is certainly the case that there is not a consensus in the neighborhood. But the ordinance proceeds to designate with the distinct possibility that the majority of those affected are opposed to it and I fear the consequent distrust of, and antagonism towards, local government that will result.

  The Council is to be congratulated for its efforts to improve the original ordinance through the amendment process as it regards extension of the district designation. I would have preferred the amendment that would have

defaulted in rescinding the designation. I am also deeply troubled by the provision that allows one vote per name on the deed, for it seems to me it discriminates against property owners who are widowed or single; one vote per parcel would be more equitable. But these amendments also raise the question why more attention is given to the opinions of neighborhood residents in the designation extension process than in the designation itself.

Let me repeat that I could envision a designation process and a designation for the McDoel neighborhood that I could support. But it is not the process that resulted in this ordinance, nor is it this designation the ordinance makes law. Accordingly, I must veto Ordinance 01-04.

Materials Relating to <u>Ordinance 01-04</u> Establishing the McDoel Conservation District

- Memo from Nancy Hiestand
- Report to Council (Consisting of Staff Reports to Commission)
- District Map with Classification of Structures and Other Maps
- Application Form
- District Guidelines

(Please note that, in accordance with Section 1 of the ordinance, additional copies of the Map and Report can be found in the Legislative Files for 2001)

Memorandum

To: Common Council

From: N. Hiestand

Date: 01/19/01

RE: HD-2-00
The McDoel Conservation District

The historic preservation ordinance provides for two kinds of district designation, a historic district and a conservation district. A historic district entails a much more rigorous level of review, including such things as exterior changes, siding, and paint color. The goal of a historic district is to preserve architectural integrity. In a conservation district, only the following activities require a certificate of appropriateness: **moving a building, demolition of a building, or the new construction of a principal building or accessory structure subject to view from a public right-of-way.** The goal of a conservation district is preservation of context. It reviews large scale changes to the resources within the boundaries of the area.

Staff was first contacted by the McDoel Gardens Neighborhood Association in May of 2000. At that time they were exploring the possibility of Conservation District designation in response to the steady erosion of residential fabric from the perimeters of a neighborhood bordered by industrial and medical uses. They were also concerned with maintenance issues, the loss in property value, and the increasing number of residential rentals. They believed that these things threatened the long-term viability of the neighborhood. Several newsletters and a petition have documented the interest of the community at that time. A first hearing on the matter was held in early November. The case was continued until January 11th. In the interim the neighborhood association drafted and mailed a copy of proposed design guidelines for the district to all owners. The guidelines were thought necessary to allay confusion as to the effect the district had on the owner's ability to remodel, build additions, use siding, etc.

Since the November application, to which was attached a petition of support, there have been several mailings using the public record list. A significant number of signatures have been gathered by both opponents and proponents. Because the content of some letters has remained private, it is difficult to ascertain what information citizens may be responding to. A lawsuit has further obscured the discussion. It is important to realize that a comparable process, rezoning, does not require a referendum to become law, nor is the process of petitioning for local designation a requirement of our historic ordinance.

The conservation district concept, something new to our community, is reviewed by Common Council after three years, is less strict than a historic district, and is a tool of neighborhood stabilization that is legally available. After three years, the district may be upgraded to a historic district, continued as a conservation district, or rescinded, by an act of Common Council. According to Commission rules, owners will be notified in advance of council action and allowed to vote on the future of the district. If at that time, 51% of the owners disapprove of the district, it will be rescinded. The neighborhood association has voiced its opinion throughout the discussion that the district should not be elevated to historic district status and that the level of protection they wish to retain is simply demolition, new construction and moving buildings.

The proposed district is a large diverse geographic area contained within the neighborhood association's boundaries. Bordered on the north by the hospital and the west, south and east by the Indiana Enterprise Center, the central context of the district is core residential. Along the Rogers Street corridor there are several commercial structures and uses. As a legislative tool, the conservation district, provides the most obvious protection to structures threatened with demolition. There are 271 buildings in the district, 210 of which are contributing to the character of the district. Approximately 110 of the properties are registered rentals. The neighborhood is a redevelopment target area for housing, as well as the focus of economic development incentives associated with the revitalization of the RCA site. It falls within the Urban Enterprise zone.

As part of the Commission's ongoing duties as a certified local government, the district was surveyed and documented. Original boundaries were drawn to reflect the area of greatest concentration of contributing single family residential structures. After conflicts with the existing thoroughfare plan and ongoing development proposals were exposed, the map was revised. Neighbors and the IEC have cooperated in discussing plans for commercial development at the corner of Rogers and Grimes. Contiguity is not a requirement of the statute as long as the historic connection between the two geographic areas is clear. The goal of the current boundaries reflect the desire to fairly preserve residential context.

Of the two conservation districts now listed in Indiana, one of them, New Augusta, contains similar mixed underlying zoning. The state statute which enables the local historic district process is separate but equivalent to the zoning power. Chapter 8.16 of Title 8 declares,

> **"Zoning districts lying within the boundaries of the historic district are subject to the regulations for both the zoning district and the historic district. If there is conflict between the requirements of the zoning district and the requirements of the historic district, the more restrictive requirements apply."**

Use itself is not regulated by the historic ordinance, but the outward appearance of the structures is. In the past, designation has been used to provide more flexible usage so that historic structures may be more effectively and economically adapted. Examples of this are the Paris Dunning House, zoned residential but permitted as a law office, and the Parker Real Estate Office, zoned multi-family but permitted for mixed commercial and

residential use. The conservation district allows an orderly process of review so that demolition and new construction are more closely examined against the merits of preserving neighborhood context.

The district is largely residential in nature. Since most residents, within their terms of ownership, will never build a new house, garage, or demolish their property, the new level of regulation applied to the average owner will have little or no impact. **This district does not review or regulate in any way the typical work done to the exterior of a residential structure: additions, porch enclosures, window replacement, attached garages, carports, or small storage sheds**. For owners who wish to demolish, a review by the Commission will examine the proposals and rule on the public benefit of the activity.

The Commission has voted to recommend the district to Council's consideration because it does meet criteria for historic significance and merits conservation.

UPDATE
HD-2-00
The McDoel Conservation District

Staff Report 1/11/01 Bloomington Historic Preservation Commission

Case Background

In response to questions about the content of the conservation district design guidelines and their application, the neighborhood association proposed drafting residential guidelines before the final hearing before the Commission. Since the November hearing, a draft was generated by the McDoel Neighborhood Association with the oversight of the McDoel subcommittee of the Bloomington Historic Preservation Commission. These guidelines, a copy of which is included in the packet, were sent to all property owners . A ballot was enclosed, so that the neighborhood could be fairly polled on the content. The result of this poll was 55 to 19 to adopt the guidelines. The Commission will consider adoption of these guidelines contingent upon the designation of the Conservation District by Council.

Summary of the Residential Guidelines

The proposed guidelines apply to residential structures only and not to "...prevent commercial, industrial or religious uses in areas where these activities have traditionally taken place." The guidelines acknowledge diversity among historic housing types but state that designs for new construction of residential structures should be compatible with those housing styles identified as contributing to the district. Three of those styles have been researched thoroughly: the gabled-ell, bungalow, and "kit" style home.

The guidelines serve to direct the Commission in their decisions regarding applications for certificates of appropriateness. Unlike a full historic district, in a conservation district, small exterior modifications, such as window replacement, siding, paint color or even additions to principal structures **do not require a COA** (certificate of appropriateness). Consequently, for the most part, a homeowner or investor owner will never have to make application for any review on his property. The following activities are subject to review by ordinance:

Three areas of review are required by ordinance: **demolition, moving of an existing principal structure, and new construction.** Since the gradual demolition and loss of existing residential fabric is an issue about which the neighborhood association is keenly aware, the guidelines are most strict regarding an application for a certificate of appropriateness for **demolition**.

Demolition
The guidelines state generally that demolition permits will not be issued on contributing principal structures unless the cost of repair and restoration are greater than replacement or unless removal of the structure is the best interests of the neighborhood. A noncontributing residential structure may be issued a certificate of appropriateness if the demolition contributes to the public good of the neighborhood.

