



Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

Cancellation - Notice of Cancellation of Budget Retreat on Saturday, May 21, 2005

Legislation for Final Action:

App Ord 05-03 To Specially Appropriate from the General Fund, Risk Management Fund, Telecom Fund, and Municipal Arts Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for the Animal Care & Control Division and the Community & Family Resources Department for Various Purposes; from the Risk Management Fund for Increased Hours for the Assistant City Attorney; from the Telecom – Infrastructure Fund for expansion of the Bloomington Digital Underground (BDU) and Wireless Internet Access in City Hall; and from the Municipal Arts Fund to Reimburse the General Fund for a Percent for the Arts Project)

Please see the packet for the May 4th Regular Session for the legislation, summary and background materials.

Contact: Susan Clark at 349-3416 or clarks@bloomington.in.gov

Legislation Regarding Expenditures from the Industrial Development Fund

Memo from Ron Walker, Director of Economic Development

Balance Sheet for the Industrial Development Fund

Res 04-03 To Authorize Expenditures from the Industrial Development Fund for Attainment of Benchmarks by Cook Pharmica LLC at the Indiana Enterprise Center - Exh A (Legal Description); Exh B (Map of Water Main); BIDAC Res 05-03; Projected Revenues and Reimbursements; Projected Reimbursement for Attaining Project Benchmark; Projected Reimbursement for Attaining Waterline Benchmark

Contact: Ron Walker at 349-3534 or walker@bloomington.in.gov

Res 04-04 To Authorize Expenditures from the Industrial Development Fund for Attainment of Benchmarks by Schulte Corporation at the Indiana Enterprise Center
- Exh A (Legal Description); BIDAC Res 05-04; Projected Revenues and Reimbursements; Projected Reimbursement for Attaining Project Benchmark;
Contact: Ron Walker at 349-3534 or walker@bloomington.in.gov

Legislation Regarding the Growth Policies Plan

Res 04-05 To Amend the City's Comprehensive Plan to Include a Critical Subarea for the Area Known as "The Goat Farm"

- Memo from Scott Robinson, Long Range/Transportation Manager; Critical Subarea Narrative and Map; Map of the Surrounding Area; Staff Materials for April 11th Plan Commission Meeting; Staff Memo; Subarea Narrative and Map

Contact: Scott Robinson at 349-3566 or robinsos@bloomington.in.gov

Legislation and Background Material for First Reading:

Ord 05-16 To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish a Historic District - Re: "Apartment Row" at 314 – 316, 318 – 320, 322 – 324 North College Avenue (Bloomington Historic Preservation Commission, Petitioner)

- Map of the Historic District; Sanborn Maps 1907 and 1927; Report from the Historic Preservation Commission; Photos of these Houses and Some of Their Features

Contact: Nancy Hiestand at 349-3507 or hiestann@bloomington.in.gov

Minutes from Regular Session:

None

Memo

Budget Retreat to be Rescheduled

Due to an unusual convergence of personal, councilmember obligations, we will not have a quorum for the Budget Retreat and, therefore, will not hold it next Saturday. The Council Office is working with council members and the Mayor's Office to reschedule the Budget Retreat sometime in the near future.

Four Items Ready for Final Action and One Item Ready for Introduction at the Regular Session on Wednesday, May 18th

There are four items (an appropriation ordinance and three resolutions) ready for final action and an ordinance ready for introduction at next week's Regular Session. Please refer to the packet for May 4th (appropriation ordinance), May 11th (three resolutions) and this packet (the one ordinance) for the legislation, summaries and background material.

First Readings

Amending Title 8 (Historic Preservation and Protection) by Designating Apartment Row at 314 – 324 North College Avenue (Ord 05-16) as a Historic District

Ord 05-16 would designate Apartment Row at 314 – 322 North College as a historic district and rate the houses as “contributing” structures. As you may recall, the Mayor recommended this action when these three homes were put up for auction last fall. The properties did not sell at the auction, but were sold a few weeks later to Steven Hoffman (Pavilion Properties).

Mr. Hoffman has requested that the Council schedule this ordinance for a hearing, but opposes the designation. He says that he did not acquire the houses with the intention of demolishing them, but believes that designation adversely affects the value of the property in the long run. He has concerns about the inaction on this proposal and would like to do some exterior maintenance, which he believes would be affected by the designation. He is also concerned about the lack of local incentives to restore historic properties. Please note that this ordinance was delayed in order to see whether the Downtown Vision and Infill Strategy Plan would offer guidance on the future use of these parcels. Mr. Hoffman was aware of the reasoning, but still desires a hearing at this time.

