

Bloomington Historic Preservation Commission
Showers City Hall, McCloskey Room
Thursday January 9, 2020
MINUTES

Meeting was called to order by Jeff Goldin @ 5:01 pm

ROLL CALL

Commissioners

Present

Doug Bruce
Sam DeSollar
Susan Dyer
Jeff Goldin
Deb Hutton
John Saunders
Lee Sandweiss
Chris Sturbaum

Absent

none

Advisory members

Present

Jenny Southern
Derek Richey

Absent

Duncan Campbell
Ernesto Casteneda

Staff

Conor Herterich, HAND
Doris Sims, HAND
Angela Van Rooy, HAND

Philippa Guthrie, Legal

Guests

Carl Salzmann, DD 19-23&24
Andrea Havill, DD 19-22
Del & Holly Backs, COA 20-1
Olivia Dorfman, NWSCD
Karen Duffy, NWSCD
Nicholas Carder, Stasny & Horn
Steve Wyatt, BRI
Marc Cornett, COA 20-2&3
David Kebber, DD 19-25

APPROVAL OF MINUTES

John Saunders made a motion to approve November 14th, 2019 Minutes, **Deb Hutton** seconded. **Motion carried 5-0-2** (Yes-No-Abstain)

CERTIFICATES OF APPROPRIATENESS

Staff Review

A. COA 19-66

1101 E. Hunter Avenue (Elm Heights Historic District)

Petitioner: Johannes Turk

Removal of mature silver maple from front yard.

Conor Herterich gave a presentation. See packet for details. Staff approved.

B. COA 19-68

606 W. Dodds Street (McDoel Historic District)

Petitioner: Loren Kimsey

Removal of damaged masonry chimney and patch roof.

Conor Herterich gave a presentation. See packet for details. Staff approved.

C. COA 19-69

710/712 E. 9th Street (University Courts Historic District)

Petitioner: Tariq Khan

Replacement of four original widows on front façade with vinyl windows that will maintain the same size, shape, and style as the originals.

Conor Herterich gave a presentation. See packet for details. After a site inspection staff found that the windows are not in deteriorated condition and vinyl windows are incompatible with design guidelines. As a result he petition was denied by staff.

D. COA 19-70

812 S. Morton Street (McDoel Historic District)

Petitioner: JT Forbes & Martha Louise Shedd

Several alterations to the home. See packet for details.

Conor Herterich gave a presentation. See packet for details. Staff approved with condition that siding be replaced with clapboard style siding (5 to 5-3/8 or 3 to 3-3/8 exposure). Petitioner agreed.

Commission Review

A. COA 20-1

1016 W. Kirkwood Avenue (Near West Side Conservation District)

Petitioner: Del Backs

Full demolition of principle structure.

Conor Herterich gave a presentation. See packet for details. Staff recommends approval.

No Commissioner questions or discussion.

John Saunders made a motion to approve **COA 20-1**, 1016 W. Kirkwood Avenue. **Sam DeSollar** seconded. **Motion carried 8-0-0** (Yes-No-Abstain).

B. COA 20-2

1009 W. 9th Street

Petitioner: Marc Cornett

Full demolition of principal structure.

Conor Herterich gave a presentation. See packet for details. Staff recommends approval, due to lack of salvageable material, major structural issues, substantial interior water damage, lack of remaining original materials and features, lack of historical context on this street.

Amendment to Staff Report: Individuals serving on the Near West Side Neighborhood Association at one time supported demolition, however since the staff report was written they have changed their minds and members are here to present the official Association position.

Mark Cornett, Petitioner: Structural engineer's report indicates extensive damage. Replacement structures would be single-family homes for ownership, of a type/form complimentary to existing neighborhood.

Olivia Dorfman (NWSNA Representative) read the following letter:

As members of the committee that worked on the Near West Side designation effort, we have been asked to comment on three applications for complete demolition within the new Near West Side Conservation District (COA 20-1, COA 20-2, COA 20-3). We met last

night and discussed these applications.