Moving a Structure
The guidelines for **moving an existing principal structure** are divided into treatments for those that are contributing and noncontributing. They state that all contributing structures should be kept in place when feasible. Generally a COA will not be issued for contributing principal structures. But consideration will include the condition of the house and whether moving it will contribute to the public good of the neighborhood. Non contributing residential buildings may be moved if the move contributes to the public good of the neighborhood.

New construction guidelines
New construction guidelines are divided into rules for accessory and principal residential structures. For accessory structures, only proposals for the construction of structures with permanent foundations separate from the principal structure will be reviewed. These are further qualified by being visible from public ways as defined in these guidelines. These exclude secondary streets and alleys according to a list. Secondary streets are those which do not serve as the location of primary residential facades. Although accessory structures are encouraged to be placed to the rear, like existing historic garages and sheds, they may be visible from the street. They should be compatible with existing structures and a maximum of a two-car size. The roofs are encouraged to be of a similar pitch to the residences.

For construction of a new principal residential structure, the design considerations include placement on the lot, square footage of the footprint, number of stories and main roof and parking configuration, exterior materials and porch placement. The goal is to make new construction compatible and in scale with neighborhood character.

The guidelines also include procedure for making changes to the guidelines so that owners will not feel as if changes may be made without due process and input from the neighborhood.

Commercial Guidelines

A subcommittee of the Commission and representative of the neighborhood association met to discuss commercial guidelines. Since it was not the intent of the neighborhood to restrict commercial development , it was decided that the language of the revised Growth Policy Plan should be adopted for the guidelines for pre existing commercial uses, all of which are located on Rogers Street. Both the Neighborhood Activity Center and

Community Activity Center levels of commercial intensity would be considered appropriate within the district. A copy of this language is included in the packet. The NAC is a mixed commercial area intended to serve the immediate neighborhood, including offices, services like daycare, and higher density housing. It is not designed to attract usage from outside the neighborhood, therefore parking requirements are less intense. It is fundamentally pedestrian oriented, and its concept is enforced by the sensitivity of site design to alternative means of transportation and access.

The CAC level of commercial activity does accommodate the use of personal vehicles and community wide commercial activity, but is intended to be limited to multiple neighborhoods without attracting city-wide traffic. Although the scale of development increases from the neighborhood level, height limits and parking provision at the side or rear are appropriate. If the area is zoned as a corridor, development of a unified streetscape is recommended. Minimal building setbacks will allow continued pedestrian access.

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Two months have passed since the November 9th hearing on the McDoel Conservation District. In the interim, ownership lists have been circulated to those who oppose the district as well as those who originally petitioned. These lists are available as public record. Subsequently, several letters were circulated to owners based upon this list. Copies of these are attached to the packet.

In December and January, meetings were held between the neighborhood association board members and representatives of the larger interests in the area, as well as city staff from the HAND, Planning and Economic Development offices. An agreement was struck with the IEC regarding three lots located south of Grimes and east of Rogers, which had been previously purchased with the intent to develop a new commercial use at this location. The IEC development proposal includes the vacation of the Grimes right-of-way after the completion of Patterson Drive. The neighborhood association will present a request to amend the map, removing these three parcels (attached letter). Arrangements to move and rehabilitate the single residence (1202 South Madison) involved have been pursued with Bloomington Restorations Inc.

Mark Crane, a representative of the hospital attending the January 4th meeting, informed the group of the hospital board's opposition to the inclusion of properties zoned medical. He reiterated their belief that the zoning line for single family residential zoning should be moved to the center of Wylie Street, thereby including 7 residential structures, 6 of which are contributing. Although the neighborhood association has removed all of the medically zoned property on the west side of the district, they stated their opposition to removing this group of houses from the district. They agree that the properties are contributing in historic character and believe that neighborhood will be damaged by the development of parking or office buildings across Wylie, placing the residences on the south side at risk.

Tom Micuda, Planning Director, requested that an understanding regarding the Hillside improvement proposal should be included in any recommendation for approval or within the ordinance itself, whichever is legally feasible. Neighborhood association representatives agreed to attach language that would allow for possible removal of properties associated with the widening and attachment of Hillside across the CSX lines. Micuda believes that this will affect two or three properties at most. This widening is part of a twenty year plan for improvements in the area, which came to light during discussions of this petition.

Staff Recommendation:

In summary the criteria for approval remains the same as the first report:

(1) Historic:

- **c. Exemplifies the cultural, political, economic, social, or historic heritage of the community.**

(2) Architecturally worthy:

- **a. Embodies distinguishing characteristics of an architectural or engineering type; or**
- **e. Contains any architectural style, detail, or other element in danger of being lost; or**
- **f. Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood or the city; or**
- **g. Exemplifies the built environment in an era of history characterized by a distinctive architectural style.**

Motions submitted by commissioners should consider the following components:

1. Staff recommends the adoption of the following list of properties as amended by the McDoel Neighborhood Association request and supported by the survey documentation. All other lists are amended based upon this document.

The following properties are recommended as "outstanding"
748 South Morton

The following properties are recommended as "notable"
908, 920 South Rogers
712, 606, 604, 602, 503, 320, 321, 315 West Dodds
907 South Madison
710, 720, 713, 708, 507 West Dixie
710, 709, 708, 707, 701, 613, 603 West Wylie
722, 509, 508 West Allen

The following properties are to noted as "Non-contributing"
828, 824, 714, 711 West Wylie
701 ½ , 414 West Dodds

620, 703, 609, 601 West Dixie
718, 716, 702, 612, 608, 705, 701, 615, 609, 601 West Allen
407, 405 West Driscoll
400- 408 West Wilson
805, 809-817, 901, 905, 917, 919, 923, 1109-11 ½, 1125, 1125 ½ , 1205-1207, 1215-1225, 1311, 1130 South Rogers
808, 912, 1000, 1008-1016, 1118, 1122, 1206, 1310, 1416, 1416 ½ , 807, 905, 1005, 1009, 1021, 1201, 1301, 1309, 1313 South Madison
738 South Morton

All other properties will be considered "contributing"

2. Staff recommends that the guidelines for residential structures be adopted as proposed. (attached) Staff recommends that the guidelines for commercial areas be based upon the language in the (attached) Revised Growth Policy plan draft.

3. Staff recommends that language supporting the anticipated widening of Hillside be included in the motion to show that the removal of housing (two structures are anticipated) for this purpose is considered a public benefit to the neighborhood. Staff will be working with the legal department to decide where and how this commitment will be acknowledged.

HD-2-00
The McDoel Conservation District

Staff Report 11/09/00 Bloomington Historic Preservation Commission

(1) Historic:

a. Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history; or

b. Is the site of an historic event; or

c. Exemplifies the cultural, political, economic, social, or historic heritage of the community.

(2) Architecturally worthy:

a. Embodies distinguishing characteristics of an architectural or engineering type; or

b. Is the work of a designer whose individual work has significantly influenced the development of the community; or

c. Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or

d. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or

e. Contains any architectural style, detail, or other element in danger of being lost; or

f. Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood or the city; or

g. Exemplifies the built environment in an era of history characterized by a distinctive architectural style.

Case Background

A conservation district must meet the same significance criteria as an historic district. Regulations for review in a conservation district are not as stringent as in an historic district. If a conservation district is adopted by ordinance of Common Council, then the Historic Commission will review only three activities:

1. The demolition of a building
2. The new construction of a principal building or accessory building
3. The moving of any building

After three years Common Council will hold a public hearing to decide whether to elevate the district to historic status or to continue as a conservation district. The conservation district will be rescinded if 51% of the owners write a letter of objection.

This application for Conservation District designation was initiated by the Board of the McDoel Gardens Neighborhood Association. Enclosed is a comprehensive history of the neighborhood that was researched and written by Ellen Sieber of the neighborhood association. Accompanying photographs that document residential styles were taken by Elizabeth and Paul Cox-Ash.