Historic Preservation Ordinances

Before describing this district, the next few paragraphs provide a brief overview of the Title 8 regarding Historic Preservation and Protection. The provisions of that title conform to state law (I.C. 36-7-11 et seq.) and are intended to protect historic and architecturally-worthy properties that either impart a distinct aesthetic quality to the city or serve as visible reminders of our historic heritage. These provisions are intended to:

- insure the harmonious and orderly growth and development of the City;
- maintain established, but endangered neighborhoods;
- enhance property values and attract new residents; and
- ensure the viability of the traditional downtown area and to enhance tourism.

The Historic Preservation Commission is authorized to make recommendations to the Council regarding the establishment of historic districts. Once those districts are established, the Commission promulgates rules and procedures for reviewing changes to the external appearance of these properties. The review takes the form of either granting or denying certificates of appropriateness for the proposed changes.

The code provides for various levels of historic designations, areas, and ratings which largely correspond to various levels of protection. There are two forms of designations. The first form is the conservation district, which is a less intrusive and occasional, interim designation (initially for three years). The second is the full historic district. Within each district, properties may be divided into primary or less-regulated secondary areas. Each property within a district may be rated as outstanding, notable, contributing, or noncontributing, according to its significance.

When recommending a historic district, the Historic Preservation Commission must hold a public hearing and submit a map and report to the Council. The map identifies the district and the report explains the designation in terms of the criteria set forth in the ordinance. The criteria address the historic or architectural importance of the property. Along with the recommendation, the Commission may impose interim protection on the district that remains in effect until the Council acts on the designation and protects the property from exterior alteration.

Demolition Review

In January of this year, the City amended the local code in order to impose a 90 – 120 day delay on permits to demolish exterior portions of buildings and structures listed as “contributing,” “notable,” or “outstanding” on the Bloomington Survey of Historic Sites and Structures (Historic Survey). This delay is intended to give the Commission time to consider whether or not to recommend designation and impose an interim protection for the property in order to preserve the status quo until the Council makes the ultimate decision regarding the designation. In the event the Commission does not pursue the designation within the period of delay or the Council denies the designation, then neither the Commission nor Council may interfere with demolition permit for one year after that decision or action.

Action of the Commission

These three twin homes appear as contributing structures on the 2001 Historic Survey under the section regarding scattered sites (#155-055-90172) and were called “Apartment Row.” The Commission has submitted a map and report which recommends its designation under the historic as well as architectural criteria.

Historic Criteria

The northern two houses were built between 1898 and 1907 and the southern house was built between 1918 and 1920. They are one of the first and some of the largest duplexes built in the City and housed professional and managerial personnel serving businesses in the downtown of that time. Those personnel included H.E. Wahl, W.A. Stoute, Talbot Young, H.C. McNeely, Benjamin Becovitz, and H.W. Antle. Frank Gentry of the Gentry Brothers Circus owned these houses in the 1930’s when they were mostly vacant. Members of the Vonderschmitt family, local theater owners, owned them up until 1959 when they were purchased by the Crouch family. Steven Hoffman acquired them last fall from the Crouch estate. The role of these homes in the emerging urban residential market and the persons who owned or lived in them led the Commission to find that these homes:

- exemplify the economic, social, and historic heritage of the community, and
- have significant character as part of the development of the city and are associated with persons who played a significant role in local history.

Architecturally Worthy Criteria

These nearly identical 2 ½ story houses were built in the late Queen Anne style with Free Classic details promoted by John Nichols, Bloomington’s first architect. The limestone walk and walls, brick wrap-around porches (which were added after the homes were built), and pyramidal roofs with three gabled bay windows make these triplet of homes a familiar downtown landmark. Some of the detail found in the windows suggests that the more recent siding may hide some nice handiwork underneath. These and other features noted in the report led the Commission to find that these homes:

- embody distinguishing characteristics of an architectural type;
- contain architectural style and detail in danger of being lost;
- represent a familiar feature of the downtown; and
- exemplify the built environment in an era of history characterized by a distinctive architectural style.