First, we noted that the staff report we were sent on Monday stated that the Near West Side Neighborhood Association (NWSNA) supported demolition, which was inaccurate. The property owner had informal individual conversations with several members of the Neighborhood Association, but the NWSNA did not formally review or take action on the proposals. Our association's standard practice when consulted on similar proposals has been to: (1) notify the neighborhood that the matter will be discussed at an upcoming association meeting, (2) at the meeting hear from the petitioners and view their supporting documents, (3) discuss the matter as a group, and then (4) decide whether to issue a statement of support or denial.

Second, as a brand new conservation district, we have not yet formed our design review or design guidelines committees. We have been committed to creating this conservation district in an open, transparent, and inclusive manner, and would like the opportunity to form our committees in the same open manner.

Third, we support moving slowly on demolition of vernacular buildings in particular. These are increasingly rare in our community and deserve special consideration. Following from these comments, we have several requests. We would urge the Commissioners to conduct site visits of the two vernacular buildings on W 9th St, to confirm or reevaluate the appropriateness of their demolition, as you did with the property at 723 W 7th St. We would also appreciate being able to participate in these site visits, if possible, for our education going forward. Finally, we would hope that you would postpone a decision on these applications until we've had the opportunity to inform and involve our community at our January 21st neighborhood association meeting.

Thank you, Alan Balthama, William Baus, Sandra Clovier, Olivia Dorfman, Peter Dorfman, and Karen Duffy

Commissioner Questions

Chris Sturbaum: Sympathetic to neighborhood's process. How could we give them more time?

Jeff Goldin: HPC would vote to deny the petition and petitioner would have to reapply.

Chris Sturbaum: Is property on BRI Survey? **Derek Richey:** Contributing

Jenny Southern: Do you know history of these properties? **Conor Herterich:** Style of structure indicates it could be older than 1900. No reason to believe anyone of local historic importance lived there.

Derek Richey: Question for Steve Wyatt, BRI: Is this property salvageable? **Steve Wyatt:** We could do a lot of restoration, if sale price is low enough. **Derek Richey:** Steve, why in your opinion is this Contributing? **Steve Wyatt:** Exterior is not altered considerably.

Commissioner Comments

Chris Sturbaum: Out of respect for NWSNA, maybe we should deny for now with invitation to reapply.

John Saunders: We visited this house. It is too far gone. Original integrity is lost.

Deb Hutton: Agree with Chris. We should support NWSNA however we can.

Jenny Southern: Have sympathy for new district, but would encourage them to take a closer look at this house. It is in very poor condition.

Doug Bruce: Have not seen a structure in worse shape in my time on the HPC. This application includes a structural report. Trust Mark's judgement (he served on HPC). He will do a good job for the neighborhood with what will replace this home. Even if district guidelines were in place, I believe that we would not save this home unless it were rated higher than Contributing, or unless something of local importance had taken place there.

Derek Richey: Demo thru neglect: how do we address this issue? There will be more and more of

these. Agree with Chris that we should give NWSNA more time.

Jeff Goldin: Walked through, read structural report. Trust Mark’s judgement and agree with Doug’s assessment that this the worst house we’ve seen. Respect NWSNA, but it is prudent to release demo delay.

Conor Herterich: Call everyone’s attention to document outlining BMC Title 8.12.010—criteria for demolition. **Jeff Goldin:** Conor, please read this into the record.

Conor Herterich:

(c) Criteria for the commission to consider in the case of a proposed demolition include the following:

- (1) Effect of the demolition on the character of the historic district;*
- (2) State of deterioration, disrepair, and structural stability of the structure. The condition of the building resulting from neglect shall not be considered grounds for demolition;*
- (3) Balance of the public interest in preserving the structure or the integrity of the district with the interest of the owner of the building or structure in the use and utilization of the property; and*
- (4) Possible alternatives to demolition.*

Chris Sturbaum made a motion to deny **COA 20-2**, 1009 W. 9th Street. **Deb Hutton** seconded. **Motion failed 2-4-2 (Yes-No-Abstain).**

Jeff Goldin made a motion to approve **COA 20-2**, 1009 W. 9th Street. **Doug Bruce** seconded. **Motion carried 5-2-1 (Yes-No-Abstain).**

C. COA 20-3

1017 W. 9th Street

Petitioner: Marc Cornett

Full demolition of principal structure.