Any historic district must be comprised of contiguous properties. The boundaries of the district were established by outlining the concentration of contributing historic properties and omitting those areas where there are evident changes in dates of construction or types of buildings. The district is largely residential in nature. There are some commercial uses along South Rogers, one or two houses adapted as offices and an limestone building once associated with Fagan Stoneworks that has historic significance.

Development History

Residential development in the McDoel area took place in two stages roughly reflecting the southern and northern part of the proposed district. The southern part, including development along Rogers and Madison South of Grimes, was platted as the Dodds Subdivision in 1891. By the time construction of the Showers Cabinet Factory was completed in 1919, historic photographs show that many houses were already built along Rogers Street. A USGS map dated 1908 show that 17 structures were built in this area. These older homes express an earlier interpretation of the worker cottages and are most similar to those found on the Near West Side on 6th and 7th Streets.

The area north of Grimes developed at a relatively later time and reflects a different esthetic of residential construction. However, it was built for the same demographic community. These later homes, placed on the Dixie Highway plat after 1923, show the change in housing style from gabled-ell's to the bungalows and kit homes. During the intervening years housing construction styles were modified to reflect a new interest in health and sanitation and efficiency of production. The clean interior lines of the bungalow, with its flat undecorated millwork as well as the mass production of housing kits by Sears, Montgomery Ward, Aladdin and other home manufacturers are in dramatic evidence along Dixie and Dodds.

Historic Housing Forms

The gabled-ell form is not specifically rural or urban in nature, but is associated with the houses of working class people. Commonly called in their day, "carpenter architecture," stylistic flourishes were discretionary rather than of a piece. If details were desired then they were applied to a standard house design. The homes on Rogers and Madison date from between 1890 and 1920 and are pattern book construction of an earlier era than the Sears Catalogue homes evident on Dixie and Dodds. Two forms of the L-plan house predominate: the pyramidal roof and the simple cross-gabled ell. There is a very high concentration of these forms on Madison both north and south of Grimes and on South Rogers. At the time of their construction, they housed limestone and railroad workers from mills located near the neighborhood (Bowman. Bloomington, Fagan, Cline, Nolan and Son, Hoadley, Tribune, Radley and McDoel Mills were all located within 1000 feet of the district).

Sears and Roebuck Company included house plans in its mail order catalogue as early as 1908 about the time they developed their "Modern Home" department. As noted by Sears biographer, Boris Emmett, Sears was almost never an innovator in any field. Sears was preceded by other mail order construction companies. Its entrance into the construction market was accompanied by acquisition of several accessory businesses: a millwork plant in Norwood OH a lumber mill in Mansfield LA, a lumberyard in Cairo IL. In 1911, Sears was offering its own mortgages and required a down payment of 25%. The boom in kit homes came after WWI, coinciding locally with the Dixie Highway subdivision of 1923.

The single story bungalows that line the streets along Dixie, Dodds and Allen display the minimal detailing associated with speculative construction. A study of City Directory information reveals that the housing in Dixie Highway subdivision was quickly filled by working class people who were employed at surrounding limestone, railroad, and furniture industries. A circa 1919 newsletter of the Showers Company extols the virtues of living close by their employment: The lots are closely spaced (48' wide) and crossed by both north and south and east and west running alleys. This allows approximately 26 single-family homes per block face or just over 8 units per acre, all free standing homes are placed near the street with deep backyards. This compares with the 700 block of South Lincoln in density, however the houses in Bryan Park are larger with more lot coverage. Photographs show the distinctive rhythm of the housing in the neighborhood.

The bungalow was among several popular and affordable forms available through the Sears catalogue. The bungalow type became a national passion in the teens, twenties and survived into the thirties. The houses in McDoel were inexpensive, small and simple enough to always cover all living space with a single principal roof. It fell to secondary dormers, porch covers, balustrades and roof details to express individuation. The bungalow had a secondary association with the national goals of the Progressive Era, which emphasized public health and domesticity in the face of urban overcrowding and industrialization. For many, in larger urban areas, the bungalow was the affordable alternative to the rented tenement. It was the first step to remove the nuclear family from hard scrabble plight of cold water walk-ups. In the small towns of the Midwest, where space permitted, these modestly sized homes provided the first familial independence.

Other examples of Sears kit homes are the Rodessa (503 West Dodds), the Grant (708 West Wylie), the Homewood (603 West Wylie), the Farnum (709 West Dodds) and the Kimball (609 West Dodds). Most of these plans are two bedroom with a separate kitchen. The exteriors show small arts and crafts flourishes in the exposed rafter tails, battered columns, and 4 over one double hung windows. Some, like the Rodessa or Grant express Colonial Revival or Dutch Colonial influences on a modest scale.

One house in the district was surveyed as outstanding in significance in 1976 and in 1986. This is Henderson House at 748 South Morton. This I-house at 748 South Morton, dates from the earliest settlement time of Bloomington, C. 1835 and is associated with Bayard Rush Hall who was a founding professor of the Indiana Seminary, the precursor

of Indiana University. The house predates construction of the Louisville, New Albany and Salem railroad by at least 20 years.

There are other notable examples including bungalows at 908 and 920 South Rogers, 1013 South Rogers, 907 South Madison, 710 West Dixie and 708 West Wylie. A notable example of a kit home is the "Rodessa" located at 720 West Dixie.

Because the context of the neighborhood remains while many individual houses have been remodeled or sided, McDoel is an excellent example of an area that could utilize the more moderate protection of a conservation district. In the two other areas in Indiana in which this kind of district has been implemented, the neighborhoods suffer from their proximity to large and expanding institutional and commercial uses. The goals of the neighborhood association are to slow the loss of residential fabric at the perimeters of the neighborhood while creating an established identity as a stable residential neighborhood.

Staff recommends approval of the McDoel Conservation District.

The following properties are recommended as "outstanding"
748 South Morton

The following properties are recommended as "notable"
908, 920 South Rogers
503, 321 West Dodds
907 South Madison
710, 720 West Dixie
710, 708 West Wylie

The following properties are to noted as "Non-contributing"
828, 824, 714, 711 West Wylie
414 West Dodds
620, 703, 609, 601 West Dixie
718, 716, 702, 612, 608, 705, 701, 615, 609, 601 West Allen
407, 405 West Driscoll
400- 408 West Wilson
805, 809-817, 901, 905 ½, 917, 919, 923, 1109-11 ½, 1125, 1125 ½ , 1205-1207, 1215-1225, 1311, 1130 South Rogers
808, 912, 1016, 1118, 1122, 1206, 1310, 1416, 1416 ½ , 807, 905, 1005, 1009, 1201, 1301, 1309 South Madison
738 South Morton

All other properties will be considered "contributing"

To: Bloomington Historic Preservation Commission
Chris Sturbaum, President
From: McDoel Gardens Neighborhood Association
Jack Baker, Executive Committee
Re: Guidelines for McDoel Conservation District
Date: January 5, 2001

The McDoel Gardens Neighborhood Association takes seriously the responsibility of creating guidelines for the proposed McDoel Conservation District. Association personnel have devoted considerable time, research, and thought to this matter in the past two months. We present our results here. In addition, we wish to have our positions on two other issues noted by the Commission: the potential expansion of Hillside Drive as a major east-west artery, and the matter of the neighborhood's district status at the three year review point required by the city ordinance.

Residential Guidelines

A team of neighborhood property owners drafted a set of residential area guidelines in November of 2000. Input was sought and gathered from a range of owners with various views. These guidelines were approved by ballot vote of the McDoel Gardens Neighborhood Association at its meeting on December 14, 2000. The Association thus considers these guidelines to be the voice of the neighborhood, and we ask that the Commission follow them carefully when reviewing applications for Certificates of Approval.

Commercial Guidelines

Appropriate development of the commercial areas of our neighborhood is vital to the continued prosperity of the neighborhood as a whole, so the development of feasible guidelines for the commercial areas of the neighborhood is very important.

After thought and study, we determined that it is premature to draft specific guidelines for the development of commercial enterprises within McDoel Conservation District boundaries. We wish to enlist the full participation of all interested parties, including commercial property owners and developers, before undertaking this task.