Rating as Contributing Structure

The Commission rated this building as a “contributing” structure, which is the third-ranking of four classifications. This rating means the building is at least 40 years old, but does not meet the criteria of the higher ratings of “outstanding” or “notable.” Buildings with this rating “are important to the density and continuity of the area’s historic fabric.”

Happy Birthday Council Intern Alexis St. Juliana!

**NOTICE AND AGENDA FOR
COMMON COUNCIL, REGULAR SESSION
7:30 P.M., WEDNESDAY, MAY 18, 2005
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 NORTH MORTON**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: None

IV. REPORTS FROM:
1. Council Members
2. The Mayor and City Offices
3. Council Committees
4. Public

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING

1. Appropriations Ordinance 05-03 To Specially Appropriate from the General Fund, Risk Management Fund, Telecom Fund, and Municipal Arts Fund Expenditures not Otherwise Appropriated (Appropriating Funds from the General Fund for the Animal Care & Control Division and the Community & Family Resources Department for Various Purposes; from the Risk Management Fund for Increased Hours for the Assistant City Attorney; from the Telecom – Infrastructure Fund for expansion of the Bloomington Digital Underground (BDU) and Wireless Internet Access in City Hall; and from the Municipal Arts Fund to Reimburse the General Fund for a Percent for the Arts Project)

Committee Recommendation: Do Pass 7 – 0

2. Resolution 05-03 To Authorize Expenditures from the Industrial Development Fund for Attainment of Benchmarks by Cook Pharmica LLC at the Indiana Enterprise Center

Committee Recommendation: Do Pass 7 – 0

3. Resolution 05-04 To Authorize Expenditures from the Industrial Development Fund for Attainment of Benchmarks by the Schulte Corporation at the Indiana Enterprise Center

Committee Recommendation: Do Pass 7 – 0

4. Resolution 05-05 To Amend the City’s Comprehensive Plan to Include a Critical Subarea for the Area Known as “The Goat Farm”

Committee Recommendation: Do Pass 7 – 0

VII. LEGISLATION FOR FIRST READING

1. Ordinance 05-16 To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District Re: “Apartment Row” at 314 – 316, 318 – 320, 322 – 324 North College Avenue (Bloomington Historic Preservation Commission, Petitioner)

VIII. PRIVILEGE OF THE FLOOR (This section of the Agenda is limited to a maximum of 25 minutes. Each speaker is allotted 5 minutes.)

IX. ADJOURNMENT



Office of the Common Council
(812) 349-3409
Fax: (812) 349-3570
e-mail: council@bloomington.in.gov

To: Council Members
From: Council Office
Re: Calendar for the Week of May 16 - 21, 2005
Date: May 13, 2005

Monday, May 16, 2005

12:00 pm Safe and Civil City Program Advisory Board, McCloskey
3:00 pm Smokefree Policy Committee, Hooker Room
4:00 pm Council for Community Accessibility, McCloskey
5:00 pm Farmers' Market Advisory Council, Parks
5:00 pm Utilities Service Board, IU Research
5:30 pm Bicycle & Pedestrian Safety Commission, Hooker Room

Tuesday, May 17, 2005

12:00 pm Industrial Development Advisory Commission, Hooker Room
4:00 pm Board of Public Safety, Police Headquarters, 220 E. 3rd
5:30 pm Public Transportation Corporation, Public Transportation Center, 130 W. Grimes
5:30 pm Board of Public Works, Council Chambers
6:30 pm Animal Control Commission, McCloskey
3:30 pm Community & Family Resources Commission, Hooker Room

Wednesday, May 18, 2005

9:30 am Tree Commission, Rose Hill Cemetery Office, 930 W. 4th
7:00 pm Council of Neighborhood Associations, Hooker Room
7:30 pm Common Council, Regular Session, Council Chambers

Thursday, May 19, 2005

7:30 am Domestic Violence Taskforce, Hooker Room
3:00 pm Zoning Ordinance Steering Committee, Council Chambers
3:30 pm Municipal Facilities Corporation, Hooker Room
4:00 pm Digital Underground, McCloskey
4:00 pm Martin Luther King, Jr., Birthday Commission, Dunlap
5:30 pm Board of Zoning Appeals, Council Chambers
7:00 pm Environmental Commission, McCloskey

Friday, May 20, 2005

There are no meetings scheduled for today.

Happy Birthday Council Intern, Alexis St. Juliana!