Conor Herterich gave a presentation. See packet for details. Staff recommends approval, as alterations have been significant enough to change original form and features such that it no longer possesses historical integrity. 2001 Interim Report lists this as Contributing; 2015 SHAARD surveyors changed it to Non-Contributing; 2018 Re-Survey again rated it as Contributing. Staff considered this Non-Contributing.

Olivia Dorfman (NWSNA Representative): Our letter was in reference to both COA 20-2 and COA 20-3.

Commissioner Questions

Deb Hutton: Conor, why would you rate this differently from the 2018 BRI Re-Survey? **Conor Herterich:** Ratings are subjective. In my professional opinion it has been altered so significantly as to no longer communicate the “double pen” form, so I would rate it Non-Contributing.

Jenny Southern: Does demolition remove this property from the district? **Conor Herterich:** No.

Commissioner Comments

Chris Sturbaum: We need to be in close communication with neighborhoods so they can be involved in these decisions, but I agree with Staff that this house needs to go. The neighborhood will gain from this in that they will be able to weigh in on the design of the new structure.

John Saunders: I went through this house. For safety reasons it should be torn down.

Sam DeSollar: Encourage owner to let neighborhood see these houses before demo, so they can see

the condition and begin to understand what HPC looks for. This will help inform their decisions as they develop design review and design guidelines committees.

Doug Bruce: This house is in a condition similar to COA 20-2. Unfortunate that the new NWSCD had these two homes come up so soon after the district was formed.

Derek Richey: Going forward NWSCD neighbors need to keep an eye on vacant homes being neglected in the district. Contact the City with concerns, maybe we can avoid future demolitions through neglect.

Jeff Goldin: I'm concerned about safety. It appears that someone has been living in the house recently. Something needs to be done to prevent anyone living there.

Mark Cornett, Petitioner: I'm excited about NWSCD. These homes wouldn't have had historically inappropriate additions if the district had been in place in the past. Moving forward, with design guidelines in place, such remodels will not be allowed. We would like to build a couple of houses that will look like they've always been there.

John Saunders made a motion to approve **COA 20-3**, 1017 W. 9th Street. **Susan Dyer** seconded. **Motion carried 7-0-1 (Yes-No-Abstain).**

DEMOLITION DELAY

Staff Review

A. Demo Delay 20-1

312 E. 12th Street

Petitioner: Brian Marren

Partial demolition

Conor Herterich gave a presentation. See packet for details. Staff releases **Demo Delay 20-1**, as alteration does not endanger the structure's status as "contributing".

Commission Review

A. Demo-Delay 19-22

800 S. Pleasant Ridge Road

Petitioner: May Brothers Builders

Partial demolition: Construction of two additions to home.

Conor Herterich gave a presentation outlining updated design (initial and updated designs were both included in packet). Staff recommends releasing **Demo Delay 19-22**

Andrea Havill, Petitioner: When we submitted the original design, we did not realize that the house had an Outstanding rating. We did more research, and changed the design so as not to interfere with the original form of the house.

Commissioner Questions

Deb Hutton: If we release the Demo Delay, could be still apply local designation? **Jeff Goldin:** We can ask the owner to do so voluntarily.

Sam DeSollar: Which elevations can be seen from right-of-way? **Conor Herterich:** Google map—large setback, not much visible. **Sam DeSollar:** Has petitioner considered matching the pitch of the roof slope? I recommend doing so.

Doug Bruce: Any replacement of windows? **Conor Herterich:** No.

Commissioner Comments

Chris Sturbaum: This review is the same as what we would do if this was a locally designated property. I second the suggestion that the owners consider local historic designation.

Doug Bruce: This is a fantastic house. I was relieved to see the updated design. I second Sam's suggestion about matching the slope of the roof on the addition to the original.

Jeff Goldin: Appreciate owners' recognition of the importance of this house. Suggest the owners pursue voluntary local designation.