An important factor to take into account when the commercial guidelines are developed is the small degree of consistency in existing historic structures in the commercial zones. (This contrasts with the residential areas, in which original patterns are still evident if not untouched on every block.) Without this historic "blueprint" to use in shaping future development, we need to find other guidelines to follow.

It is from this perspective that we endorse the models laid out in the proposed Growth Policies Plan (GPP) document produced by the City of Bloomington's Planning Department. The two commercial node models appropriate to McDoel are the Neighborhood Activity Center and the Community Activity Center/Corridor. The former is appropriate in that such development can support those who live and work in the neighborhood. The latter is also appropriate, though, as

Neighborhood Association Petition

the neighborhood rests at the crossroads of two major traffic arteries, Rogers Street and Patterson Street. The potential for creating prosperous businesses which serve both local residents and workers and commuters who pass through the neighborhood is very high, and we believe the models found in the GPP will serve to help create viable businesses which add to the neighborhood's strengths.

Hillside Drive

The City of Bloomington has long-range plans for connecting the east and west sections of Hillside Drive, and continuing the street westward beyond Rogers Street, creating a continuous east-west traffic route. This would affect the McDoel Conservation District in that two homes along our stretch of Hillside would most likely have to be removed to complete this road work. Under the Residential Guidelines approved by McDoel property owners are the provisions that a certificate of approval may be given for either demolition or moving of a residential structure, if this action contributes to the public good of the neighborhood. The Hillside expansion roadwork is a case in point; creating a new east-west corridor for traffic could benefit the neighborhood by keeping McDoel a vital portion of the larger community. We urge the Commission to consider the Hillside project, should it arise, in this light, provided the city's Public Works Department takes a reasonable approach without needless destruction of neighborhood structures.

District Status

Our goal in requesting Conservation District status for McDoel is to establish our boundaries and maintain the property values of all our homes. The Association takes this opportunity to emphasize to the Commission that our intention is to create only a Conservation District and we have no interest in developing a Historic District.

defined in this plan, an increased emphasis must be placed on urban design and the creation of a distinctive design style in each area.

- The redevelopment of Community commercial sites along prominent corridors in Bloomington will provide opportunities for the creation of a unified street face and become an important attraction for businesses.
- The integration of residential units will provide not only a customer base for the commercial uses but help to integrate Community Activity Centers into surrounding residential areas.

Streetscape

A formal streetscape will help to define a Community Activity Center as a distinct node of activity serving a group of neighborhoods. Likewise, Community Activity Corridors should be designed to help create a unified design theme throughout the corridor as properties are developed and redeveloped. This will create a need for the City to develop a vision for each corridor and pursue measures to implement those improvements.

- Streetscapes in both Centers and Corridors should include landscaping, pedestrian, and transit accommodations.
- In developing corridor streetscapes, all efforts must be made to include the burying of utility lines to eliminate an unsightly streetscape element.

Site & Building Characteristics

The Community Activity Center should be developed as a mixed-use node, central to the group of neighborhoods that it serves. It should take on the form of an urban center, with a pedestrian focus and several floors of usable space, both commercial and residential. The corridor style of center development should also strive to use more than one floor in its structural design.

- Buildings must be developed with minimal setbacks to increase pedestrian accessibility
- Development regulations should be updated to shift the focus from high buffering to a greater emphasis on quality, compatible site and structure design.

Parking

The Community Activity Center and Corridor will need more accommodations for automobiles than a typical Neighborhood activity center. While it must still have a pedestrian focus, a larger portion of the business that supports a CAC will come from greater distances than can feasibly be walked. Ample parking will have to be supplied to provide access to those customers travelling from greater distances.

- Parking areas should be placed at the side and rear of buildings to ensure building accessibility by pedestrians.
- Street cuts should be limited as much as possible to reduce the intrusion of parking on the streetscape of the Center or Corridor.

- The community activity center should be developed in similar fashion to the neighborhood activity center, only at a larger scale to serve the wider area.

Access/Circulation
The Community Activity Center should still give pedestrians and transit a high level of focus as a key element of the development. When developed as a corridor, more weight must be given to automobile accommodations, but not at the expense of other modes of travel. Pedestrians must be able to circulate throughout the center without having to walk great distances or have their safety at risk due to automobile traffic.

- A Community Activity Center should be located at an intersection which is made up of two designated Collector streets, in order to provide automobile access without overwhelming the pedestrian aspects of the development.
- Community Activity Corridors can be developed on collector or arterial roadways, due to their increased orientation toward customers who drive automobiles.

Public Open Space
As the central commercial node of the surrounding area, public gathering space is an ideal addition to the mix of uses. Residents will need outdoor space to access, and public open space can provide a valuable amenity to customers of the commercial units.

- Community Activity Centers should be connected to a future citywide greenway system in order to create adequate public recreation space as well as an alternative means to access the development.
- Provision of such public spaces could be used as incentive to allow additional residential units or commercial space to be developed as part of the planning approval process.

Urban Services
Like Neighborhood Activity Centers, Community Activity Centers should be located within or very near to existing developed neighborhoods. This is essential in reducing the need for extensions of sewer, water, and road facilities. Community Activity Corridors should also be developed in existing urbanized areas, not stretching along a corridor away from developed land and into new land areas.

- Strict utility service control and judicious designation of this land use category will be necessary in order to prevent the Community Activity Corridors from exceeding their ideal service area.
- As new roadway corridor projects are competed by the City, existing uses within Community Activity Corridors should be encouraged to redevelop into better planned service centers.

Site Design

Compatibility
Community Activity Centers will be integrated into existing development, and CAC design should be sensitive to the surrounding context. As with similar land use districts

Community Activity Center/Corridor (CAC)

The Community Activity Center (CAC) is a mixed commercial node, larger in scale and higher in intensity than the Neighborhood Activity Center that provides retail and business services to an area made up of many neighborhoods. The CAC may also contain a mix of higher density housing to take advantage of the proximity to goods and services. The CAC must be designed to serve not only the pedestrian traffic from nearby neighborhoods, but a community wide group of users that may also drive a personal vehicle to the CAC. Parking will become more important in this area than the NAC, but should still be kept to reasonable levels and skillfully designed to avoid large open areas of asphalt. A high-density mix of uses is still critical to the functionality of this type of activity center. Similarly, the Community Activity Corridor should adhere to the same standards as the CAC, although it primarily refers to the existing commercial development areas along high visibility corridors in the community.

Intent

Provide community serving retail and business commercial opportunities in the context of a high density, mixed use development.

Land Use

Land Use Relationships

Larger scale commercial uses are intended for the Community Activity Center/Corridor than would exist in the smaller scale Neighborhood Activity Center. Rather than serving a single neighborhood, the CAC would be developed in an area that is accessible to multiple neighborhoods without becoming a major destination for the entire City. If developed in corridor fashion, the commercial uses would still be on the community scale, but would not be arranged as a single node among neighborhoods. Rather, it would stretch along a corridor and serve as an edge to neighborhoods situated off of major arterial roadways.

- The primary land use in the CAC would be medium scaled commercial retail and service uses
- Residential units may also be developed as a component of the CAC, and would be most appropriate when the community commercial is arranged as a central node rather than as an elongated corridor.

Density/Intensity

In accordance with their greater scale, commercial uses in a Community Activity Center will have more intense site development. Average square footages of commercial spaces should be greater than those of the Neighborhood Activity Center. Again, the scale of the development should be such that it serves a wider group of neighborhoods, but does not become a regional destination for the entire city.

- Height limits should be imposed on multistory buildings to ensure that the impacts on surrounding development are not substantial.

Access/Circulation
The NAC should be developed at the crossroads of two relatively busy neighborhood streets, serving as the focus of the neighborhood. This would allow the commercial uses to attract a small amount of customers from drive-by business. Also, such a configuration would allow the greatest access from the surrounding residences. Finally, some roadway access must be maintained for the use of any residential units that may be developed as a part of the NAC.