Saturday, May 21, 2005

7:00 am Bloomington Community Farmers' Market, Showers Common

The Common Council Budget Retreat originally scheduled for this Saturday will be rescheduled for a date in the near future.



City of Bloomington
Office of the Common Council

NOTICE OF MEETING CANCELLATION

**THE CITY OF BLOOMINGTON COMMON
COUNCIL BUDGET RETREAT SCHEDULED FOR
SATURDAY, MAY 21, 2005 HAS BEEN
CANCELLED.**

**NOTICE WILL BE POSTED UPON THE
RESCHEDULING OF THIS MEETING.**

Dated & Posted: Friday, May 13, 2005

401 N. Morton Street Bloomington, IN 47404

City Hall

www.city.bloomington.in.us

email: council@city.bloomington.in.us

Phone: (812) 349-3409 Fax (812) 349-3570

ORDINANCE 05-16

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED
“HISTORIC PRESERVATION AND PROTECTION”
TO ESTABLISH A HISTORIC DISTRICT**

**Re: “Apartment Row” at 314 – 316, 318 – 320, 322 – 324 North College Avenue
(Bloomington Historic Preservation Commission, Petitioner)**

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 public hearings on October 14, 2004 and November 4, 2004 for the purpose of allowing discussion and public comment on the proposed historic district designation of “Apartment Row” at 314 – 316, 318 – 320, 322 – 324 North College Avenue; and

WHEREAS, at the November 4, 2004 meeting the Historic Preservation Commission found that the building has historic and architectural significance that merits the protection of the property as a historic 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; and

WHEREAS, the Commission voted to submit the map and report to the Common Council which recommend local historic designation of said properties;

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

SECTION I. The map setting forth the proposed historic district for the site is hereby approved by the Common Council, and said historic district is hereby established. A copy of the map and report submitted by the Historic Preservation Commission are attached to this ordinance and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection. The legal description of this property is further described as:

Original Plat for the City of Bloomington – Part Lots 315 and 316.

SECTION II. The “Apartment Row” shall be classified as “contributing.”

SECTION III. Chapter 8.20 of the Bloomington Municipal Code, entitled “A List of Designated Historic Districts,” is hereby amended to insert a line regarding the “Apartment Row” which shall read as follows:

Apartment Row	314-316, 318-320 & 322-324
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SECTION IV. 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 V. 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 ____ day of _____, 2005.

ANDY RUFF, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 2005

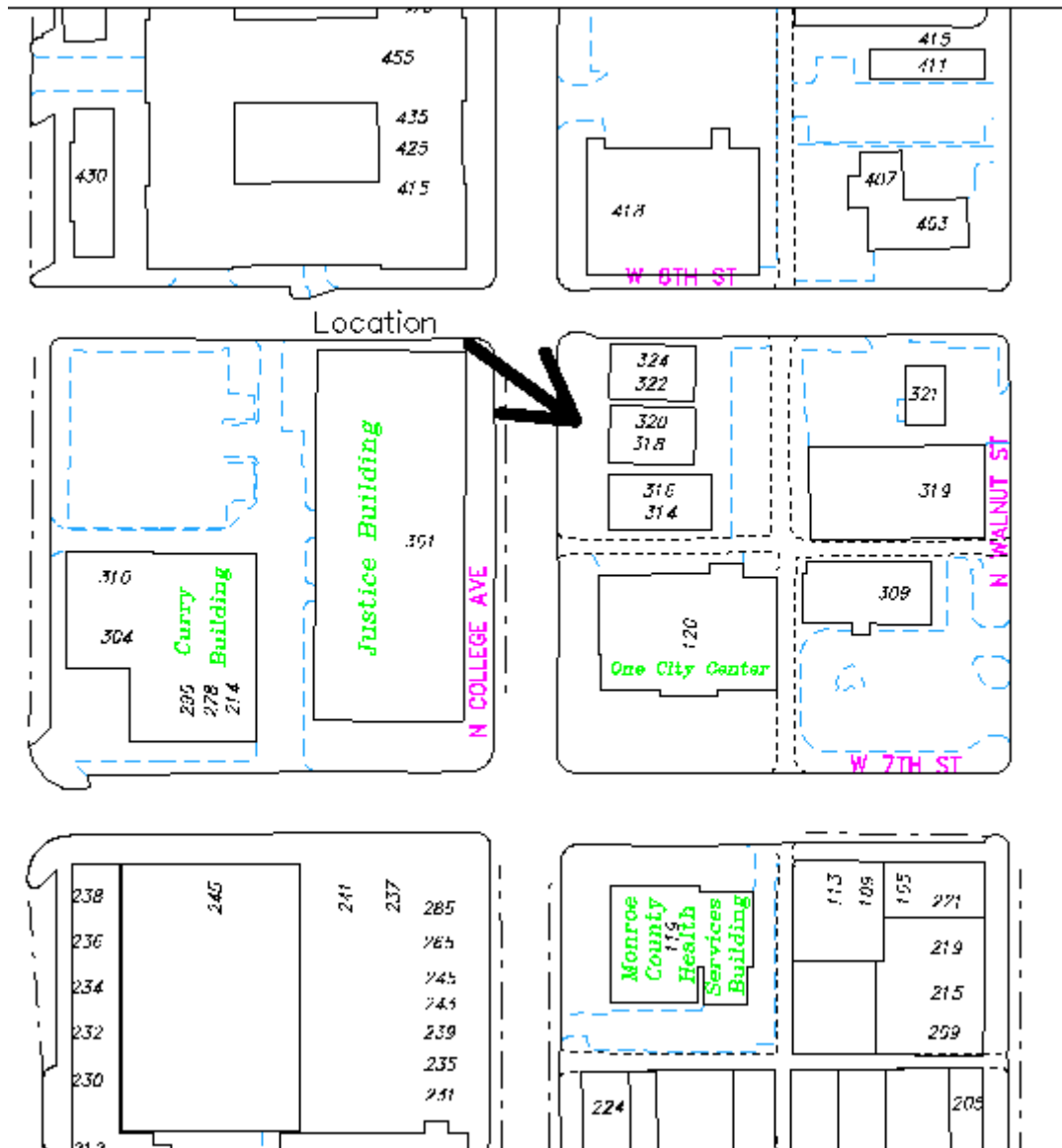
REGINA MOORE, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this ____ day of _____, 2004.