John Saunders made a motion to waive the demolition delay waiting period for **Demo Delay 19-22**. **Deb Hutton** seconded. **Motion carried 8-0-0 (Yes-No-Abstain).**

B. Demo-Delay 19-23--TABLED

1109 N. College Avenue

Petitioner: NKS Development LLC

Full demolition

C. Demo-Delay 19-24--TABLED

1116 N. College Avenue

Petitioner: N College 1116 LLC

Full demolition

D. Demo-Delay 19-25

414 E. 9th Street

Petitioner: David Kebber

Full demolition

Conor Herterich gave a presentation. See packet for details. Staff recommends release of demolition delay.

David Kebber, Petitioner: Structure is in very bad shape, neglected over the years.

Commissioner Questions

Chris Sturbaum: Looks older than 1927, due to distinctive architectural characteristics. There may have been African American owner. We should take more time, may have more history than we know. **Derek Richey:** Chris, it may be a few years older, but it was built as part of an addition in this area on Bloomington in the 1920s. 1st black fraternity was across the street

Deb Hutton: Was it originally two stories? **Conor Herterich:** Yes.

Sam DeSollar: Question for Steve Wyatt, BRI: Would this house be moveable? **Steve Wyatt:** Anything is moveable, but 2 stories is more difficult. Couldn't find a lot nearby that's affordable.

Jeff Goldin: Is it a rental? **Petitioner:** Previous owner didn't know who lived there.

Commissioner Comments

Chris Sturbaum: I suggest a continuation, to give this more thought.

John Saunders: I would like to tour the property before making a final decision.

Deb Hutton: Agree we should do more research on the architectural and human history.

Jenny Southern: Agree

Lee Sandweiss: Agree

Sam DeSollar: Would like to walk through. We don't have structural engineer report.

Conor Herterich: Condition of the structure is not a criterion for demolition. Why do we need

to do a walk-through to determine condition?

Chris Sturbaum: I think there are unique features.

Doug Bruce: We need more information. Cannot designate without more info.

Derek Richey: This in part of Kenwood Additions built in 1920s. I've seen old newspaper ads. Rumors are that this was designed by one of JL Nichols' sons. Agree we need more time. Bill Coulter is an expert who may be able to tell us more about this architectural structure.

Susan Dyer: Agree

Jeff Goldin: Agree. We need a site visit and more research.

Commission agreed to continue discussion until the next meeting of the HPC, January 23, 2020.

E. Demo Delay 20-2

426 E. 10th Street

Petitioner: Robert Frielman

Partial demolition: Addition on east elevation and replace door with window.

Conor Herterich gave a presentation. See packet for details. Staff recommends release of demolition delay.

John Saunders made a motion to waive the demolition delay waiting period for **Demo Delay 20-2**. **Chris Sturbaum** seconded. **Motion carried 8-0-0** (Yes-No-Abstain).

G. Demo Delay 20-3

116 N. Grant

Petitioner: Doug Bruce

Partial demolition: Remove two windows on side of the house and install entrance door.

Conor Herterich gave a presentation. See packet for details. Staff recommends release of demolition delay.

Doug Bruce, Petitioner: Side window will be salvaged and replaced with a period style door.

John Saunders made a motion to waive the demolition delay waiting period for **Demo Delay 20-3**. **Jeff Goldin** seconded. **Motion carried 7-0-1** (Yes-No-Abstain).

NEW BUSINESS

A. Select 2020 HPC Chair and Vice Chair

Slate: John Saunders, Chair; Deb Hutton, Vice Chair

Slate was adopted 8-0-0 (Yes-No-Abstain).

OLD BUSINESS

COMMISSIONER COMMENTS

Chris Sturbaum: Thank you to Jeff for being chair

Conor Herterich: We still have one vacant Commissioner position. We are waiting on the Common

Council for reappointment of Advisory members.

PUBLIC COMMENTS

Carl Salzman (owner of 1114 N College): Regarding Demo Delay 19-24, 1116 N College. For the past three years homeless people have been using property as a drug house. Syringes and other trash litter the area. They have been stealing electricity and water from law office next door. Needs to be sealed until demo. Holes in floor. Can smell black mold from outside.

Conor Herterich: HAND can issue an order to seal.

ANNOUNCEMENTS

ADJOURNMENT

Meeting adjourned by Jeff Goldin at 6:28 p.m.

END OF MINUTES