- The roadways that a NAC is developed around should be no more than Collectors, and ideally would focus on at least one Local level street.
- Alternative transportation modes should be a high priority in the development of a NAC, focusing specifically on pedestrians, bicyclists, and public transit.

Public Open Space
Due to the small scale of the Neighborhood Activity Center, opportunities for the provision of public open space will be minimal. However, such things as decorative public art displays could be substituted for actual open space. As in all types of development, careful consideration of existing natural features must be given in the design process, and all valuable features must be preserved in the final product.

- The development of "plaza space" should be considered as a component of any NAC.
- The NAC provides an opportunity to integrate civic space into neighborhoods that may be some distance from civic resources like government offices and museums or libraries.

Urban Services
A new NAC will ideally be placed in a developed neighborhood, where most urban services have been previously provided. This includes access to sewer, water, electricity, and gas lines that should already be serving the neighborhood. This type of development is intended as an alternative to new commercial growth in areas where such utilities do not already exist and so would have to be extended to accommodate the growth.

- Public Transit as an urban service should be a key element in the design of the NAC, providing access to people outside the neighborhood without the need for personal vehicles residents.
- Roadway maintenance is another important urban service to be accounted for, and the NAC should not require any additional need for roadway maintenance expense.

Site Design

Compatibility
Compatibility with surrounding established neighborhoods is one of the most important factors in the development of a Neighborhood Activity Center. Although it represents the smallest scale of commercial land use, the NAC is a high-density node of activity that will impact a neighborhood. The introduction of a commercial node into a primarily residential area requires great sensitivity to the design and scale of the existing structures, as well as responsiveness to the needs of the residents.

- As described earlier, a limit of two floors for the height of new commercial structures in a NAC would minimize the impact of such uses on the residents surrounding it.
- Design and materials guidance should be provided for any NAC through the zoning ordinance, with careful attention paid to how such materials and designs stand out or blend into existing development pattern.

Streetscape

Streetscape design will be a key factor in the compatibility and accessibility of a Neighborhood Activity Center. The careful combination of pedestrian facilities and natural features, as well as structural features, will help to define the streetscape of the NAC. A formal street edge and pedestrian scale site design are essential to making this type of development accessible to the neighborhood residents.

- Sidewalks, street trees, lampposts and other decorative features must be standard elements of the NAC streetscape.
- Bus stops must also be incorporated, and this may include a bus pull-off, benches, or shelters for waiting transit riders.
- The development of a NAC should include coordination on the completion of an adequate sidewalk network throughout the immediate neighborhood it serves, if no such network exists at the time of development.

Site & Building Characteristics

In conjunction with the streetscape design, the manner in which buildings are constructed will define the character and accessibility of the Neighborhood Activity Center. In order to define the center, buildings must be pushed to the front edge of the site, framing the four corners of the commercial node at the street intersection. This makes the commercial units highly accessible from the sidewalk network, and limits the distance that transit riders will have to walk to establishments once they get off of the bus.

- With buildings so close to the street, a much stronger emphasis will be placed on pedestrian scale design as well as design which is sensitive to the neighborhood context.

Parking

Parking requirements should be minimal for the Neighborhood Activity Center. The overwhelming majority of business should come from neighborhood residents, and will be largely pedestrian oriented. Further, if transit considerations are properly integrated, the commercial units will be accessible without the need for an automobile trip.

- Any parking that is provide for an NAC should be primarily serving any residential units that are a part of the development rather than as an attractor for commercial users.
- Parking lots must be located in the rear of the buildings, and can be made accessible from an improved alley system in order to minimize street cuts in front of the buildings.

Neighborhood Activity Center (NAC)

The Neighborhood Activity Center (NAC) is a mixed commercial node that should serve as the central focus of each neighborhood. A NAC should contain a mix of neighborhood scale commercial retail/office space, as well as services such as day care and higher density housing. Housing elements are ideally integrated with nonresidential elements such that housing units are situated above commercial and office space. The NAC must be designed so that it serves the neighborhood adequately without attracting an influx of usage from surrounding areas. It must also be located so that it is easily accessible by pedestrians, minimizing automotive traffic throughout the neighborhood.

Intent

Provide small-scale retail and business services within the context of neighborhoods while maintaining compatibility within the existing fabric of development.

Land Use

Land Use Relationships

The Neighborhood Activity Center will contain a mix of commercial, public, semi-public and residential land uses, developed in a focused core area. It should develop in much the same pattern as the core area of a Traditional Neighborhood Development as described in another section of this plan. The major distinction is that a NAC would be developed as an addition to an existing neighborhood, rather than as an integrated part of a new development.

- The main focus of the NAC should be commercial uses, at a scale that serves the immediate neighborhood, including such services as small food stores, video rental, or small cafes.
- Office uses and public/semi-public uses are acceptable when built to generate minimal traffic attraction to the neighborhood.
- Residential uses should be limited to multifamily development, ideally on floors above street level commercial uses.

Density/Intensity

The NAC should be developed at an intensity that is substantial enough to attract the business it needs to be successful, but also in a way that is sensitive to the fabric of the existing neighborhood. Commercial and office uses should be neighborhood serving. Residential densities must also be somewhat limited to stem the need for the development of large parking lots in established neighborhoods.

- Commercial uses should be restricted to a maximum of 5,000 square feet to ensure their neighborhood focus.
- Buildings should not be more than two stories in height to limit their impact on surrounding residential areas.

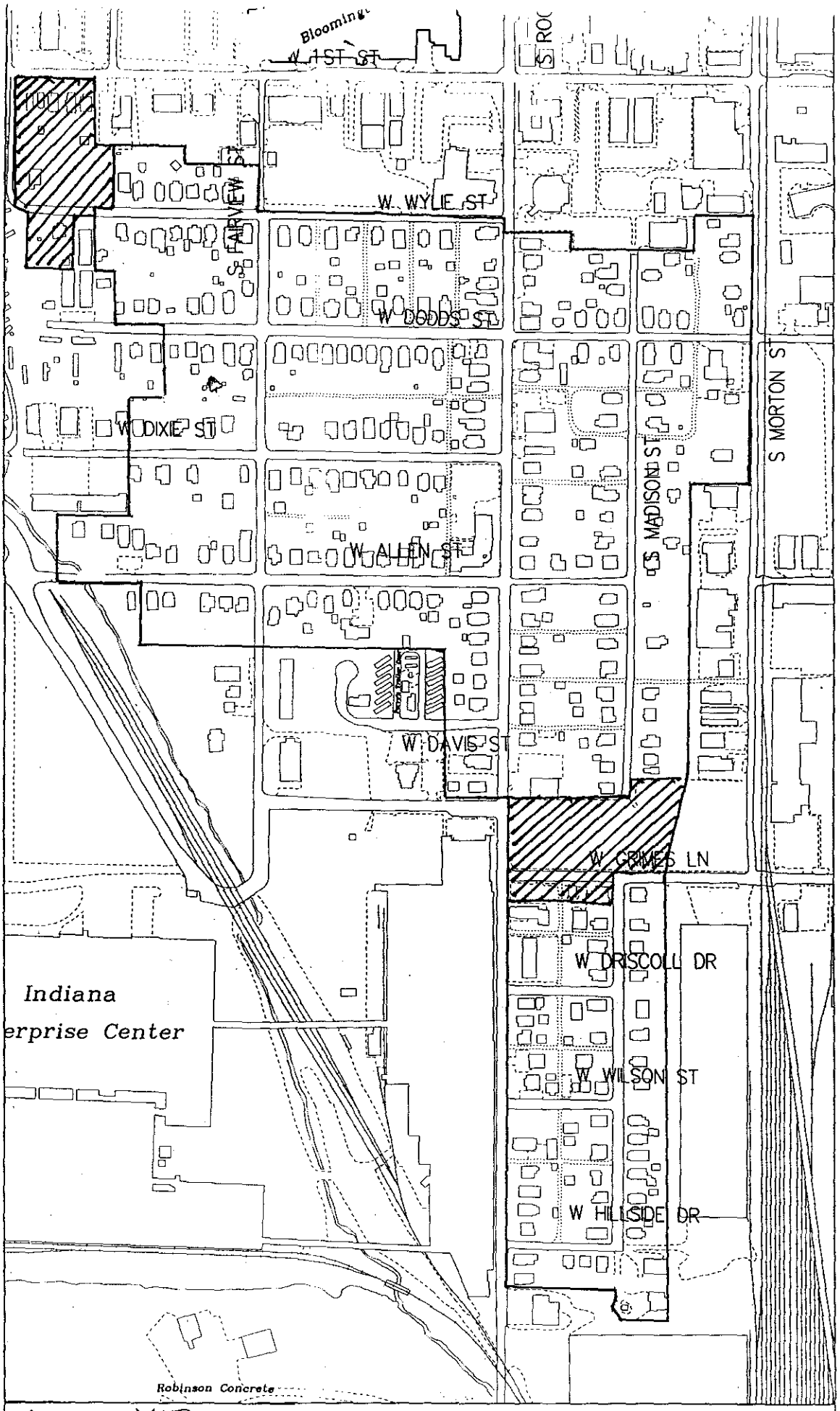
The Historic Preservation Commissions recommends that the two non-contiguous regions on the map submitted to the Common Council be designated as one conservation district for the following reasons:

1. Both regions reflect a similar history and pattern of socio-economic development;

2. Both regions contain a similarity of architectural types and streetscapes;

3. Both regions fall within the larger geographical area known as the McDoel Garden Neighborhood Association.

4. The guidelines approved by the HPC were developed with the opportunity for input from residents from both regions, are applicable to both regions, and it is desirable that the guidelines be uniformly applied in both regions.

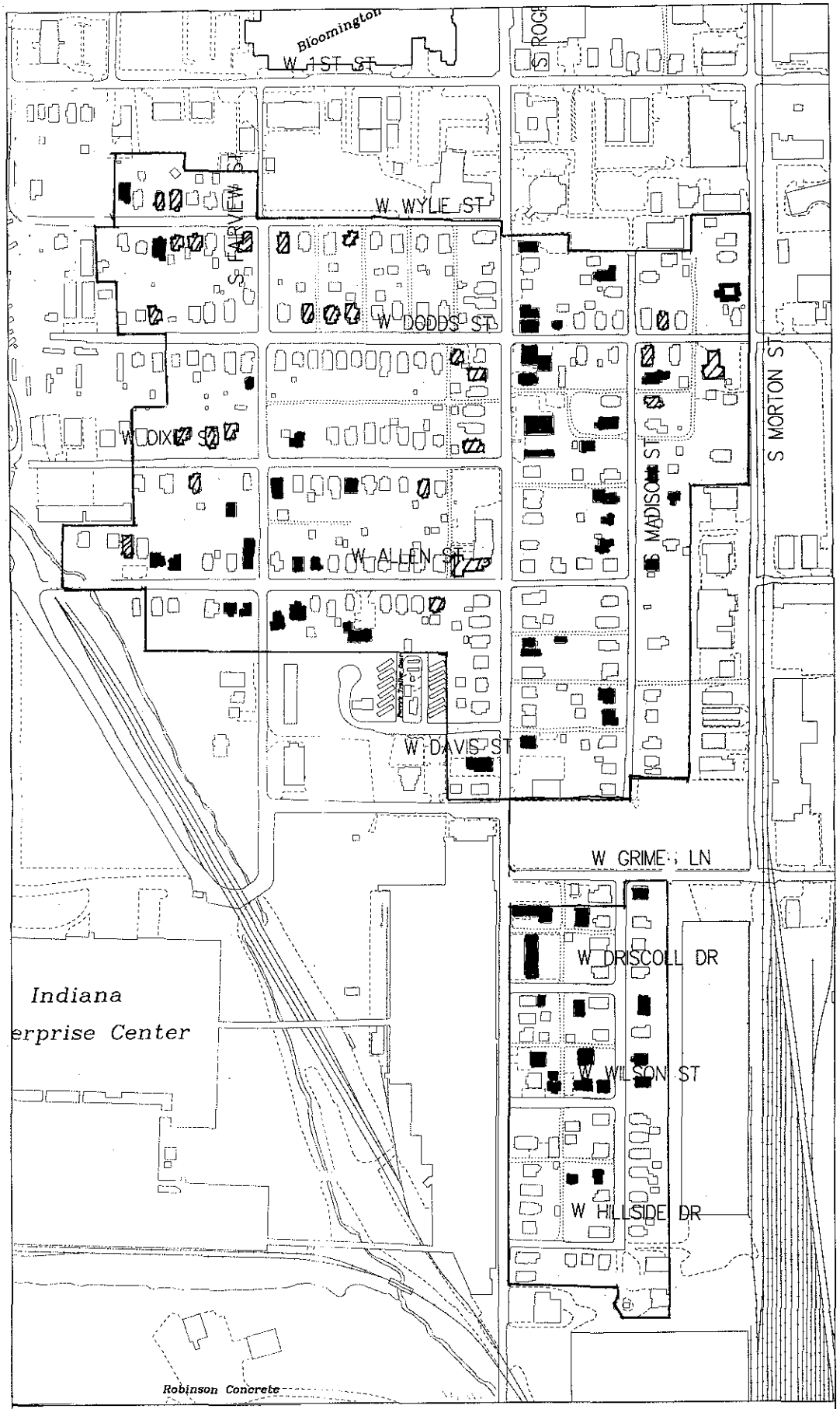


REVISED MAP 1/11/01

Proposed McDoel Conservation District

HATCHED AREAS OMITTED FROM DISTRICT

City of Bloomington
Housing & Neighborhoods



Proposed McDoel Conservation District

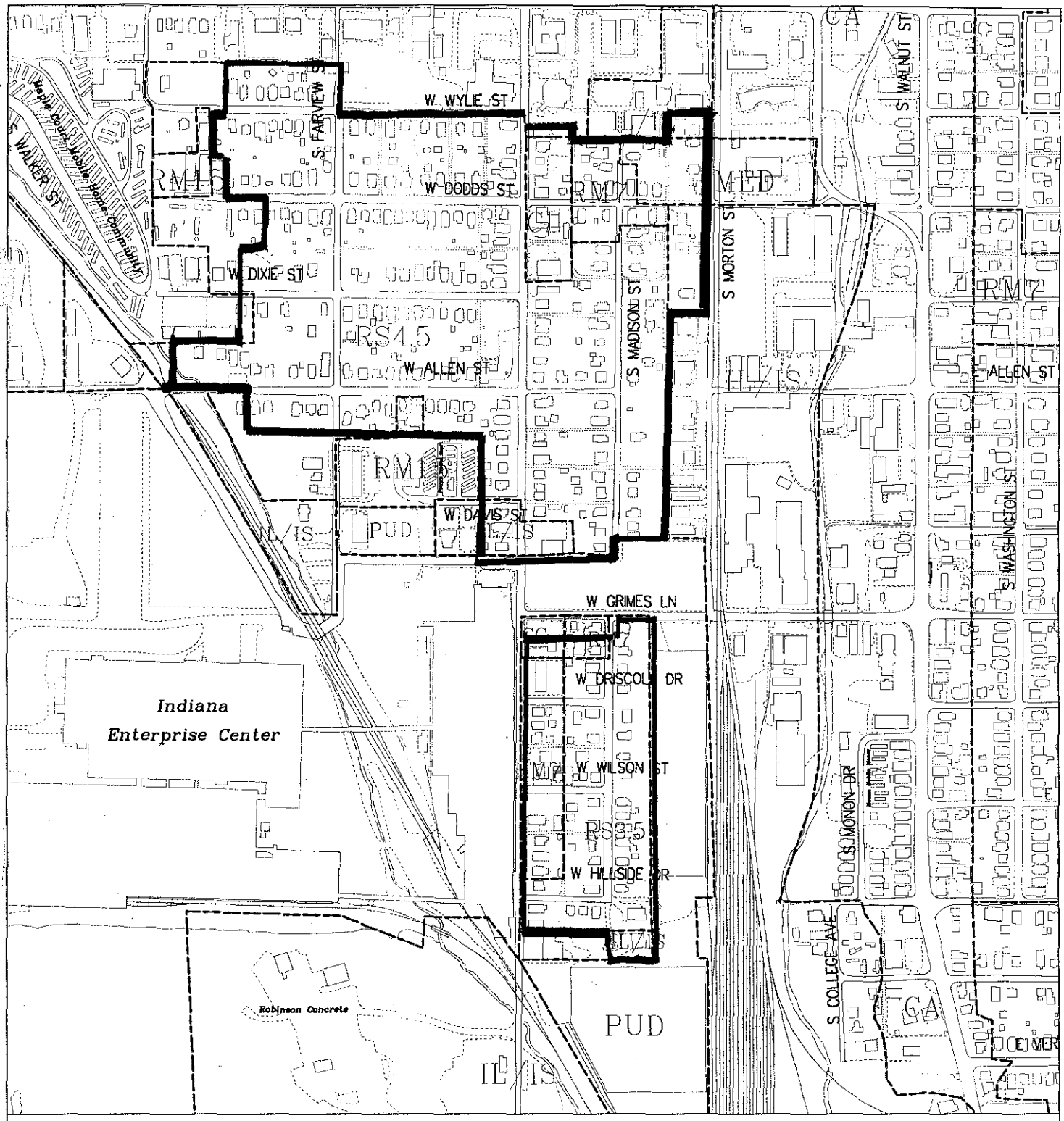
Non-contributing ■ Contributing □

Notable ▨ Outstanding ■

300 0 300 600 900

N

City of Bloomington
Housing & Neighborhoods



CONSERVATION DISTRICT OVERLAY
ON ZONING MAP

City of Bloomington
Housing & Neighborhoods

By: hiestann
12 Jan 01

500 0 500 1000 1500

N

Scale: 1" = 500'

For reference only; map information NOT warranted.

APPLICATION FORM

Historic Designation

Historic Preservation Commission of the City of Bloomington

Case Number: _____

Date Filed: November 9, 2000

Date of Commission Hearing: November 9, 2000

Request : Conservation or Historic District: CONSERVATION DISTRICT

****

Address of proposed district or description of boundaries:

817 West 1st Street to 827 West 1st Street, 828 West Wylie Street to 701 West Wylie on both sides of the street,613 West Wylie to 513 West Wylie on the south side of the street, 716 West Dodds Street to 315 West Dodds Street on both sides of the street,722 West Dixie Street to 503 West Dixie Street on both sides of the street,728 West Allen Street to 414 West Allen Street on both sides of the street, 808 South Madison to 1425 South Madison Street on both sides of the street, 800 South Rogers Street to 1133 South Rogers Street on both sides of the street, 1205 South Rogers Street to 1505 South Rogers Street on the east side of the street, 736 South Morton Street to 916 South Morton Street on the west side of the street.

Petitioner's Name: Bloomington Historic Commission

Contact's Name(s): Elizabeth Cox-Ash & Ellen Sieber

Petitioner's Address: 512 West Allen/510 West Dixie Street Bloomington,IN /Bloomington, IN **Phone Number:** Elizabeth 333-8084 Ellen 337-1996

Owner's Name: Elizabeth Cox-Ash & Ellen Sieber

Owner's Address: 512 W Allen Street /510 West Dixie Street Bloomington, IN /Bloomington, IN **Phone Number:** Elizabeth 333-8084 Ellen 337-1996

Instructions to Petitioners

The petitioner must attend a preliminary meeting with the staff of the Bloomington Historic Preservation Commission in the Housing and Neighborhood 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 postmarked10 days before the public hearing at which the action is taken. Upon receiving a complete 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 it's accessory buildings, then the Committee will appoint property owners within the proposed district an the Common Council member in 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 3:30 P.M. in the Hooker Room of Showers City Hall on Morton Street. The petitioner or his designee must attend the scheduled meeting in order to answer any questions or supply supporting materials. If you feel uncertain of the merits of 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 action is taken. Action by the Commission must occur within ninety 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.

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. This material may be obtained from staff.

4. Provide copies of any listing on a state or national registry or historic survey information pertinent to the property(s).

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 Directories and Atlases, written histories, when available, or oral histories may be used.

****

An historic district must be ruled to meet one of to 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 sight of an historic event ; or

c. Exemplifies the cultural, political, economical, social, or historical heritage of the community.

Architecturally worthy:

a. Embodies distinguishing characteristics of an architectural or engineering type; or

b. Is the work of a designer whose individual work has significantly influenced the development of the community ; or

c. Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or

d. Contains elements of design. Detail, materials, or craftsmanship which represents a significant innovation; or

e. Contains any architectural style, detail or element in danger of being lost; or

f. Owing to it's unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood of the city; or

g. Exemplifies the built environment in an era of history characterized by a distinctive architectural style.

Please describe under which category(s) the proposed district qualifies to be locally designated.

a.Distinguishing Characteristics: Kit Homes, Gabled-ell,Pyramid Gabled-ell, and bungalows

c.Work of a designer: Sears Kit Homes

e. Architectural Style in danger of being lost: homes are being torn down, losing the old gabled-ell and pyramid gabled-ell homes for new duplex apartments or apartment rows, the kit homes throughout the country are being torn down, threatened bungalows

f.Unique location: McDoel Gardens is an older "CORE NEIGHBORHOOD" that is being gradually destroyed for surface parking from Bloomington Hospital (See missing homes on West 1st Street & the north side of 513 West Wylie to 613 West Wylie Street, also missing homes on South Rogers Street north of 800 South Rogers Street), new duplexes on South Madison Street south of 1201 South Madison Street which replace the gabled-ell or bungalow homes, new duplexes or row apartments on South Rogers Street from 1205 South Rogers Street south

f. Unique location or physical characteristics: This is an older "CORE NEIGHBORHOOD" of bungalows from 1920s on, kit homes from 1915 on and gabled-ell homes from 1900 on, There are also unique commercial buildings such as Rail Road Buildings, an old city garage, old stone company buildings.

g. Built environment in an Era of History characterized by a distinctive architectural style: These homes were "worker's cottages" for the rail road workers, quarry workers, textile workers, Showers Factory workers,and later RCA workers.

PLEASE SEE ATTACHED PHOTOS, NEIGHBORHOOD HISTORY, PETITION WITH 145 SIGNATURES (90 Homeowners), SUPPORTING LETTERS, MAP, LIST OF HOMEOWNERS, LEGAL DESCRIPTIONS.

McDoel Gardens Neighborhood Conservation District

Proposed Guidelines for Residential Structures

Note: Planning, zoning, and construction regulations for the City of Bloomington regulating building construction and demolition may be more restrictive than these guidelines. The guidelines for the McDoel Gardens Conservation District function within the existing regulations.

General Guiding Principles

1) The purpose of the McDoel Gardens Conservation District is to save our neighborhood for the people who live in it. The neighborhood, which has been home to four generations of working people, has seen many homes destroyed over the past two decades. The Conservation District establishes a border around our houses to prevent further erosion of our neighborhood.

2) McDoel has always been a mixed neighborhood of residential, commercial, industrial, and religious structures, and the creation of the McDoel Gardens Conservation District does not change that basic fact. The guidelines are intended to protect residential areas, not to prevent commercial, industrial, or religious use in areas where these activities have traditionally taken place.

3) New construction of residential structures should be visually compatible with "contributing" house types found in the neighborhood. There is diversity among house types within the neighborhood, and this diversity allows a wide variety of styles for proposed new structures. "Contributing" houses are those that contribute to the traditional character of the neighborhood, by being fifty years old or older and not significantly altered from their original form. "Non-contributing" houses are houses less than fifty years in age or those that have been significantly altered from their original form. See the accompanying map for identification of contributing houses.

4) The intent of these guidelines is to maintain a living, healthy neighborhood. Our goal is to maintain property values for current home owners. The Historic Preservation Commission should interpret the guidelines flexibly rather than rigidly, and should seek the input of neighbors when reviewing proposed projects covered by these guidelines.