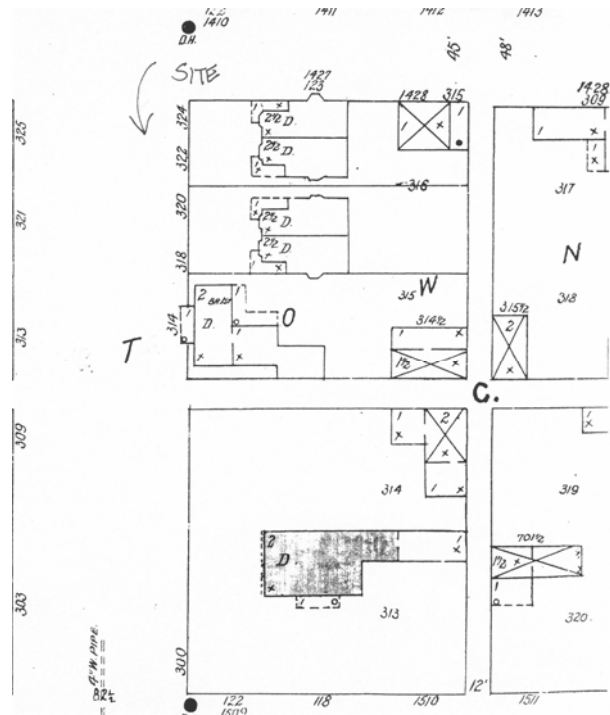
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

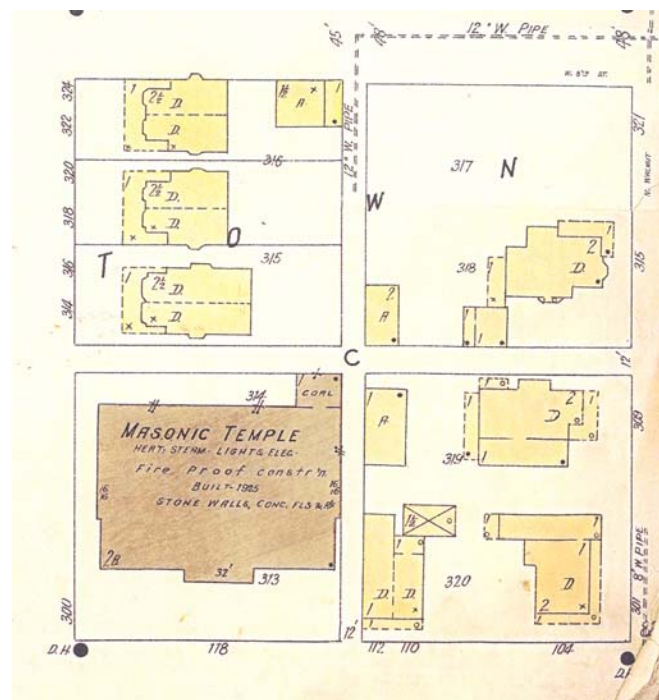
This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “The List of Designated Historic Districts” in order to designate “Apartment Row” located at 314-316, 318-320, 322-324 North College Avenue as a historic district and rate them as “contributing” structures. The Bloomington Historic Preservation Commission sought these actions and, after a public hearings on October 14th and November 4th, 2004, recommended them to the Common Council based upon certain historic and architectural criteria set forth in Title 8 (Historic Preservation and Protection). Their nearly identical appearance, Queen Anne and Free Classic style, former residents and owners, and role in the downtown residential market in the early 20th Century supported the recommendations. Once this ordinance has been adopted, the property would be regulated by the requirements that apply to all historic and architecturally worthy districts so designated by the Common Council. These regulations preserve and protect the property from demolition and include the review of exterior modifications.



**Location Map: 314-316, 318-320, 322-324 North College
Apartment Row HD-03-04**



1907 Sanborn Fire Insurance Map



1927 Sanborn Fire Insurance Map

HD-3-04

Apartment Row

Staff Report:

Bloomington Historic Preservation Commission

The twin or duplex homes located at 314-316, 318-320 and 322-324 North College.

The houses qualify for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code (1) Historic Criteria a. and c. and (2) Architecture a., e., f., and g.

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

The property consists of three 2 ½ story twin homes located between 7th and 8th Street on the east side of North College. Sanborn Fire insurance maps indicate that the two buildings at 318-320 and 322-324 were built at the same time after 1898 and before 1907, with the middle property being built first according to City Directory information. The south building (314-316) was built later, between 1918 and 1920. This house has a slightly longer footprint and a hipped roof. The properties have been sided, and their details are largely obscured. The style of the houses is late Queen Anne with Free Classic details. The Free Classic style was popularized by Bloomington's first architect, John Nichols. Because of his interest, Bloomington is a center for Free Classic style, having many residences featuring the pedimented gables, Tuscan columns and diamond pane windows that define the style. This style is less prevalent in nearby communities. The three houses display multiple pedimented gables, facing both to the street and sideyards.

Additionally, they are memorable as a group of three nearly identical properties only a block north of the square.

The porches are not original and appear between 1913 and 1927, probably during the construction of the third house. The original porches were divided in front. They wrapped around the houses symmetrically extending from the center of the front bays and wrapping the façade in either direction to be flush with the north and south sides of the house.

The houses show the complex massing of the Queen Anne style including a central pyramidal roof with three intersecting gabled bays. The prominent front facing gable has an apparent pediment which links it with the later Free Classic style. Side gables are also pedimented. A noteworthy aspect of the properties is the hand tooled limestone embankment and steps leading to the separate entrances. Massive limestone slabs have been laid on the walks leading to the front doors and is also used on 8th Street. The loss of this exceptional and characteristic streetscape should be considered along with the houses themselves.

Each house is composed of two front-facing tripartite bay windows and two side-facing tripartite bays. The fenestration is double hung single light wood sash. Exceptions to this are the four light windows on the attic level beneath the gable. On each house, there are small windows beside the entrance doors facing north and south which appear to be original. On the southern most property these are stained glass, on others, they are wood casements. While examining the buildings, staff noticed rather ornate curvilinear brackets beneath some of the cantilevered bays. These are pictured in the packet. This would suggest that the covered framing may be more interesting than simple clapboard, and may include some patterned shingled siding.

Over the years the houses have had such famous occupants as:

H.E. Wahl (314, Wahl and Company Meat Market)

W.A. Stoute (324, Stoute's Pharmacy) who lived there from 1913 to 1922

Talbot Young (318, president of Indiana Basket Company)

H.C. McNeely (314, Grocery)

Benjamin Becovitz (314, owner "the Louben" clothing store) who lived there from 1920- 28

H.W. Antle (322, Showers foreman) who lived there from 1913-1927

In the 1930's the properties suffered from vacancies. In 1933 only two of the six units were rented. The Crouch family has owned the property since 1959. Prior to that, the properties were held by members of the Vonderschmitt family, who also owned the Von Lee and the Indiana Theatres. Frank Gentry, of the Gentry Brothers Circus, owned the property in the 1930's.