Guideline Application

These Conservation District guidelines are to be used by the Historic Preservation Commission in the review of proposed changes in the residential areas of McDoel Gardens, and apply to demolition or moving of houses, construction of new accessory structures associated with contributing houses, and construction of new houses. Examples of items NOT restricted by the guidelines are:

- additions to a principle structure or house
- carports
- sheds not on permanent foundations
- exterior siding on existing structures
- windows size and placement on existing structures
- porch enclosures
- fences
- patios
- decks
- satellite dishes and antennas
- driveways
- swimming pools
- ponds and other landscaping
- kennels
- yard art

Demolition of Existing Principal Structures

Guiding principles

Existing houses within the neighborhood should be maintained when feasible.

Factors to consider

Is the structure a contributing structure (fifty years old or older and not significantly altered from its original form)?

What condition is the structure in?

Determinations

a) If a structure is a contributing structure, and is in good or repairable condition (that is, if restoration would cost less than replacement), then a certificate of approval for demolition of the structure will not generally be given. Exceptions may be made if demolition of the structure contributes to the public good of the neighborhood.

b) If a structure is non-contributing, but is a part of the neighborhood's residential context, a certificate of approval may be given if demolition contributes to the public good of the neighborhood

Moving of Existing Principal Structures

Guiding principles

Existing contributing houses within the neighborhood should be kept in place when feasible.

Factors to consider

Is the structure a contributing structure (fifty years old or older and not significantly altered from its original form)?

What condition is the house in?

Determinations

a) If a structure is a contributing structure, is in good or repairable condition (that is, if restoration would cost less than replacement), then a certificate of approval for moving the structure will not generally be given. Exceptions may be made if moving the structure contributes to the public good of the neighborhood.

b) If a structure is non-contributing, but is a part of the neighborhood's residential context, a certificate of approval may be given if moving the structure contributes to the public good of the neighborhood

New Construction

Accessory Structures

Guiding principles

New structures accessory to contributing houses should be visually compatible with existing neighborhood patterns. Review of new structures accessory to non-contributing house is NOT required.

Definition of accessory structures

Accessory structures are permanent structures that are physically separate from the house and have a below-ground foundation. Examples of accessory structures are sheds with below-ground foundations, and one- and two-car garages. See examples of accessory features NOT covered by these guidelines above, under "Guideline Application."

Public ways

"Public ways" in the McDoel Gardens Neighborhood are: South Rogers St., South Madison St., West Wylie St., West Dodds St., West Dixie St., West Allen St., West Hillside St. (facing south). Not considered public ways: South Fairview St., West Driscoll St., West Wilson St., West Hillside St. (facing north), alleys.

(continued on back)

Proposed Guidelines for Residential Structures

Accessory Structures--*continued*

Placement on lot

Existing historic accessory structures are generally found within the back yard of the lot. To be compatible with this pattern, permanent new accessory structures should be placed within the back yard where feasible. Existing historic accessory structures placed in back yards are often visible from the public way; this is acceptable with new accessory structures as well.

Structure design

Permanent new accessory structures visible to public view (that is, seen from the defined public ways by casual passers-by) are encouraged to be visually compatible with existing structures. Garages are limited to a maximum two-car size. Roof lines that match the pitch of the main structure on the lot are encouraged but not required.

Materials

There are no material restrictions for accessory structures within these guidelines.

Principal Residential Structures

Guiding principles

New construction of residential structures should be visually compatible with contributing house types found in the neighborhood.

Definition of principal residential structures

A principal residential structure is the residential structure on the lot.

Placement on lot

The contributing houses in McDoel are generally (though not exclusively) placed in the center of the lot in the side-to-side dimension, and somewhat forward of center in the front-to-back dimension, creating two approximately equal side yards, and a front yard smaller than the back yard. Where feasible this pattern is encouraged in placing new residential structures on their lots. New residential structures should be set back from the street a distance consistent with the set-back depths of contributing houses (that is, within the minimum and maximum set-back ranges; see illustration).

Structure design (size, height, roof line, porch)

Design of new residential structures is encouraged to follow the basic design patterns of the contributing houses found in the neighborhood. These include size (ca. 800-1500 square feet on ground level, typically one to three bedrooms); height (one to two stories); and main roof configuration (gabled roofs, including single gable, two perpendicular gables, and pyramid styles). Roof pitch for new residential structures should be within the range found on houses on that block (see illustration). In cases where a new residential structure is built to replace a house formerly located on the lot, the new structure should follow the same footprint (placement and outline on lot) as the former house. Exceptions may be made if the original house was placed off center (side to side) or its set-back was not in the range of contributing houses. If the original house was exceedingly small, the replacement house may be larger but should be within the size range of contributing houses. Where feasible, front porches are encouraged as compatible with the neighborhood's character.

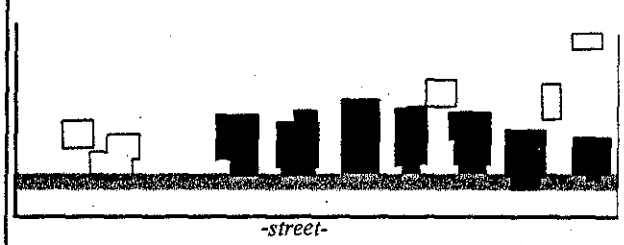
Parking considerations

Typically, houses with off-street parking in the neighborhood feature straight driveways off the street, placed on one side of the house. This configuration is compatible and acceptable in new construction.

Materials

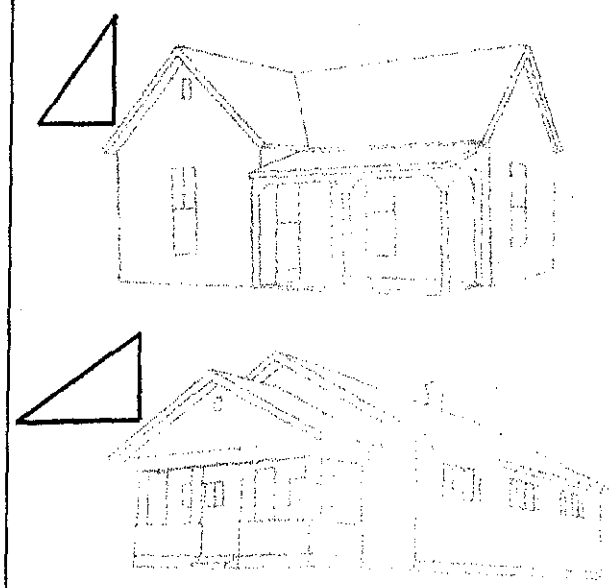
The contributing homes in the neighborhood feature a wide variety of materials. This variety is compatible and acceptable for new residential structures as well. Typically, contributing homes feature a masonry foundation (stone or block), with exterior walls sided in wood, aluminum, fiber, vinyl, or composite materials; design of new residential structures is encouraged to follow this pattern where feasible.

SET-BACK



Set-back zone for new residential structures should be determined by the set-back ranges of contributing houses on that block, as shown by the grey band in this drawing.

ROOF PITCH



Roof pitch range for new residential structures should be within the range of roof pitches found on the main roofs of contributing houses on that block. This illustration shows examples of roof pitch variations found on typical contributing houses in the McDoel Neighborhood.

Procedures for Changing the Guidelines

1) Changes to the guidelines, if desired, shall be initiated from and drafted by the McDoel Gardens neighborhood organization.
2) The neighborhood organization shall inform the Historic Preservation Commission of the proposed changes to the guidelines.
3) All property owners in the Conservation District shall be notified of the proposed changes in the guidelines. They will be given copies of the proposed changes and notice of the time and place of the public hearing on the proposal.
4) The neighborhood organization shall provide a system whereby all property owners have the opportunity to cast a vote on the proposal.
5) If 51% of the property owners who cast a vote approve the changes, the new guidelines are forwarded to the Historic Preservation Commission for ratification.