Having been built as early as 1907, these large twins are among the first duplexes built in Bloomington. They reflect the changes of a rapidly urbanizing environment, one which required rentals for the professional classes and for the superintendents and proprietors of growing local businesses. Unlike the modest Free Classic duplexes on West Fourth Street which were listed on the National Register in September of 2000, the homes on College are familiar landmarks downtown made more visible by their elevations and their massive scale. Their preservation should not be hampered by the lack of maintenance that is apparent nor the fact that the siding obscures architectural detail. Because the properties are part of a large developable tract

downtown, and because they cannot be replaced once demolished, the Commission should seriously consider the true ramifications of this vote.

Staff recommends that the petition be forwarded to council with a favorable recommendation and that interim controls be placed upon the properties until such time that the Common Council can act on the designation.



Apartment Row College Street facades



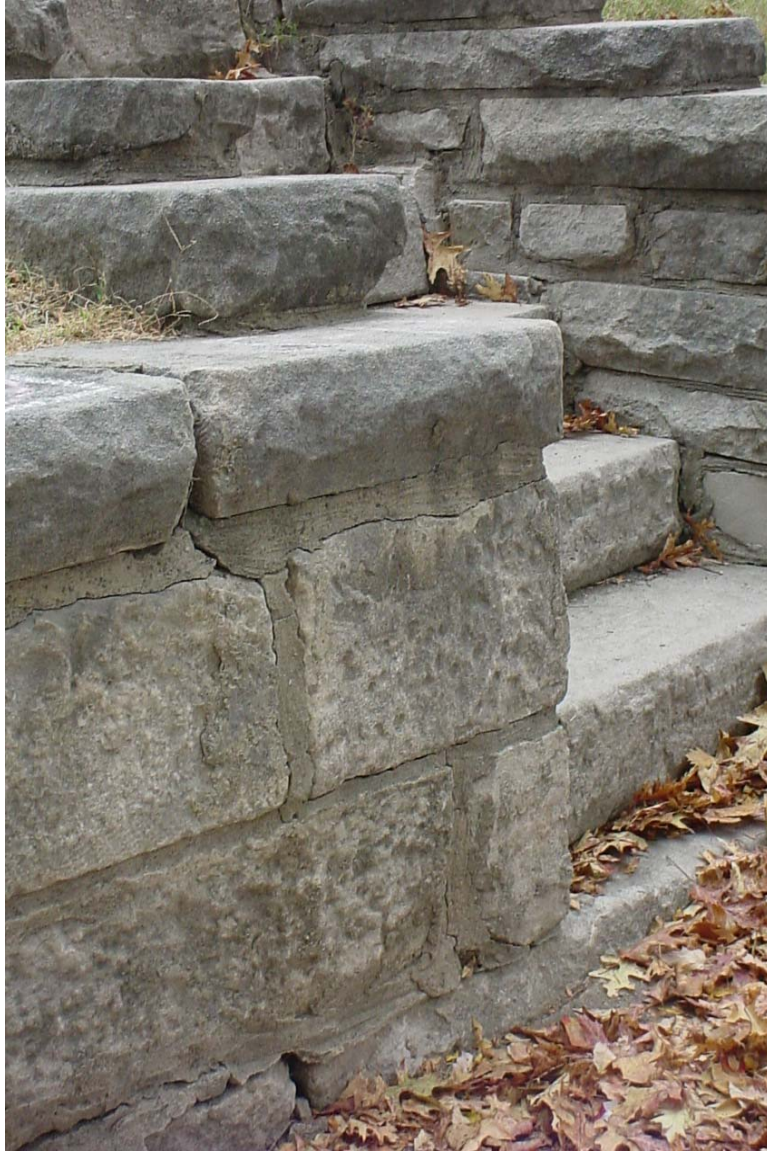
Aerial View



Circa 1920 brick porches



Eighth Street side



Limestone Wall and Step detail



Step detail with hand tool marks



Limestone embankment



Curvilinear Brackets beneath Eighth Street Bay



Eighth Street limestone slab sidewalk



Windows



Doors (early perhaps not original)